

**[STAFF WORKING DRAFT]**

MARCH 9, 2016

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2016 through 2017, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. THUNE (for himself and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2016 through 2017, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Federal Aviation Administration Reauthorization Act of  
6 2016”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 49, United States Code.
- Sec. 3. Definition of appropriate committees of Congress.
- Sec. 4. Effective date.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

- Sec. 1001. Airport planning and development and noise compatibility planning and programs.
- Sec. 1002. Air navigation facilities and equipment.
- Sec. 1003. FAA operations.
- Sec. 1004. FAA research and development.
- Sec. 1005. Funding for aviation programs.
- Sec. 1006. Extension of expiring authorities.

Subtitle B—Airport Improvement Program Modifications

- Sec. 1201. Small airport regulation relief.
- Sec. 1202. Priority review of construction projects in cold weather States.
- Sec. 1203. State block grants updates.
- Sec. 1204. Contract Tower Program updates.
- Sec. 1205. Approval of certain applications for contract tower program.
- Sec. 1206. Remote towers.
- Sec. 1207. Midway Island airport.
- Sec. 1208. Airport road funding.
- Sec. 1209. Repeal of inherently low-emission airport vehicle pilot program.
- Sec. 1210. Modification of zero-emission airport vehicles and infrastructure pilot program.
- Sec. 1211. Repeal of airport ground support equipment emissions retrofit pilot program.
- Sec. 1212. Funding eligibility for airport energy efficiency assessments.
- Sec. 1213. Recycling plans; safety projects at unclassified airports.
- Sec. 1214. Transfers of instrument landing systems.
- Sec. 1215. Non-movement area surveillance pilot program.
- Sec. 1216. Amendments to definitions.
- Sec. 1217. Clarification of noise exposure map updates.
- Sec. 1218. Provision of facilities.
- Sec. 1219. Contract weather observers.
- Sec. 1220. Federal share adjustment.
- Sec. 1221. Miscellaneous technical amendments.

Subtitle C—Passenger Facility Charges

- Sec. 1301. PFC streamlining.
- Sec. 1302. Intermodal access projects.
- Sec. 1303. Use of revenue at a previously associated airport.
- Sec. 1304. Future aviation infrastructure and financing study.

TITLE II—SAFETY

Subtitle A—Unmanned Aircraft Systems Reform

Sec. 2001. Definitions.

PART I—PRIVACY AND TRANSPARENCY

Sec. 2101. Unmanned aircraft systems privacy policy.

Sec. 2102. Sense of Congress.

Sec. 2103. Federal Trade Commission authority.

Sec. 2104. National Telecommunications and Information Administration multi-stakeholder process.

Sec. 2105. Identification standards.

Sec. 2106. Commercial and governmental operators.

Sec. 2107. Analysis of current remedies under Federal, State, local jurisdictions.

PART II—UNMANNED AIRCRAFT SYSTEMS

Sec. 2121. Definitions.

Sec. 2122. Utilization of unmanned aircraft system test sites.

Sec. 2123. Additional research, development, and testing.

Sec. 2124. Safety standards.

Sec. 2125. Unmanned aircraft systems in the Arctic.

Sec. 2126. Special authority for certain unmanned aircraft systems.

Sec. 2127. Additional rulemaking authority.

Sec. 2128. Governmental unmanned aircraft systems.

Sec. 2129. Special rules for model aircraft.

Sec. 2130. Unmanned aircraft systems aeronautical knowledge and safety.

Sec. 2131. Safety statements.

Sec. 2132. Treatment of unmanned aircraft operating underground.

Sec. 2133. Enforcement.

Sec. 2134. Aviation emergency safety public services disruption.

Sec. 2135. Pilot project for airport safety and airspace hazard mitigation.

Sec. 2136. Contribution to financing of regulatory functions.

Sec. 2137. Sense of Congress regarding small UAS rulemaking.

Sec. 2138. Unmanned aircraft system traffic management.

Sec. 2139. Emergency exemption process.

Sec. 2140. Public uas operations by tribal governments.

PART III—TRANSITION AND SAVINGS PROVISIONS

Sec. 2141. Senior advisor for unmanned aircraft systems integration.

Sec. 2142. Effect on other laws.

Sec. 2143. Transition language.

Subtitle B—FAA Safety Certification Reform

PART I—GENERAL PROVISIONS

Sec. 2211. Definitions.

Sec. 2212. Safety oversight and certification advisory committee.

PART II—AIRCRAFT CERTIFICATION REFORM

Sec. 2221. Aircraft certification performance objectives and metrics.

Sec. 2222. Organization designation authorizations.

Sec. 2223. ODA review.

Sec. 2224. Type certification resolution process.

Sec. 2225. Safety enhancing technologies for small general aviation airplanes.

Sec. 2226. Streamlining certification of small general aviation airplanes.

PART III—FLIGHT STANDARDS REFORM

- Sec. 2231. Flight standards performance objectives and metrics.
- Sec. 2232. FAA task force on flight standards reform.
- Sec. 2233. Centralized safety guidance database.
- Sec. 2234. Regulatory Consistency Communications Board.
- Sec. 2235. Flight standards service realignment feasibility report.
- Sec. 2236. Additional certification resources.

PART IV—SAFETY WORKFORCE

- Sec. 2241. Safety workforce training strategy.
- Sec. 2242. Workforce study.

PART V—INTERNATIONAL AVIATION

- Sec. 2251. Promotion of United States aerospace standards, products, and services abroad.
- Sec. 2252. Bilateral exchanges of safety oversight responsibilities.
- Sec. 2253. FAA leadership abroad.
- Sec. 2254. Registration, certification, and related fees.

Subtitle C—Airline Passenger Safety and Protections

- Sec. 2301. Pilot records database deadline.
- Sec. 2302. Access to air carrier flight decks.
- Sec. 2303. Aircraft tracking and flight data.
- Sec. 2304. Automation reliance improvements.
- Sec. 2305. Enhanced mental health screening for pilots.
- Sec. 2306. Sleep-related medical conditions.
- Sec. 2307. Training flight attendants to identify human trafficking.
- Sec. 2308. Report on obsolete test equipment.
- Sec. 2309. Plan for systems to provide direct warnings of potential runway incursions.
- Sec. 2310. Laser pointer incidents.
- Sec. 2311. Helicopter air ambulance operations data and reports.
- Sec. 2312. Part 135 accident and incident data.
- Sec. 2313. Definition of human factors.
- Sec. 2314. Sense of Congress; pilot in command authority.
- Sec. 2315. Enhancing ASIAs.
- Sec. 2316. Improving runway safety.
- Sec. 2317. Safe air transportation of lithium cells and batteries.
- Sec. 2318. Flight attendant duty period limitations and rest requirements.

Subtitle D—General Aviation Safety

- Sec. 2401. Automated weather observing systems policy.
- Sec. 2402. Tower marking.
- Sec. 2403. Crash-resistant fuel systems.

Subtitle E—General Provisions

- Sec. 2501. Designated agency safety and health officer.
- Sec. 2502. Repair stations located outside United States.
- Sec. 2503. FAA technical training.
- Sec. 2504. Safety critical staffing.

Subtitle F—Third Class Medical Reform and General Aviation Pilot  
Protections

- Sec. 2601. Short title.
- Sec. 2602. Medical certification of certain small aircraft pilots.
- Sec. 2603. Expansion of pilot's bill of rights.
- Sec. 2604. Limitations on reexamination of certificate holders.
- Sec. 2605. Expediting updates to notam program.
- Sec. 2606. Accessibility of certain flight data.
- Sec. 2607. Authority for legal counsel to issue certain notices.

TITLE III—AIR SERVICE IMPROVEMENTS

- Sec. 3001. Definitions.

Subtitle A—Passenger Air Service Improvements

- Sec. 3101. Causes of airline delays or cancellations.
- Sec. 3102. Involuntary changes to itineraries.
- Sec. 3103. Additional consumer protections.
- Sec. 3104. Addressing the needs of families of passengers involved in aircraft accidents.
- Sec. 3105. Emergency medical kits.
- Sec. 3106. Travelers with disabilities.
- Sec. 3107. Extension of Advisory Committee for Aviation Consumer Protection.
- Sec. 3108. Extension of competitive access reports.
- Sec. 3109. Refunds for delayed baggage.
- Sec. 3110. Refunds for other fees that are not honored by a covered air carrier.
- Sec. 3111. Disclosure of fees to consumers.
- Sec. 3112. Seat assignments.
- Sec. 3113. Child seating.
- Sec. 3114. Consumer complaint process improvement.
- Sec. 3115. Online access to aviation consumer protection information.
- Sec. 3116. Study on in cabin wheelchair restraint systems.
- Sec. 3117. Training policies regarding assistance for persons with disabilities.
- Sec. 3118. Advisory committee on the air travel needs of passengers with disabilities.
- Sec. 3119. Report on covered air carrier change and cancellation fees.
- Sec. 3120. Enforcement of aviation consumer protection rules.
- Sec. 3121. Dimensions for passenger seats.

Subtitle B—Essential Air Service

- Sec. 3201. Essential air service.
- Sec. 3202. Small community air service development program.
- Sec. 3203. Small community program amendments.
- Sec. 3204. Waivers.
- Sec. 3205. Working group on improving air service to small communities.

TITLE IV—NEXTGEN AND FAA ORGANIZATION

- Sec. 4001. Definitions.

Subtitle A—Next Generation Air Transportation System

- Sec. 4101. Return on investment assessment.
- Sec. 4102. Ensuring FAA readiness to use new technology.
- Sec. 4103. NextGen metrics report.

- Sec. 4104. Facility outage contingency plans.
- Sec. 4105. ADS-B mandate assessment.
- Sec. 4106. Nextgen interoperability.
- Sec. 4107. NextGen transition management.
- Sec. 4108. Implementation of NextGen operational improvements.
- Sec. 4109. Cybersecurity.
- Sec. 4110. Defining NextGen.
- Sec. 4111. Human factors.
- Sec. 4112. Major acquisition reports.
- Sec. 4113. Equipage mandates.
- Sec. 4114. Workforce.
- Sec. 4115. Architectural leadership.
- Sec. 4116. Programmatic risk management.

Subtitle B—Administration Organization and Employees

- Sec. 4121. Cost-saving initiatives.
- Sec. 4122. Treatment of essential employees during furloughs.
- Sec. 4123. Controller candidate interviews.
- Sec. 4124. Hiring of air traffic controllers.

TITLE V—MISCELLANEOUS

- Sec. 5001. National Transportation Safety Board investigative officers.
- Sec. 5002. Performance-Based Navigation.
- Sec. 5003. Overflights of national parks.
- Sec. 5004. Navigable airspace analysis for commercial space launch site runways.
- Sec. 5005. Survey and report on spaceport development.
- Sec. 5006. Aviation fuel.
- Sec. 5007. Comprehensive Aviation Preparedness Plan.
- Sec. 5008. Advanced Materials Center of Excellence.
- Sec. 5009. Interference with airline employees.
- Sec. 5010. Technical and conforming amendments.

**1 SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE.**

2       Except as otherwise expressly provided, wherever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of title 49, United States Code.

**7 SEC. 3. DEFINITION OF APPROPRIATE COMMITTEES OF**  
**8 CONGRESS.**

9       In this Act, the term “appropriate committees of  
10 Congress” means the Committee on Commerce, Science,

1 and Transportation of the Senate and the Committee on  
2 Transportation and Infrastructure of the House of Rep-  
3 resentatives.

4 **SEC. 4. EFFECTIVE DATE.**

5 Except as otherwise expressly provided, this Act and  
6 the amendments made by this Act shall take effect on the  
7 date of enactment of this Act.

8 **TITLE I—AUTHORIZATIONS**

9 **Subtitle A—Funding of FAA**

10 **Programs**

11 **SEC. 1001. AIRPORT PLANNING AND DEVELOPMENT AND**  
12 **NOISE COMPATIBILITY PLANNING AND PRO-**  
13 **GRAMS.**

14 (a) AUTHORIZATION.—Section 48103(a) is amended  
15 by striking “section 47505(a)(2), and carrying out noise  
16 compatibility programs under section 47504(c)  
17 \$3,350,000,000 for each of fiscal years 2012 through  
18 2015 and \$1,675,000,000 for the period beginning on Oc-  
19 tober 1, 2015, and ending on March 31, 2016” and insert-  
20 ing “section 47505(a)(2), carrying out noise compatibility  
21 programs under section 47504(c), for an airport coopera-  
22 tive research program under section 44511, for Airports  
23 Technology-Safety research, and Airports Technology-Ef-  
24 ficiency research, \$3,350,000,000 for fiscal year 2016 and  
25 \$3,750,000,000 for fiscal year 2017”.

1 (b) OBLIGATIONAL AUTHORITY.—Section 47104(c)  
2 is amended in the matter preceding paragraph (1) by  
3 striking “After March 31, 2016” and inserting “After  
4 September 30, 2017”.

5 **SEC. 1002. AIR NAVIGATION FACILITIES AND EQUIPMENT.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
7 48101(a) is amended by striking paragraphs (1) through  
8 (5) and inserting the following:

9 “(1) \$2,855,241,025 for fiscal year 2016.

10 “(2) \$2,862,020,524 for fiscal year 2017.”.

11 **SEC. 1003. FAA OPERATIONS.**

12 (a) IN GENERAL.—Section 106(k)(1) is amended by  
13 striking subparagraphs (A) through (E) and inserting the  
14 following:

15 “(A) \$9,910,009,314 for fiscal year 2016;

16 and

17 “(B) \$10,025,361,111 for fiscal year  
18 2017.”.

19 (b) AUTHORIZED EXPENDITURES.—Section  
20 106(k)(2) is amended by striking “for fiscal years 2012  
21 through 2015” each place it appears and inserting “for  
22 fiscal years 2016 through 2017”.

23 (c) AUTHORITY TO TRANSFER FUNDS.—Section  
24 106(k)(3) is amended by striking “2012 through 2015  
25 and for the period beginning on October 1, 2015, and end-



1 ing on March 31, 2016” and inserting “2016 through  
2 2017”.

3 **SEC. 1004. FAA RESEARCH AND DEVELOPMENT.**

4 Section 48102 is amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph

7 (1)—

8 (i) by striking “44511-44513” and in-  
9 serting “44512-44513”; and

10 (ii) by striking “and, for each of fiscal  
11 years 2012 through 2015, under sub-  
12 section (g)”;

13 (B) in paragraph (8), by striking “; and”  
14 and inserting a semicolon; and

15 (C) by striking paragraph (9) and insert-  
16 ing the following:

17 “(9) \$166,000,000 for fiscal year 2016; and

18 “(10) \$169,000,000 for fiscal year 2017.”; and

19 (2) in subsection (b), by striking paragraph (3).

20 **SEC. 1005. FUNDING FOR AVIATION PROGRAMS.**

21 (a) AIRPORT AND AIRWAY TRUST FUND GUAR-  
22 ANTEE.—Section 48114(a)(1)(A) is amended to read as  
23 follows:

24 “(A) IN GENERAL.—The total budget re-  
25 sources made available from the Airport and

1 Airway Trust Fund each fiscal year under sec-  
2 tions 48101, 48102, 48103, and 106(k)—

3 “(i) shall in each of fiscal years 2014  
4 through 2017, be equal to the sum of—

5 “(I) 90 percent of the estimated  
6 level of receipts plus interest credited  
7 to the Airport and Airway Trust  
8 Fund for that fiscal year; and

9 “(II) the actual level of receipts  
10 plus interest credited to the Airport  
11 and Airway Trust Fund for the sec-  
12 ond preceding fiscal year minus the  
13 total amount made available for obli-  
14 gation from the Airport and Airway  
15 Trust Fund for the second preceding  
16 fiscal year; and

17 “(ii) may be used only for the aviation  
18 investment programs listed in subsection  
19 (b)(1).”.

20 (b) ENFORCEMENT OF GUARANTEES.—Section  
21 48114(c)(2) is amended by striking “2016” and inserting  
22 “2017”.

23 **SEC. 1006. EXTENSION OF EXPIRING AUTHORITIES.**

24 (a) DISCRETIONARY FUND; MARSHALL ISLANDS, MI-  
25 CRONESIA, AND PALAU.—Section 47115(j) is amended by

1 striking “2015 and for the period beginning on October  
2 1, 2015, and ending on March 31, 2016,” and inserting  
3 “2017”.

4 (b) EXTENSION OF COMPATIBLE LAND USE PLAN-  
5 NING AND PROJECTS BY STATE AND LOCAL GOVERN-  
6 MENTS.—Section 47141(f) is amended by striking “March  
7 31, 2016” and inserting “September 30, 2017”.

8 (c) INSPECTOR GENERAL REPORT ON PARTICIPA-  
9 TION IN FAA PROGRAMS BY DISADVANTAGED SMALL  
10 BUSINESS CONCERNS.—Section 140(c)(1) of the FAA  
11 Modernization and Reform Act of 2012 (Public Law 112–  
12 95) is amended by striking “fiscal years 2013 through  
13 2016” and inserting “fiscal years 2016 through 2017”.

14 (d) EXTENSION OF PILOT PROGRAM FOR REDEVEL-  
15 OPMENT OF AIRPORT PROPERTIES.—Section 822(k) of  
16 the FAA Modernization and Reform Act of 2012 (49  
17 U.S.C. 47141 note) is amended by striking “March 31,  
18 2016” and inserting “September 30, 2017”.

## 19 **Subtitle B—Airport Improvement** 20 **Program Modifications**

### 21 **SEC. 1201. SMALL AIRPORT REGULATION RELIEF.**

22 Section 47114(c)(1) is amended by adding at the end  
23 the following:

24 “(G) SPECIAL RULE FOR FISCAL YEARS  
25 2016 THROUGH 2017.—Notwithstanding sub-

1 paragraph (A), the Secretary shall apportion to  
2 a sponsor of an airport under that subpara-  
3 graph for each of fiscal years 2016 through  
4 2017 an amount based on the number of pas-  
5 senger boardings at the airport during calendar  
6 year 2012 if the airport—

7 “(i) had 10,000 or more passenger  
8 boardings during calendar year 2012;

9 “(ii) had fewer than 10,000 passenger  
10 boardings during the calendar year used to  
11 calculate the apportionment for fiscal year  
12 2016 or 2017 under subparagraph (A);  
13 and

14 “(iii) had scheduled air service in the  
15 calendar year used to calculate the appor-  
16 tionment.”.

17 **SEC. 1202. PRIORITY REVIEW OF CONSTRUCTION**  
18 **PROJECTS IN COLD WEATHER STATES.**

19 (a) IN GENERAL.—The Administrator of the Federal  
20 Aviation Administration, to the extent practicable, shall  
21 schedule the Administrator’s review of construction  
22 projects so that projects to be carried out in the States  
23 in which the weather during a typical calendar year pre-  
24 vents major construction projects from being carried out  
25 before May 1 are reviewed as early as possible.

1 (b) REPORT.—The Administrator shall update the  
2 appropriate committees of Congress annually on the effec-  
3 tiveness of the review and prioritization.

4 **SEC. 1203. STATE BLOCK GRANTS UPDATES.**

5 Section 47128(a) is amended by striking “9 qualified  
6 States for fiscal years 2000 and 2001 and 10 qualified  
7 States for each fiscal year thereafter” and inserting “15  
8 qualified States for fiscal year 2016 and each fiscal year  
9 thereafter”.

10 **SEC. 1204. CONTRACT TOWER PROGRAM UPDATES.**

11 (a) SPECIAL RULE.—Section 47124(b)(1)(B) is  
12 amended by striking “after such determination is made”  
13 and inserting “after the end of the period described in sub-  
14 section (d)(6)(C)”.

15 (b) CONTRACT AIR TRAFFIC CONTROL TOWER COST-  
16 SHARE PROGRAM; FUNDING.—Section 47124(b)(3)(E) is  
17 amended to read as follows:

18 “(E) FUNDING.—Of the amounts appro-  
19 priated under section 106(k)(1), such sums as  
20 may be necessary may be used to carry out this  
21 paragraph.”.

22 (c) CAP ON FEDERAL SHARE OF COST OF CON-  
23 STRUCTION.—Section 47124(b)(4)(C) is amended by  
24 striking “\$2,000,000” and inserting “\$4,000,000”.

1 (d) COST BENEFIT RATIO REVISION.—Section  
2 47124 is amended by adding at the end the following;

3 “(d) COST BENEFIT RATIOS.—

4 “(1) CONTRACT AIR TRAFFIC CONTROL TOWER  
5 PROGRAM AT COST-SHARE AIRPORTS.—Beginning on  
6 the date of enactment of the Federal Aviation Ad-  
7 ministration Reauthorization Act of 2016, if a tower  
8 is operating under the Cost-share Program, the Sec-  
9 retary shall annually calculate a new benefit-to-cost  
10 ratio for the tower.

11 “(2) CONTRACT TOWER PROGRAM AT NON-  
12 COST-SHARE AIRPORTS.—Beginning on the date of  
13 enactment of the Federal Aviation Administration  
14 Reauthorization Act of 2016, if a tower is operating  
15 under the Control Tower Program and continued  
16 under subsection (b)(1), the Secretary shall not cal-  
17 culate a new benefit-to-cost ratio for the tower un-  
18 less the annual aircraft traffic at the airport where  
19 the tower is located decreases by more than 25 per-  
20 cent from the previous year or by more than 60 per-  
21 cent over a 3 year period.

22 “(3) CONSIDERATIONS.—In establishing a ben-  
23 efit-to-cost ratio under paragraph (1) or paragraph  
24 (2), the Secretary may consider only the following  
25 costs:

1           “(A) The Federal Aviation Administra-  
2           tion’s actual cost of wages and benefits of per-  
3           sonnel working at the air traffic control con-  
4           tract tower.

5           “(B) The Federal Aviation Administra-  
6           tion’s actual telecommunications costs of the air  
7           traffic control contract tower.

8           “(C) Relocation and replacement costs of  
9           equipment of the Federal Aviation Administra-  
10          tion associated with the tower, if paid for by  
11          the Federal Aviation Administration.

12          “(D) Logistics, such as direct costs associ-  
13          ated with establishing or updating the tower’s  
14          interface with other systems and equipment of  
15          the Federal Aviation Administration, if paid for  
16          by the Federal Aviation Administration

17          “(4) EXCLUSIONS.—In establishing a benefit-  
18          to-cost ratio under paragraph (1) or paragraph (2),  
19          the Secretary may not consider the following costs:

20                 “(A) Airway facilities costs, including labor  
21                 and other costs associated with maintaining and  
22                 repairing the systems and equipment of the  
23                 Federal Aviation Administration.

1           “(B) Costs for depreciating the building  
2           and equipment owned by the Federal Aviation  
3           Administration.

4           “(C) Indirect overhead costs of the Federal  
5           Aviation Administration.

6           “(D) Costs for utilities, janitorial, and  
7           other services paid for or provided by the air-  
8           port or the State or political subdivision of a  
9           State having jurisdiction over the airport where  
10          the tower is located.

11          “(E) The cost of new or replacement  
12          equipment, or construction of a new or replace-  
13          ment tower, if the costs borne were borne by  
14          the airport or the State or political subdivision  
15          of a State having jurisdiction over the airport  
16          where the tower is or will be located.

17          “(F) Other expenses of the Federal Avia-  
18          tion Administration not directly associated with  
19          the actual operation of the tower.

20          “(5) MARGIN OF ERROR.—The Secretary shall  
21          add a 5 percent margin of error to a benefit-to-cost  
22          ratio determination to acknowledge and account for  
23          any direct or indirect factors that are not included  
24          in the criteria the Secretary used in calculating the  
25          benefit-to-cost ratio.



1           “(6) PROCEDURES.—The Secretary shall estab-  
2       lish procedures—

3                   “(A) to allow an airport or the State or po-  
4       litical subdivision of a State having jurisdiction  
5       over the airport where the tower is located not  
6       less than 90 days following the receipt of an  
7       initial benefit-to-cost ratio determination from  
8       the Secretary—

9                           “(i) to request the Secretary recon-  
10                           sider that determination; and

11                           “(ii) to submit updated or additional  
12                           data to the Secretary in support of the re-  
13                           consideration;

14                   “(B) to allow the Secretary not more than  
15       90 days to review the data submitted under  
16       subparagraph (A)(ii) and respond to the re-  
17       quest under subparagraph (A)(i);

18                   “(C) to allow the airport, State, or political  
19       subdivision of a State, as applicable, 30 days  
20       following the date of the response under sub-  
21       paragraph (B) to review the response before  
22       any action is taken based on a benefit-to-cost  
23       determination; and

24                   “(D) to provide, after the end of the period  
25       described in subparagraph (C), an 18-month

1 grace period before cost-share payments from  
2 the airport, State, or political subdivision of a  
3 State if as a result of the benefit-to-cost ratio  
4 determination the airport, State, or political  
5 subdivision, as applicable, is required to transi-  
6 tion to the Cost-share Program.

7 “(e) DEFINITIONS.—In this section:

8 “(1) CONTROL TOWER PROGRAM.—The term  
9 ‘Control Tower Program’ means the level I air traf-  
10 fic control tower contract program established under  
11 subsection (a) and continued under subsection  
12 (b)(1).

13 “(2) COST-SHARE PROGRAM.—The term ‘Cost-  
14 share Program’ means the cost-share program estab-  
15 lished under subsection (b)(3).”.

16 (e) CONFORMING AMENDMENTS.—Section 47124(b)  
17 is amended—

18 (1) in paragraph (1)(C), by striking “the pro-  
19 gram established under paragraph (3)” and insert-  
20 ing “the Cost-share Program”;

21 (2) in paragraph (3)—

22 (A) in the heading, by striking “CONTRACT  
23 AIR TRAFFIC CONTROL TOWER PROGRAM” and  
24 inserting “COST-SHARE PROGRAM”;

1           (B) in subparagraph (A), by striking “con-  
2           tract tower program established under sub-  
3           section (a) and continued under paragraph (1)  
4           (in this paragraph referred to as the ‘Contract  
5           Tower Program’)” and inserting “Contract  
6           Tower Program”;

7           (C) in subparagraph (B), by striking “In  
8           carrying out the program” and inserting “In  
9           carrying out the Cost-share Program”;

10          (D) in subparagraph (C), by striking “par-  
11          ticipate in the program” and inserting “partici-  
12          pate in the Cost-share Program”;

13          (E) in subparagraph (D), by striking  
14          “under the program” and inserting “under the  
15          Cost-share Program”; and

16          (F) in subparagraph (F), by striking “the  
17          program continued under paragraph (1)” and  
18          inserting “the Control Tower Program”; and

19          (3) in paragraph (4)(B)(i)(I), by striking “con-  
20          tract tower program established under subsection (a)  
21          and continued under paragraph (1) or the pilot pro-  
22          gram established under paragraph (3)” and insert-  
23          ing “Control Tower Program or the Cost-share Pro-  
24          gram”.

1 (f) EXEMPTION.—Section 47124(b)(3)(D) is amend-  
2 ed by adding at the end the following: “Airports with both  
3 Part 121 air service and more than 25,000 passenger  
4 enplanements in calendar year 2014 shall be exempt from  
5 any cost share requirement under the Cost-share Pro-  
6 gram.”.

7 (g) SAVINGS PROVISION.—Notwithstanding the  
8 amendments made by this section, the towers for which  
9 assistance is being provided under section 41724 of title  
10 49, United States Code, on the day before the date of en-  
11 actment of this Act may continue to be provided such as-  
12 sistance under the terms of that section as in effect on  
13 that day.

14 **SEC. 1205. APPROVAL OF CERTAIN APPLICATIONS FOR**  
15 **CONTRACT TOWER PROGRAM.**

16 (a) IN GENERAL.—If the Administrator of the Fed-  
17 eral Aviation Administration has not implemented a re-  
18 vised cost-benefit methodology for purposes of determining  
19 eligibility for the Contract Tower Program before the date  
20 that is 30 days after the date of enactment of this Act,  
21 any air traffic control tower with an application for par-  
22 ticipation in the Contract Tower Program pending as of  
23 January 1, 2016, shall be approved for participation in  
24 the Contract Tower Program if the Administrator deter-  
25 mines the tower is eligible under the criteria set forth in

1 the Federal Aviation Administration report, Establish-  
2 ment and Discontinuance Criteria for Airport Traffic Con-  
3 trol Towers, dated August 1990 (FAA-APO-90-7).

4 (b) DEFINITION OF CONTRACT TOWER PROGRAM.—

5 In this section, the term “Contract Tower Program” has  
6 the meaning given the term in section 47124(e) of title  
7 49, United States Code.

8 **SEC. 1206. REMOTE TOWERS.**

9 (a) PILOT PROGRAM.—

10 (1) ESTABLISHMENT.—The Administrator of  
11 the Federal Aviation Administration shall estab-  
12 lish—

13 (A) in consultation with airport operators  
14 and general aviation users, a pilot program at  
15 public-use airports to construct and operate re-  
16 mote towers; and

17 (B) a selection process for participation in  
18 the pilot program.

19 (2) SAFETY CONSIDERATIONS.—In establishing  
20 the pilot program, the Administrator shall consult  
21 with operators of remote towers in foreign countries  
22 to design the pilot program in a manner that  
23 leverages as many safety and airspace efficiency ben-  
24 efits as possible.

1           (3) REQUIREMENTS.—In selecting the airports  
2 for participation in the pilot program, the Adminis-  
3 trator shall—

4           (A) to the extent practicable, ensure that  
5 at least 2 different vendors of remote tower sys-  
6 tems participate;

7           (B) include at least 1 airport currently in  
8 the Contract Tower Program and at least 1 air-  
9 port that does not have an air traffic control  
10 tower; and

11           (C) clearly identify the research questions  
12 that will be addressed at each airport.

13           (4) RESEARCH.—In selecting an airport for  
14 participation in the pilot program, the Administrator  
15 shall consider—

16           (A) how inclusion of that airport will add  
17 research value to assist the Administrator in  
18 evaluating the feasibility, safety, and benefits of  
19 using remote towers;

20           (B) the amount and variety of air traffic  
21 at an airport; and

22           (C) the costs and benefits of including that  
23 airport.

24           (5) DATA.—The Administrator shall clearly  
25 identify and collect air traffic control information

1 and data from participating airports that will assist  
2 the Administrator in evaluating the feasibility, safe-  
3 ty, and cost-benefits of remote towers.

4 (6) REPORT.—Not later than 1 year after the  
5 date the first remote tower is operational, and annu-  
6 ally thereafter, the Administrator shall submit to the  
7 appropriate committees of Congress a report—

8 (A) detailing any benefits, costs, or safety  
9 improvements associated with the use of the re-  
10 mote towers; and

11 (B) evaluating the feasibility of using re-  
12 mote towers, particularly in the Contract Tower  
13 Program and for airports without any air traf-  
14 fic control tower, or to improve safety at air-  
15 ports with towers.

16 (7) DEADLINE.—Not later than 1 year after  
17 the date of enactment of this Act, the Administrator  
18 shall select airports for participation in the pilot pro-  
19 gram.

20 (8) DEFINITIONS.—In this subsection:

21 (A) CONTRACT TOWER PROGRAM.—The  
22 term “Contract Tower Program” has the mean-  
23 ing given the term in section 47124(e) of title  
24 49, United States Code.

1 (B) REMOTE TOWER.—The term “remote  
2 tower” means a system whereby air traffic serv-  
3 ices are provided to operators at an airport  
4 from a location that may not be on or near the  
5 airport.

6 (b) AIP FUNDING ELIGIBILITY.—For purposes of  
7 the pilot program under subsection (a), and after certifi-  
8 cated systems are available, constructing a remote tower  
9 or acquiring and installing air traffic control, communica-  
10 tions, or related equipment for a remote tower shall be  
11 considered airport development (as defined in section  
12 47102 of title 49, United States Code) for purposes of  
13 subchapter I of chapter 471 of that title if components  
14 are installed and used at the airport, except for off-airport  
15 sensors installed on leased towers, as needed.

16 **SEC. 1207. MIDWAY ISLAND AIRPORT.**

17 Section 186(d) of the Vision 100 - Century of Avia-  
18 tion Reauthorization Act (Public Law 108–176; 117 Stat.  
19 2518) is amended by striking “and for the period begin-  
20 ning on October 1, 2015, and ending on March 31, 2016,”  
21 inserting “and for fiscal years 2016 through 2017”.

22 **SEC. 1208. AIRPORT ROAD FUNDING.**

23 (a) AIRPORT DEVELOPMENT GRANT ASSURANCES.—  
24 Section 47107(b) is amended by adding at the end the  
25 following:



1           “(4) This subsection does not prevent the use  
2           of airport revenue for the maintenance and improve-  
3           ment of the on-airport portion of a surface transpor-  
4           tation facility providing access to an airport and  
5           non-airport locations if the surface transportation  
6           facility is owned or operated by the airport owner or  
7           operator and the use of airport revenue is prorated  
8           to airport use and limited to portions of the facility  
9           located on the airport. The Secretary shall determine  
10          the maximum percentage contribution of airport rev-  
11          enue towards surface transportation facility mainte-  
12          nance or improvement, taking into consideration the  
13          current and projected use of the surface transpor-  
14          tation facility located on the airport for airport and  
15          non-airport purposes. The de minimus use, as deter-  
16          mined by the Secretary, of a surface transportation  
17          facility for non-airport purposes shall not require  
18          prorating.”.

19          (b) RESTRICTIONS ON THE USE OF AIRPORT REV-  
20          ENUE.—Section 47133 is amended—

21                 (1) by inserting “(1)” before “Nothing” and in-  
22                 denting appropriately; and

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

24                 “(2) Nothing in this section may be construed  
25                 to prevent the use of airport revenue for the pro-

1 rated maintenance and improvement costs of the on-  
2 airport portion of the surface transportation facility,  
3 subject to the provisions of section 47107(b)(4).”.

4 **SEC. 1209. REPEAL OF INHERENTLY LOW-EMISSION AIR-**  
5 **PORT VEHICLE PILOT PROGRAM.**

6 (a) REPEAL.—Section 47136 is repealed.

7 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

8 The table of contents for chapter 471 is amended by strik-  
9 ing the item relating to section 47136 and inserting the  
10 following:

47136. [Reserved].

11 **SEC. 1210. MODIFICATION OF ZERO-EMISSION AIRPORT VE-**  
12 **HICLES AND INFRASTRUCTURE PILOT PRO-**  
13 **GRAM.**

14 Section 47136a is amended—

15 (1) in subsection (a), by striking “, including”  
16 and inserting “used exclusively for transporting pas-  
17 sengers on-airport or for employee shuttle buses  
18 within the airport, including”; and

19 (2) in subsection (f), by inserting “, as in effect  
20 on the day before the date of enactment of the Fed-  
21 eral Aviation Administration Reauthorization Act of  
22 2016,” after “section 47136”.

1 **SEC. 1211. REPEAL OF AIRPORT GROUND SUPPORT EQUIP-**  
2 **MENT EMISSIONS RETROFIT PILOT PRO-**  
3 **GRAM.**

4 (a) REPEAL.—Section 47140 is repealed.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

6 The table of contents for chapter 471 is amended by strik-  
7 ing the item relating to section 47140 and inserting the  
8 following:

“47140. [Reserved].”.

9 **SEC. 1212. FUNDING ELIGIBILITY FOR AIRPORT ENERGY**  
10 **EFFICIENCY ASSESSMENTS.**

11 (a) COST REIMBURSEMENTS.—Section 47140a(a) is  
12 amended by striking “airport.” and inserting “airport,  
13 and to reimburse the airport sponsor for the costs incurred  
14 in conducting the assessment.”.

15 (b) SAFETY PRIORITY.—Section 47140a(b)(2) is  
16 amending by inserting “, including a certification that no  
17 safety projects would be deferred by prioritizing a grant  
18 under this section,” after “an application”.

19 **SEC. 1213. RECYCLING PLANS; SAFETY PROJECTS AT UN-**  
20 **CLASSIFIED AIRPORTS.**

21 Section 47106(a) is amended—

22 (1) in paragraph (5), by striking “; and” and  
23 inserting a semicolon;

24 (2) in paragraph (6)—

1 (A) in the matter preceding subparagraph  
2 (A), by striking “for an airport that has an air-  
3 port master plan, the master plan addresses”  
4 and inserting “a master plan project, it will ad-  
5 dress”; and

6 (B) in subparagraph (E), by striking the  
7 period at the end and inserting “; and”; and  
8 (3) by adding at the end the following:

9 “(7) if the project is at an unclassified airport,  
10 the project will be funded with an amount appor-  
11 tioned under subsection 47114(d)(3)(B) and is—

12 “(A) for maintenance of the pavement of  
13 the primary runway;

14 “(B) for obstruction removal for the pri-  
15 mary runway;

16 “(C) for the rehabilitation of the primary  
17 runway; or

18 “(D) a project that the Secretary considers  
19 necessary for the safe operation of the air-  
20 port.”.

21 **SEC. 1214. TRANSFERS OF INSTRUMENT LANDING SYS-**  
22 **TEMS.**

23 Section 44502(e) is amended by striking the first sen-  
24 tence and inserting “An airport may transfer, without con-  
25 sideration, to the Administrator of the Federal Aviation

1 Administration an instrument landing system consisting  
2 of a glide slope and localizer that conforms to performance  
3 specifications of the Administrator if an airport improve-  
4 ment project grant was used to assist in purchasing the  
5 system, and if the Federal Aviation Administration has  
6 determined that a satellite navigation system cannot pro-  
7 vide a suitable approach.”.

8 **SEC. 1215. NON-MOVEMENT AREA SURVEILLANCE PILOT**  
9 **PROGRAM.**

10 (a) IN GENERAL.—Subchapter I of chapter 471 is  
11 amended by adding at the end the following:

12 **“§ 47143. Non-movement area surveillance surface**  
13 **display systems pilot program**

14 “(a) IN GENERAL.—The Administrator of the Fed-  
15 eral Aviation Administration may carry out a pilot pro-  
16 gram to support non-Federal acquisition and installation  
17 of qualifying non-movement area surveillance surface dis-  
18 play systems and sensors if—

19 “(1) the Administrator determines that acquisi-  
20 tion and installation of qualifying non-movement  
21 area surveillance surface display systems and sen-  
22 sors improve safety or capacity in the National Air-  
23 space System; and

24 “(2) the non-movement area surveillance sur-  
25 face display systems and sensors are supplemental to

1 existing movement area systems and sensors at the  
2 selected airports established under other programs  
3 administered by the Administrator.

4 “(b) PROJECT GRANTS.—

5 “(1) IN GENERAL.—For purposes of carrying  
6 out the pilot program, the Administrator may make  
7 a project grant out of funds apportioned under para-  
8 graph (1) or paragraph (2) of section 47114(c) to  
9 not more than 5 eligible sponsors to acquire and in-  
10 stall qualifying non-movement area surveillance sur-  
11 face display systems and sensors. The Administrator  
12 may distribute not more than \$2,000,000 per spon-  
13 sor from the discretionary fund. The airports se-  
14 lected to participate in the pilot program shall have  
15 existing Federal Aviation Administration movement  
16 area systems and airlines that are participants in  
17 Federal Aviation Administration’s Airport Collabo-  
18 rative Decision Making process.

19 “(2) PROCEDURES.—In accordance with the au-  
20 thority under section 106, the Administrator may es-  
21 tablish procurement procedures applicable to grants  
22 issued under this subsection. The procedures may  
23 permit the sponsor to carry out the project with ven-  
24 dors that have been accepted in the procurement  
25 procedure or using Federal Aviation Administration

1 contracts. The procedures may provide for the direct  
2 reimbursement (including administrative costs) of  
3 the Administrator by the sponsor using grant funds  
4 under this subsection, for the ordering of system-re-  
5 lated equipment and its installation, or for the direct  
6 ordering of system-related equipment and its instal-  
7 lation by the sponsor, using such grant funds, from  
8 the suppliers with which the Administrator has con-  
9 tracted.

10 “(3) DATA EXCHANGE PROCESSES.—The Ad-  
11 ministrator may establish data exchange processes to  
12 allow airport participation in the Federal Aviation  
13 Administration’s Airport Collaborative Decision  
14 Making process and fusion of the non-movement  
15 surveillance data with the Administration’s move-  
16 ment area systems.

17 “(c) DEFINITIONS.—In this section:

18 “(1) NON-MOVEMENT AREA.—The term ‘non-  
19 movement area’ is the portion of the airfield surface  
20 that is not under the control of air traffic control.

21 “(2) NON-MOVEMENT AREA SURVEILLANCE  
22 SURFACE DISPLAY SYSTEM AND SENSORS.—The  
23 term ‘non-movement area surveillance surface dis-  
24 play system *and sensors*’ is a non-Federal surveil-  
25 lance system that uses on-airport sensors that track

1 vehicles or aircraft that are equipped with tran-  
2 sponders in the non-movement area.

3 “(3) QUALIFYING NON-MOVEMENT AREA SUR-  
4 VEILLANCE SURFACE DISPLAY SYSTEM AND SEN-  
5 SORS.—The term ‘qualifying non-movement area  
6 surveillance surface display system *and sensors*’ is a  
7 non-movement area surveillance surface display sys-  
8 tem that—

9 “(A) provides the required transmit and  
10 receive data formats consistent with the Na-  
11 tional Airspace System architecture at the ap-  
12 propriate service delivery point;

13 “(B) is on-airport; and

14 “(C) is airport operated.”.

15 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

16 The table of contents of chapter 471 is amended by insert-  
17 ing after the item relating to section 47142 the following:

“47143. Non-movement area surveillance surface display systems pilot pro-  
gram.”.

18 **SEC. 1216. AMENDMENTS TO DEFINITIONS.**

19 Section 47102 is amended—

20 (1) by redesignating paragraphs (10) through  
21 (28) as paragraphs (12) through (30), respectively;

22 (2) by redesignating paragraphs (7) through  
23 (9) as paragraphs (8) through (10), respectively;

24 (3) in paragraph (3)(B)—



1 (A) by redesignating clauses (iii) through  
2 (x) as clauses (iv) through (xi), respectively;  
3 and

4 (B) by striking clause (ii) and inserting the  
5 following:

6 “(ii) security equipment owned and  
7 operated by the airport, including explosive  
8 detection devices, universal access control  
9 systems, perimeter fencing, and emergency  
10 call boxes, which the Secretary may require  
11 by regulation for, or approve as contrib-  
12 uting significantly to, the security of indi-  
13 viduals and property at the airport;

14 “(iii) safety apparatus owned and op-  
15 erated by the airport, which the Secretary  
16 may require by regulation for, or approve  
17 as contributing significantly to, the safety  
18 of individuals and property at the airport,  
19 and integrated in-pavement lighting sys-  
20 tems for runways and taxiways and other  
21 runway and taxiway incursion prevention  
22 devices;”;

23 (4) in paragraph (3)—

24 (A) in subparagraph (K), by striking “such  
25 project will result in an airport receiving appro-

1           priate” and inserting “the airport would be able  
2           to receive”; and

3           (B) in subparagraph (L)—

4           (i) by striking “or conversion of vehi-  
5           cles and” and inserting “of vehicles used  
6           exclusively for transporting passengers on-  
7           airport, employee shuttle buses within the  
8           airport, or”;

9           (ii) by striking “airport, to” and in-  
10          serting “airport and equipped with”; and

11          (iii) by striking “7505a) and if such  
12          project will result in an airport receiving  
13          appropriate” and inserting “[7505a)) and  
14          if the airport would be able to receive”;

15          (5) in paragraph (5), by striking “regulations”  
16          and inserting “requirements”;

17          (6) by inserting after paragraph (6) the fol-  
18          lowing:

19                 “(7) ‘categorized airport’ means a nonprimary  
20                 airport that has an identified role in the National  
21                 Plan of Integrated Airport Systems.”;

22          (7) in paragraph (9), as redesignated, by strik-  
23          ing “public” and inserting “public-use”;

24          (8) by inserting after paragraph (10), as redesi-  
25          gnated, the following:

1           “(11) ‘joint use airport’ means an airport  
2 owned by the Department of Defense, at which both  
3 military and civilian aircraft make shared use of the  
4 airfield.”;

5           (9) in paragraph (24), as redesignated, by  
6 amending subparagraph (B)(i) to read as follows:

7                   “(i) determined by the Secretary to  
8 have at least—

9                           “(I) 100 based aircraft that are  
10 currently registered with the Federal  
11 Aviation Administration under chap-  
12 ter 445 of this title; and

13                           “(II) 1 based jet aircraft that is  
14 currently registered with the Federal  
15 Aviation Administration where, for  
16 the purposes of this clause, “based”  
17 means the aircraft or jet aircraft over-  
18 nights at the airport for the greater  
19 part of the year; or”;

20           (10) by adding at the end the following:

21                   “(31) ‘unclassified airport’ means a nonprimary  
22 airport that is included in the National Plan of Inte-  
23 grated Airport Systems that is not categorized by  
24 the Administrator of the Federal Aviation Adminis-

1           tration in the most current report entitled General  
2           Aviation Airports: A National Asset.”.

3   **SEC. 1217. CLARIFICATION OF NOISE EXPOSURE MAP UP-**  
4                   **DATES.**

5           Section 47503(b) is amended—

6                   (1) by striking “a change in the operation of  
7           the airport would establish” and inserting “there is  
8           a change in the operation of the airport that would  
9           establish”; and

10                   (2) by inserting after “reduction” the following:

11           “if the change has occurred during the longer of—

12                   “(1) the noise exposure map period forecast by  
13           the airport operator under subsection (a); or

14                   “(2) the implementation timeframe of the oper-  
15           ator’s noise compatibility program.”.

16   **SEC. 1218. PROVISION OF FACILITIES.**

17           Section 44502 is amended by adding at the end the  
18           following:

19           “(f) AIRPORT SPACE.—

20                   “(1) RESTRICTION.—The Administrator may  
21           not require an airport owner or sponsor (as defined  
22           in section 47102) to provide to the Federal Aviation  
23           Administration without cost any of the following:

24                           “(A) building construction, maintenance,  
25           utilities, or expenses for services relating to air

1 traffic control, air navigation, or weather re-  
2 porting; or

3 “(B) space in a facility owned by the air-  
4 port owner or sponsor for services relating to  
5 air traffic control, air navigation, or weather re-  
6 porting.

7 “(2) RULE OF CONSTRUCTION.—Nothing in  
8 this subsection may be construed to affect—

9 “(A) any agreement the Secretary may  
10 have or make with an airport owner or sponsor  
11 for the airport owner or sponsor to provide any  
12 of the items described in subparagraph (A) or  
13 (B) of paragraph (1) at below-market rates; or

14 “(B) any grant assurance that requires an  
15 airport owner or sponsor to provide land to the  
16 Administration without cost for an air traffic  
17 control facility.”.

18 **SEC. 1219. CONTRACT WEATHER OBSERVERS.**

19 (a) IN GENERAL.—Not later than 90 days after the  
20 date of enactment of this Act, the Administrator of the  
21 Federal Aviation Administration shall submit to the ap-  
22 propriate committee of Congress a report—

23 (1) outlining safety risks, hazard effects, and  
24 operational effects that could result from loss of con-  
25 tract weather observer service at airports that use

1 this service and are under review by the Federal  
2 Aviation Administration;

3 (2) detailing whether and how an airport de-  
4 scribed in paragraph (1) can accurately report rap-  
5 idly changing severe weather conditions, including  
6 thunderstorms, lightning, fog, visibility, cloud layers  
7 and ceilings, ice pellets, freezing rain, and drizzle  
8 without contract weather observers; and

9 (3) detailing the process by which the Adminis-  
10 trator analyzed the safety hazards associated with  
11 eliminating the contract weather observer service.

12 (b) MORATORIUM.—The Administrator may not fi-  
13 nalize any determination regarding the continued use of  
14 the contract weather observer service at any airport until  
15 after the date the report is submitted under subsection  
16 (a).

17 **SEC. 1220. FEDERAL SHARE ADJUSTMENT.**

18 Section 47109(a)(5) is amended to read as follows:

19 “(5) 95 percent for a project at an airport for  
20 which the United States Government’s share would  
21 otherwise be capped at 90 percent under paragraph  
22 (2) or paragraph (3) if the Administrator determines  
23 that the project is a successive phase of a multi-  
24 phased construction project for which the sponsor  
25 received a grant in fiscal year 2011 or earlier.”.

1 **SEC. 1221. MISCELLANEOUS TECHNICAL AMENDMENTS.**

2 (a) AIRPORT SECURITY PROGRAM.—Section 47137 is  
3 amended—

4 (1) in subsection (a), by striking “Transportation” and inserting “Homeland Security”;

5 (2) in subsection (e), by striking “Homeland  
6 Security” and inserting “Transportation”; and

7 (3) in subsection (g), by inserting “of Transportation” after “Secretary” the first place it appears.  
8  
9  
10

11 (b) SECTION 516 PROPERTY CONVEYANCE RE-  
12 LEASES.—Section 817(a) of the FAA Modernization and  
13 Reform Act of 2012 (49 U.S.C. 47125 note) is amended—

14 (1) by striking “or section 23” and inserting “,  
15 section 23”; and

16 (2) by inserting before the period at the end the  
17 following: “, or section 47125 of title 49, United  
18 States Code.”.

19 **Subtitle C—Passenger Facility**  
20 **Charges**

21 **SEC. 1301. PFC STREAMLINING.**

22 (a) PASSENGER FACILITY CHARGES; GENERAL AU-  
23 THORITY.—Section 40117(b)(4) is amended—

24 (1) in the matter preceding subparagraph (A),  
25 by striking “, if the Secretary finds—” and inserting  
26 a period; and

1 (2) by striking subparagraphs (A) and (B).

2 (b) PILOT PROGRAM FOR PASSENGER FACILITY  
3 CHARGE AUTHORIZATIONS AT NONHUB AIRPORTS.—Sec-  
4 tion 40117(l) is amended—

5 (1) in the heading by striking “NONHUB” and  
6 inserting “CERTAIN”; and

7 (2) in paragraph (1), by striking “nonhub” and  
8 inserting “nonhub, small hub, and medium hub”.

9 **SEC. 1302. INTERMODAL ACCESS PROJECTS.**

10 Section 40117 is amended by adding at the end the  
11 following:

12 “(n) PFC ELIGIBILITY FOR INTERMODAL GROUND  
13 ACCESS PROJECTS.—

14 “(1) IN GENERAL.—The Secretary may author-  
15 ize a passenger facility charge imposed under sub-  
16 section (b)(1) to be used to finance the eligible cap-  
17 ital costs of an intermodal ground access project.

18 “(2) DEFINITION OF INTERMODAL GROUND AC-  
19 CESS PROJECT.—In this subsection, the term ‘inter-  
20 modal ground access project’ means a project for  
21 constructing a local facility owned or operated by an  
22 eligible agency that—

23 “(A) is located on airport property; and



1           “(B) is directly and substantially related to  
2           the movement of passengers or property trav-  
3           eling in air transportation.

4           “(3) ELIGIBLE CAPITAL COSTS.—The eligible  
5           capital costs of an intermodal ground access project  
6           shall be the lesser of—

7                   “(A) the total capital cost of the project  
8                   multiplied by the ratio that the number of indi-  
9                   viduals projected to use the project to gain ac-  
10                  cess to or depart from the airport bears to the  
11                  total number of individuals projected to use the  
12                  local facility; or

13                   “(B) the total cost of the capital improve-  
14                  ments that are located on airport property.

15           “(4) DETERMINATIONS.—The Secretary shall  
16           determine the projected use and cost of a project for  
17           purposes of paragraph (3) at the time the project is  
18           approved under this subsection, except that, in the  
19           case of a project to be financed in part using funds  
20           administered by the Federal Transit Administration,  
21           the Secretary shall use the travel forecasting model  
22           for the project at the time the project is approved  
23           by the Federal Transit Administration to enter pre-  
24           liminary engineering to determine the projected use

1 and cost of the project for purposes of paragraph  
2 (3).

3 “(5) NONATTAINMENT AREAS.—For airport  
4 property, any area of which is located in a non-  
5 attainment area (as defined under section 171 of the  
6 Clean Air Act (42 U.S.C. 7501)) for 1 or more cri-  
7 teria pollutant, the airport emissions reductions  
8 from less airport surface transportation and parking  
9 as a direct result of the development of an inter-  
10 modal project on the airport property would be eligi-  
11 ble for air quality emissions credits.”.

12 **SEC. 1303. USE OF REVENUE AT A PREVIOUSLY ASSOCI-**  
13 **ATED AIRPORT.**

14 Section 40117, as amended by section 1303, is fur-  
15 ther amended by adding at the end the following:

16 “(o) USE OF REVENUES AT A PREVIOUSLY ASSOCI-  
17 ATED AIRPORT.—Notwithstanding the requirements relat-  
18 ing to airport control under subsection (b)(1), the Sec-  
19 retary may authorize use of a passenger facility charge  
20 under subsection (b) to finance an eligible airport-related  
21 project if—

22 “(1) the eligible agency seeking to impose the  
23 new charge controls an airport where a \$2.00 pas-  
24 senger facility charge became effective on January 1,  
25 2013; and

1           “(2) the location of the project to be financed  
2           by the new charge is at an airport that was under  
3           the control of the same eligible agency that had con-  
4           trolled the airport described in paragraph (1).”.

5 **SEC. 1304. FUTURE AVIATION INFRASTRUCTURE AND FI-**  
6 **NANCING STUDY.**

7           (a) FUTURE AVIATION INFRASTRUCTURE AND FI-  
8 NANCING STUDY.—Not later than 60 days after the date  
9 of enactment of this Act, the Secretary of Transportation  
10 shall enter into an agreement with the Transportation Re-  
11 search Board of the National Academies to conduct a  
12 study and make recommendations on the actions needed  
13 to upgrade and restore the national aviation infrastructure  
14 system to its role as a premier system that meets the  
15 growing and shifting demands of the 21st century, includ-  
16 ing airport infrastructure needs and existing financial re-  
17 sources for commercial service airports.

18           (b) CONSULTATION.—In carrying out the study, the  
19 Transportation Research Board shall convene and consult  
20 with a panel of national experts, including—

- 21           (1) non-hub Airports;
- 22           (2) small hub airports;
- 23           (3) medium hub airports;
- 24           (4) large hub airports;
- 25           (5) airports with international service;

- 1 (6) non-primary airports;
- 2 (7) local elected officials;
- 3 (8) relevant labor organizations;
- 4 (9) passengers; and
- 5 (10) air carriers.

6 (c) CONSIDERATIONS.—In carrying out the study, the  
7 Transportation Research Board shall consider—

- 8 (1) the ability of airport infrastructure to meet  
9 current and projected passenger volumes;
- 10 (2) the available financial tools and resources  
11 for airports of different sizes;
- 12 (3) the current debt held by airports, and its  
13 impact on future construction and capacity needs;
- 14 (4) the impact of capacity constraints on pas-  
15 sengers and ticket prices;
- 16 (5) the purchasing power of the passenger facil-  
17 ity charge from the last increase in 2000 to the year  
18 of enactment of this Act;
- 19 (6) the impact to passengers and airports of in-  
20 dexing the passenger facility charge for inflation;
- 21 (7) how long airports are constrained with cur-  
22 rent passenger facility charge collections;
- 23 (8) the impact of passenger facility charges to  
24 promote competition;

1           (9) the additional resources or options to fund  
2 terminal construction projects;

3           (10) the resources eligible for use toward noise  
4 reduction and emission reduction projects;

5           (11) the gap between AIP-eligible projects and  
6 the annual Federal funding provided;

7           (12) the impact of regulatory requirements on  
8 airport infrastructure financing needs;

9           (13) airline competition;

10          (14) airline ancillary fees and their impact on  
11 ticket pricing and taxable revenue; and

12          (15) the ability of airports to finance necessary  
13 safety, security, capacity, and environmental projects  
14 identified in capital improvement plans.

15       (d) REPORT.—Not later than 15 months after the  
16 date of enactment of this Act, the Transportation Re-  
17 search Board shall submit to the Secretary and the appro-  
18 priate committees of Congress a report on its findings and  
19 recommendations.

20       (e) FUNDING.—The Secretary is authorized to use  
21 such sums as are necessary to carry out the requirements  
22 of this section.

1                   **TITLE II—SAFETY**  
2           **Subtitle A—Unmanned Aircraft**  
3                   **Systems Reform**

4   **SEC. 2001. DEFINITIONS.**

5           (a) IN GENERAL.—Unless expressly provided other-  
6 wise, the terms used in this subtitle have the meanings  
7 given the terms in section 44801 of title 49, United States  
8 Code, as added by section 2121 of this Act.

9           (b) DEFINITION OF CIVIL AIRCRAFT.—The term  
10 “civil aircraft” has the meaning given the term in section  
11 40102 of title 49, United States Code.

12                   **PART I—PRIVACY AND TRANSPARENCY**

13   **SEC. 2101. UNMANNED AIRCRAFT SYSTEMS PRIVACY POL-**  
14                   **ICY.**

15           It is the policy of the United States that the operation  
16 of any unmanned aircraft or unmanned aircraft system  
17 shall be carried out in a manner that respects and protects  
18 personal privacy consistent with Federal, State, and local  
19 law.

20   **SEC. 2102. SENSE OF CONGRESS.**

21           It is the sense of Congress that—

22                   (1) each person that uses an unmanned aircraft  
23 system for compensation or hire, or in the further-  
24 ance of a business enterprise, should have a written  
25 privacy policy consistent with section 2101 regarding

1 the collection, use, retention, and dissemination of  
2 any data collected during the operation of an un-  
3 manned aircraft system;

4 (2) each privacy policy described in paragraph  
5 (1) should be periodically reviewed and updated as  
6 necessary; and

7 (3) each privacy policy described in paragraph  
8 (1) should be publicly available.

9 **SEC. 2103. FEDERAL TRADE COMMISSION AUTHORITY.**

10 A violation of a privacy policy by a person that uses  
11 an unmanned aircraft system for compensation or hire,  
12 or in the furtherance of a business enterprise, in the na-  
13 tional airspace system shall be an unfair and deceptive  
14 practice in violation of section 5(a) of the Federal Trade  
15 Commission Act (15 U.S.C. 45(a)).

16 **SEC. 2104. NATIONAL TELECOMMUNICATIONS AND INFOR-**  
17 **MATION ADMINISTRATION MULTI-STAKE-**  
18 **HOLDER PROCESS.**

19 Not later than July 31, 2016, the Administrator of  
20 the National Telecommunications and Information Ad-  
21 ministration shall submit to the appropriate committees  
22 of Congress a report on the industry privacy best practices  
23 developed through the multi-stakeholder engagement proc-  
24 ess (established under Presidential Memorandum of Feb-  
25 ruary 15, 2015 (80 Fed. Reg. 9355)) on unmanned air-

1 craft systems transparency and accountability. In addition  
2 to the agreed upon best practices, this report shall include  
3 relevant stakeholder recommendations for legislative or  
4 regulatory action regarding privacy, accountability, and  
5 transparency, including ways to encourage the adoption  
6 of privacy policies by companies that use unmanned air-  
7 craft systems for compensation or hire, or in the further-  
8 ance of a business enterprise.

9 **SEC. 2105. IDENTIFICATION STANDARDS.**

10 (a) IN GENERAL.—The Director of the National In-  
11 stitute of Standards and Technology, in collaboration with  
12 the Administrator of the Federal Aviation Administration,  
13 and in consultation with the Secretary of Transportation,  
14 the President of the Radio Technical Commission for Aer-  
15 onautics, and the Administrator of the National Tele-  
16 communications and Information Administration, shall  
17 convene industry stakeholders to facilitate the develop-  
18 ment of consensus standards for remotely identifying oper-  
19 ators and owners of unmanned aircraft systems and asso-  
20 ciated unmanned aircraft.

21 (b) CONSIDERATIONS.—As part of the standards de-  
22 veloped under subsection (a), the Director shall consider—

23 (1) requirements for remote identification of  
24 unmanned aircraft systems;



1           (2) appropriate requirements for different clas-  
2           sifications of unmanned aircraft systems operations,  
3           including public and civil;

4           (3) the role of manufacturers, the Federal Avia-  
5           tion Administration, and the owners of the systems  
6           described in paragraphs (1) and (2) in reporting and  
7           verifying identification data; and

8           (4) the feasibility of the development and oper-  
9           ation of a publicly searchable online database to fur-  
10          ther enable the immediate remote identification of  
11          any unmanned aircraft and its operator by the gen-  
12          eral public.

13          (c) DEADLINE.—Not later than 1 year after the date  
14          of enactment of this Act, the Director shall submit to the  
15          appropriate committees of Congress a report on the con-  
16          sensus identification standards.

17          (d) GUIDANCE.—Not later than 1 year after the date  
18          that the Director submits the report on the consensus  
19          identification standards under subsection (c), the Admin-  
20          istrator of the Federal Aviation Administration shall issue  
21          regulatory guidance based on the consensus identification  
22          standards.

1 **SEC. 2106. COMMERCIAL AND GOVERNMENTAL OPERA-**  
2 **TORS.**

3 (a) IN GENERAL.—Except for model aircraft under  
4 section 44808 of title 49, United States Code, in author-  
5 izing the operation of any public unmanned aircraft sys-  
6 tem or the operation of any unmanned aircraft system by  
7 a person conducting civil aircraft operations, the Adminis-  
8 trator of the Federal Aviation Administration, to the ex-  
9 tent practicable and consistent with applicable law and  
10 without compromising national security, homeland de-  
11 fense, or law enforcement, shall make the identifying in-  
12 formation in subsection (b) available to the public via an  
13 online searchable database.

14 (b) CONTENTS.—The database described in sub-  
15 section (a) shall contain the following:

16 (1) The name of each individual, or agency, as  
17 applicable, authorized to conduct civil or public un-  
18 manned aircraft systems operations described in  
19 subsection (a).

20 (2) The name of each owner of an unmanned  
21 aircraft system described in paragraph (1).

22 (3) The expiration date of any authorization re-  
23 lated to a person identified in paragraph (1) or  
24 paragraph (2).

25 (4) The contact information for each person  
26 identified in paragraphs (1) and (2), including a

1 telephone number and an electronic mail address, in  
2 accordance with applicable privacy laws.

3 (5) The tail number or specific identification  
4 number of all unmanned aircraft authorized for use  
5 that links each unmanned aircraft to the owner of  
6 that aircraft.

7 (c) RECORDS.—Each person described in subsection  
8 (b)(1), to the extent practicable without compromising na-  
9 tional security, homeland defense, or law enforcement  
10 shall maintain and make available to the Administrator  
11 for not less than 1 year a record of the name and contact  
12 information of each person on whose behalf the unmanned  
13 aircraft system has been operated.

14 (d) DEADLINE.—The Administrator shall make the  
15 database available not later than 1 year after the date of  
16 enactment of this Act.

17 (e) TERMINATION.—The Administrator may cease  
18 the operation of such database on the date that the Ad-  
19 ministrator issues regulatory guidance on the consensus  
20 identification standards in section 2105.

21 **SEC. 2107. ANALYSIS OF CURRENT REMEDIES UNDER FED-**  
22 **ERAL, STATE, LOCAL JURISDICTIONS.**

23 Not later than 1 year after the date of enactment  
24 of this Act, the Comptroller General of the United States  
25 shall conduct and submit to the appropriate committees

1 of Congress a review of the privacy issues and concerns  
2 associated with the operation of unmanned aircraft sys-  
3 tems in the national airspace system that—

4 (1) examines and identifies the existing Fed-  
5 eral, State, or local laws, including constitutional  
6 law, that protect an individual’s personal privacy;

7 (2) identifies specific issues and concerns that  
8 may limit the availability of existing civil or criminal  
9 legal remedies regarding inappropriate operation of  
10 unmanned aircraft systems in the national airspace  
11 system;

12 (3) identifies any deficiencies in current Fed-  
13 eral, State, or local privacy protections; and

14 (4) recommends legislative or other actions to  
15 address the limitations and deficiencies identified in  
16 paragraphs (2) and (3).

17 **PART II—UNMANNED AIRCRAFT SYSTEMS**

18 **SEC. 2121. DEFINITIONS.**

19 (a) IN GENERAL.—Part A of subtitle VII is amended  
20 by inserting after chapter 447 the following:

21 **“CHAPTER 448—UNMANNED AIRCRAFT**  
22 **SYSTEMS**

“Sec.

“44801. Definitions.

23 **“§ 44801. Definitions**

24 “In this chapter—

1           “(1) ‘appropriate committees of Congress’  
2 means the Committee on Commerce, Science, and  
3 Transportation of the Senate and the Committee on  
4 Transportation and Infrastructure of the House of  
5 Representatives.

6           “(2) ‘Arctic’ means the United States zone of  
7 the Chukchi Sea, Beaufort Sea, and Bering Sea  
8 north of the Aleutian chain.

9           “(3) ‘certificate of waiver’ and ‘certificate of au-  
10 thORIZATION’ mean a Federal Aviation Administration  
11 grant of approval for a specific flight operation.

12           “(4) ‘permanent areas’ means areas on land or  
13 water that provide for launch, recovery, and oper-  
14 ation of small unmanned aircraft.

15           “(5) ‘public unmanned aircraft system’ means  
16 an unmanned aircraft system that meets the quali-  
17 fications and conditions required for operation of a  
18 public aircraft (as defined in section 40102(a)).

19           “(6) ‘sense and avoid capability’ means the ca-  
20 pability of an unmanned aircraft to remain a safe  
21 distance from and to avoid collisions with other air-  
22 borne aircraft.

23           “(7) ‘small unmanned aircraft’ means an un-  
24 manned aircraft weighing less than 55 pounds, in-

1 including the weight of anything attached to or carried  
2 by the aircraft.

3 “(8) ‘test range’ means a defined geographic  
4 area where research and development are conducted  
5 as authorized by the Administrator of the Federal  
6 Aviation Administration.

7 “(9) ‘test site’ means any of the 6 test ranges  
8 established by the Administrator of the Federal  
9 Aviation Administration under section 332(c) of the  
10 FAA Modernization and Reform Act of 2012 (49  
11 U.S.C. 40101 note), as in effect on the day before  
12 the date of enactment of the Federal Aviation Ad-  
13 ministration Reauthorization Act of 2016.

14 “(10) ‘unmanned aircraft’ means an aircraft  
15 that is operated without the possibility of direct  
16 human intervention from within or on the aircraft.

17 “(11) ‘unmanned aircraft system’ means an un-  
18 manned aircraft and associated elements (including  
19 communication links and the components that con-  
20 trol the unmanned aircraft) that are required for the  
21 operator to operate safely and efficiently in the na-  
22 tional airspace system.”.

23 (b) TABLE OF CHAPTERS.—The table of chapters for  
24 subtitle VII is amended by inserting after the item relating  
25 to chapter 447 the following:

“448. Unmanned Aircraft Systems ..... 44801”.

1 **SEC. 2122. UTILIZATION OF UNMANNED AIRCRAFT SYSTEM**  
2 **TEST SITES.**

3 (a) IN GENERAL.—Chapter 448, as designated by  
4 section 2121 of this Act, is amended by inserting after  
5 section 44801 the following:

6 **“§ 44802. Unmanned aircraft system test sites**

7 “(a)(1) IN GENERAL.—The Administrator of the  
8 Federal Aviation Administration shall establish and up-  
9 date, as appropriate, a program for the use of the 6 test  
10 sites established under section 332(c) of the FAA Mod-  
11 ernization and Reform Act of 2012 (49 U.S.C. 40101  
12 note) to facilitate the safe integration of unmanned air-  
13 craft systems into the national airspace system.

14 “(2) TERMINATION.—The program shall terminate  
15 on September 30, 2017.

16 “(b) PROGRAM REQUIREMENTS.—In establishing the  
17 program under subsection (a), the Administrator shall—

18 “(1) designate airspace for safely testing the in-  
19 tegration of unmanned flight operations in the na-  
20 tional airspace system;

21 “(2) develop operational standards and air traf-  
22 fic requirements for unmanned flight operations at  
23 test sites, including test ranges;

24 “(3) coordinate with and leverage the resources  
25 of the National Aeronautics and Space Administra-  
26 tion and the Department of Defense;

1           “(4) address both civil and public unmanned  
2 aircraft systems;

3           “(5) ensure that the program is coordinated  
4 with relevant aspects of the Next Generation Air  
5 Transportation System;

6           “(6) provide for verification of the safety of un-  
7 manned aircraft systems and related navigation pro-  
8 cedures as it relates to continued development of  
9 standards for integration into the national airspace  
10 system;

11           “(7) engage each test site operator in projects  
12 for research, development, testing, and evaluation of  
13 unmanned aircraft systems to facilitate the Federal  
14 Aviation Administration’s development of standards  
15 for the safe integration of unmanned aircraft into  
16 the national airspace system, which may include so-  
17 lutions for—

18           “(A) developing and enforcing geographic  
19 and altitude limitations;

20           “(B) classifications of airspace where man-  
21 ufacturers must prevent flight of an unmanned  
22 aircraft system;

23           “(C) classifications of airspace where man-  
24 ufacturers of unmanned aircraft systems must



1 alert the operator to hazards or limitations on  
2 flight;

3 “(D) sense and avoid capabilities; and

4 “(E) beyond-line-of-sight, nighttime oper-  
5 ations and unmanned traffic management, or  
6 other critical research priorities;

7 “(8) coordinate periodically with all test site op-  
8 erators to ensure test site operators know which  
9 data should be collected, what procedures should be  
10 followed, and what research would advance efforts to  
11 safely integrate unmanned aircraft systems into the  
12 national airspace system;

13 “(9) allow a test site to develop multiple test  
14 ranges within the test site;

15 “(10) streamline the approval process for test  
16 sites when processing unmanned aircraft certificates  
17 of waiver or authorization for operations at the test  
18 sites;

19 “(11) require each test site operator to protect  
20 proprietary technology, sensitive data, or sensitive  
21 research of any civil or private entity when using  
22 that test site without the need to obtain an experi-  
23 mental or special airworthiness certificate;

24 “(12) evaluate options for the operation of 1 or  
25 more small unmanned aircraft systems beyond the

1 visual line of sight of the operator for testing under  
2 controlled conditions that assure the safety of per-  
3 sons and property, including on the ground; and

4 “(13) allow test site operators to receive Fed-  
5 eral funding, other than from the Federal Aviation  
6 Administration, including in-kind contributions,  
7 from test site participants in the furtherance of re-  
8 search, development, and testing objectives.

9 “(c) TEST SITE LOCATIONS.—In determining the lo-  
10 cation of a test site under subsection (a), the Adminis-  
11 trator shall—

12 “(1) take into consideration geographic and cli-  
13 matic diversity;

14 “(2) take into consideration the location of  
15 ground infrastructure and research needs; and

16 “(3) consult with the Administrator of the Na-  
17 tional Aeronautics and Space Administration and  
18 the Secretary of Defense.

19 “(d) REPORT TO CONGRESS.—

20 “(1) IN GENERAL.—Not later than 1 year after  
21 the date of enactment of the Federal Aviation Ad-  
22 ministration Reauthorization Act of 2016, the Ad-  
23 ministrator shall submit to the appropriate commit-  
24 tees of Congress a report on the establishment and  
25 implementation of the program under subsection (a).

1           “(2) BRIEFINGS.—Beginning 180 days after  
2           the date of enactment of the Federal Aviation Ad-  
3           ministration Reauthorization Act of 2016, and every  
4           180 days thereafter until September 30, 2017, the  
5           Administrator shall provide to the appropriate com-  
6           mittees of Congress a briefing that includes—

7                   “(A) a current summary of unmanned air-  
8                   craft systems operations at the test sites since  
9                   the last briefing to Congress;

10                   “(B) a description of all of the data gen-  
11                   erated from the operations described in sub-  
12                   paragraph (A), and shared with the Federal  
13                   Aviation Administration through a cooperative  
14                   research and development agreement authorized  
15                   in section 2123 of the Federal Aviation Admin-  
16                   istration Reauthorization Act of 2016, that re-  
17                   late to unmanned aircraft systems research pri-  
18                   orities, including beyond-line-of-sight, un-  
19                   manned traffic management, nighttime oper-  
20                   ations, and sense and avoid technology;

21                   “(C) a description of how the data de-  
22                   scribed in subparagraph (B) will be or is  
23                   used—

24                           “(i) to advance Federal Aviation Ad-  
25                           ministration priorities;

1                   “(ii) to validate the safety of un-  
2                   manned aircraft systems and related tech-  
3                   nology; and

4                   “(iii) to inform future rulemaking re-  
5                   lated to the integration of unmanned air-  
6                   craft systems into the national airspace;

7                   “(D) an evaluation of the activities and  
8                   specific outcomes from activities at the test  
9                   sites that support the safe integration of un-  
10                  manned aircraft systems under this chapter;  
11                  and

12                  “(E) recommendations for future Federal  
13                  Aviation Administration test site operations  
14                  that would generate data necessary to inform  
15                  future rulemaking related to unmanned aircraft  
16                  systems.

17                  “(e) REVIEW OF OPERATIONS BY TEST SITE OPERA-  
18                  TIONS.—The operator of each test site under subsection (a)  
19                  shall—

20                         “(1) review the operations of unmanned aircraft  
21                         systems conducted at the test site, including—

22                                 “(A) ongoing or completed research; and

23                                 “(B) data regarding operations by private  
24                                 and public operators; and

1           “(2) submit to the Administrator, in such form  
2           and manner as specified by the Administrator, the  
3           results of the review, including recommendations to  
4           further enable private research and development op-  
5           erations at the test sites that contribute to the Fed-  
6           eral Aviation Administration’s safe integration of  
7           unmanned aircraft systems into the national air-  
8           space system, on a quarterly basis until the program  
9           terminates.

10          “(f) TESTING.—The Secretary may authorize an op-  
11         erator of a test site described in subsection (a) to admin-  
12         ister testing requirements established by the Adminis-  
13         trator for unmanned aircraft systems operations.”.

14          (b) TECHNICAL AND CONFORMING AMENDMENTS.—

15                 (1) TABLE OF CONTENTS.—The table of con-  
16                 tents for chapter 448, as added by section 2121 of  
17                 this Act, is further amended by inserting after the  
18                 item relating to section 44801 the following:

                  “44802. Unmanned aircraft system test sites.”.

19                 (2) PILOT PROJECTS.—Section 332 of the FAA  
20                 Modernization and Reform Act of 2012 (49 U.S.C.  
21                 40101 note) is amended by striking subsection (c).

22         **SEC. 2123. ADDITIONAL RESEARCH, DEVELOPMENT, AND**  
23                 **TESTING.**

24                 (a) RESEARCH PLAN.—Not later than 1 year after  
25                 the date of enactment of this Act, the Administrator of

1 the Federal Aviation Administration and the United  
2 States Unmanned Aircraft System Executive Committee,  
3 jointly, and in coordination with industry, users, the Cen-  
4 ter of Excellence for Unmanned Aircraft Systems, and test  
5 site operators, shall develop a research plan to identify on-  
6 going research into the broad range of technical, proce-  
7 dural, and policy concerns arising from the integration of  
8 unmanned aircraft systems into the national airspace sys-  
9 tem, and research needs regarding those concerns. In de-  
10 veloping the plan, the Administrator shall determine and  
11 engage the appropriate entities to meet the research needs  
12 identified in the plan.

13 (b) **COLLABORATIVE RESEARCH AND DEVELOPMENT**  
14 **AGREEMENTS.**—The Administrator may use the other  
15 transaction authority under section 106(l)(6) of title 49,  
16 United States Code, and enter into collaborative research  
17 and development agreements, to direct research related to  
18 unmanned aircraft systems, including at any test site  
19 under section 44802(a) of that title.

20 **SEC. 2124. SAFETY STANDARDS.**

21 (a) **IN GENERAL.**—Chapter 448, as amended by sec-  
22 tion 2122 of this Act, is further amended by inserting  
23 after section 44802 the following:

1 **“SEC. 44803. AIRCRAFT SAFETY STANDARDS.**

2 “(a) CONSENSUS AIRCRAFT SAFETY STANDARDS.—

3 Not later than 60 days after the date of enactment of the  
4 Federal Aviation Administration Reauthorization Act of  
5 2016, the Director of the National Institute of Standards  
6 and Technology and the Administrator of the Federal  
7 Aviation Administration, in consultation with government  
8 and industry stakeholders and appropriate standards-set-  
9 ting organizations, shall initiate a collaborative process to  
10 develop risk-based, consensus industry airworthiness  
11 standards related to the safe integration of small un-  
12 manned aircraft systems into the national airspace sys-  
13 tem.

14 “(b) CONSIDERATIONS.—In developing the consensus  
15 aircraft safety standards, the Director and Administrator  
16 shall consider the following:

17 “(1) Technologies or standards related to geo-  
18 graphic limitations, altitude limitations, and sense  
19 and avoid capabilities.

20 “(2) Using performance-based standards.

21 “(3) Predetermined action to maintain safety in  
22 the event that a communications link between a  
23 small unmanned aircraft and its operator is lost or  
24 compromised.

1           “(4) Detectability and identifiability to pilots,  
2           the Federal Aviation Administration, and air traffic  
3           controllers, as appropriate.

4           “(5) Means to prevent tampering with or modi-  
5           fication of any system, limitation, or other safety  
6           mechanism or standard under this section or any  
7           other provision of law, including a means to identify  
8           any tampering or modification that has been made.

9           “(6) Remote identification capability standards  
10          under section 2105.

11          “(7) How to update or modify a small un-  
12          manned aircraft system that was commercially dis-  
13          tributed prior to the development of the standards  
14          so that, to the greatest extent practicable, such sys-  
15          tems meet the standards.

16          “(8) Any technology or standard related to  
17          small unmanned aircraft systems that promotes  
18          aviation safety.

19          “(c) CONSULTATION.—In developing the consensus  
20          industry standards under subsection (a), the Director and  
21          Administrator shall consult with—

22                 “(1) the Administrator of the National Aero-  
23                 nautics and Space Administration;

24                 “(2) the President of RTCA, Inc.;

25                 “(3) the Secretary of Defense;



1           “(4) each operator of a test site under section  
2           44802;

3           “(5) the Center of Excellence for Unmanned  
4           Aircraft Systems;

5           “(6) unmanned aircraft systems stakeholders;  
6           and

7           “(7) community-based aviation organizations.

8           “(d) FAA APPROVAL.—Not later than 1 year after  
9           the date of enactment of the Federal Aviation Administra-  
10          tion Reauthorization Act of 2016, the Administrator of the  
11          Federal Aviation Administration shall establish a process  
12          for the approval of small unmanned aircraft systems make  
13          and models based upon safety standards developed under  
14          subsection (a). The consensus safety standards developed  
15          under subsection (a) shall allow the Administrator to ap-  
16          prove small unmanned aircraft systems for operation with-  
17          in the national airspace system without requiring the type  
18          certification process in parts 21 and 23 of the Code of  
19          Federal Regulations.

20          “(e) ELIGIBILITY.—The standards for approval of  
21          small unmanned aircraft systems developed under this sec-  
22          tion shall set eligibility requirements for an airworthiness  
23          approval of a small unmanned aircraft system which shall  
24          include the following:

1           “(1) An applicant must provide the FAA  
2 with—

3                   “(A) the aircraft’s operating instructions;  
4 and

5                   “(B) the manufacturer’s statement of com-  
6 pliance as described in paragraph (e) of this  
7 section.

8           “(2) A sample aircraft must be inspected by the  
9 Federal Aviation Administration and found to be in  
10 a condition for safe operation and in compliance  
11 with the standards required by the Administrator in  
12 subsection (d).

13           “(f) MANUFACTURER’S STATEMENT OF COMPLIANCE  
14 FOR SMALL UAS.—The manufacturer’s statement of com-  
15 pliance required in subsection (e)(1)(B) shall—

16                   “(1) identify the aircraft make and model, and  
17 consensus standard used;

18                   “(2) state that the aircraft make and model  
19 meets the provisions of the identified consensus  
20 standard;

21                   “(3) state that the aircraft make and model  
22 conforms to the manufacturer’s design data, using  
23 the manufacturer’s quality assurance system that  
24 meets the identified consensus standard adopted by  
25 the Administrator in subsection (d), and is manufac-

1       tured in way that ensures consistency in the produc-  
2       tion process so that every unit produced meets the  
3       applicable standards;

4           “(4) state that the manufacturer will make  
5       available to any interested person—

6           “(A) the aircraft’s operating instructions,  
7       that meet the identified consensus standard;  
8       and

9           “(B) the aircraft’s maintenance and in-  
10       spection procedures, that meet the identified  
11       consensus standard;

12          “(5) state that the manufacturer will monitor  
13       and correct safety-of-flight issues through a contin-  
14       ued airworthiness system that meets the identified  
15       consensus standard;

16          “(6) state that at the request of the Adminis-  
17       tration, the manufacturer will provide access by the  
18       Administration to its facilities; and

19          “(7) state that the manufacturer, in accordance  
20       with a production acceptance test procedure that  
21       meets an applicable consensus standard has—

22           “(A) ground and flight tested random sam-  
23       ples of the aircraft;

24           “(B) found the sample aircraft perform-  
25       ance acceptable; and

1                   “(C) determined that the make and model  
2                   of aircraft is suitable for safe operation.

3           “(g) PROHIBITION.—It shall be unlawful for any per-  
4           son to introduce or deliver for introduction into interstate  
5           commerce any unmanned aircraft manufactured on or  
6           after the date that the Administrator adopts a relevant  
7           consensus standard under this section, unless the manu-  
8           facturer has received approval under subsection (d) for  
9           each make and model.”.

10           (b) TABLE OF CONTENTS.—The table of contents for  
11           chapter 448, as amended by section 2122 of this Act, is  
12           further amended by inserting after the item relating to  
13           section 44802 the following:

          “44803. Aircraft safety standards.”.

14   **SEC. 2125. UNMANNED AIRCRAFT SYSTEMS IN THE ARCTIC.**

15           (a) IN GENERAL.—Chapter 448, as amended by sec-  
16           tion 2124 of this Act, is further amended by inserting  
17           after section 44803 the following:

18   **“§ 44804. Unmanned aircraft systems in the Arctic**

19           “(a) IN GENERAL.—The Secretary of Transportation  
20           shall develop a plan and initiate a process to work with  
21           relevant Federal agencies and national and international  
22           communities to designate permanent areas in the Arctic  
23           where small unmanned aircraft may operate 24 hours per  
24           day for research and commercial purposes.

1           “(b) PLAN CONTENTS.—The plan under subsection  
2 (a) shall include the development of processes to facilitate  
3 the safe operation of unmanned aircraft beyond line of  
4 sight.

5           “(c) REQUIREMENTS.—Each permanent area des-  
6 igned under subsection (a) shall enable over-water  
7 flights from the surface to at least 2,000 feet in altitude,  
8 with ingress and egress routes from selected coastal  
9 launch sites.

10          “(d) AGREEMENTS.—To implement the plan under  
11 subsection (a), the Secretary may enter into an agreement  
12 with relevant national and international communities.

13          “(e) AIRCRAFT APPROVAL.—Not later than 1 year  
14 after the entry into force of an agreement necessary to  
15 effectuate the purposes of this section, the Secretary shall  
16 work with relevant national and international communities  
17 to establish and implement a process, or may apply an  
18 applicable process already established, for approving the  
19 use of unmanned aircraft in the designated permanent  
20 areas in the Arctic without regard to whether an un-  
21 manned aircraft is used as a public aircraft, a civil air-  
22 craft, or a model aircraft.”.

23          (b) TECHNICAL AND CONFORMING AMENDMENTS.—

24               (1) TABLE OF CONTENTS.—The table of con-  
25 tents for chapter 448, as amended by section 2124

1 of this Act, is further amended by inserting after the  
2 item relating to section 44803 the following:

“44804. Unmanned aircraft systems in the Arctic.”.

3 (2) EXPANDING USE OF UNMANNED AIRCRAFT  
4 SYSTEMS IN ARCTIC.—Section 332 of the FAA Mod-  
5 ernization and Reform Act of 2012 (49 U.S.C.  
6 40101 note) is amended by striking subsection (d).

7 **SEC. 2126. SPECIAL AUTHORITY FOR CERTAIN UNMANNED**  
8 **AIRCRAFT SYSTEMS.**

9 (a) IN GENERAL.—Chapter 448, as amended by sec-  
10 tion 2125 of this Act, is further amended by inserting  
11 after section 44804 the following:

12 **“§ 44805. Special authority for certain unmanned air-**  
13 **craft systems**

14 “(a) IN GENERAL.—Notwithstanding any other re-  
15 quirement of this chapter, the Secretary of Transportation  
16 shall use a risk-based approach to determine if certain un-  
17 manned aircraft systems may operate safely in the na-  
18 tional airspace system notwithstanding completion of the  
19 comprehensive plan and rulemaking required by section  
20 332 of the FAA Modernization and Reform Act of 2012  
21 (49 U.S.C. 40101 note) or the guidance required by sec-  
22 tion 44807.

23 “(b) ASSESSMENT OF UNMANNED AIRCRAFT SYS-  
24 TEMS.—In making the determination under subsection  
25 (a), the Secretary shall determine, at a minimum—

1           “(1) which types of unmanned aircraft systems,  
2           if any, as a result of their size, weight, speed, oper-  
3           ational capability, proximity to airports and popu-  
4           lated areas, and operation within or beyond visual  
5           line of sight, or operation during the day or night,  
6           do not create a hazard to users of the national air-  
7           space system or the public; and

8           “(2) whether a certificate under section 44703  
9           or section 44704 of this title, or a certificate of  
10          waiver or certificate of authorization, is required for  
11          the operation of unmanned aircraft systems identi-  
12          fied under paragraph (1) of this subsection.

13          “(c) REQUIREMENTS FOR SAFE OPERATION.—If the  
14          Secretary determines under this section that certain un-  
15          manned aircraft systems may operate safely in the na-  
16          tional airspace system, the Secretary shall establish re-  
17          quirements for the safe operation of such aircraft systems  
18          in the national airspace system, including operation re-  
19          lated to research, development, and testing of proprietary  
20          systems.

21          “(d) PILOT CERTIFICATION EXEMPTION.—If the  
22          Secretary proposes, under this section, to require an oper-  
23          ator of an unmanned aircraft system to hold an airman  
24          certificate, a medical certificate, or to have a minimum  
25          number of hours operating a manned aircraft, the Sec-

1   retary shall set forth the reasoning for such proposal and  
2   seek public notice and comment before imposing any such  
3   requirements.

4       “(e) SUNSET.—The authority under this section for  
5   the Secretary to determine if certain unmanned aircraft  
6   systems may operate safely in the national airspace system  
7   terminates effective September 30, 2017.”.

8       (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9           (1) TABLE OF CONTENTS.—The table of con-  
10   tents for chapter 448, as amended by section 2125  
11   of this Act, is further amended by inserting after the  
12   item relating to section 44804 the following:

“44805. Special rules for certain unmanned aircraft systems.”.

13           (2) SPECIAL RULES FOR CERTAIN UNMANNED  
14   AIRCRAFT SYSTEMS.—Section 333 of the FAA Mod-  
15   ernization and reform Act of 2012 (49 U.S.C. 40101  
16   note) and the item relating to that section in the  
17   table of contents under section 1(b) of that Act (126  
18   Stat. 13) are repealed.

19   **SEC. 2127. ADDITIONAL RULEMAKING AUTHORITY.**

20       (a) SENSE OF CONGRESS.—It is the sense of Con-  
21   gress that—

22           (1) beyond visual line of sight operations of un-  
23   manned aerial systems have tremendous potential—

24               (A) to enhance research and development  
25               both commercially and in academics;



1 (B) to spur economic growth and develop-  
2 ment through innovative applications of this  
3 emerging technology; and

4 (C) to improve emergency response efforts  
5 as it relates to assessing damage to critical in-  
6 frastructure such as roads, bridges, and public  
7 utilities, including water and power, ultimately  
8 speeding response time;

9 (2) advancements in miniaturization of safety  
10 technologies, including for aircraft weighing under  
11 4.4 pounds, have increased economic opportunities  
12 for using unmanned aircraft systems while reducing  
13 kinetic energy and risk compared to unmanned air-  
14 craft that may weigh as much as 55 pounds;

15 (3) advancements in unmanned technology will  
16 have the capacity to ultimately improve manned air-  
17 craft safety; and

18 (4) integrating unmanned aircraft systems safe-  
19 ly into the national airspace, including beyond visual  
20 line of sight operations on a routine basis should re-  
21 main a top priority for the Federal Aviation Admin-  
22 istration as it pursues additional rulemakings under  
23 the amendments made by this section.

1 (b) IN GENERAL.—Chapter 448, as amended by sec-  
2 tion 2126 of this Act, is further amended by inserting  
3 after section 44805 the following:

4 **“§ 44806. Additional rulemaking authority**

5 “(a) IN GENERAL.—Notwithstanding the rulemaking  
6 required by section 332 of the FAA Modernization and  
7 Reform Act of 2012 (49 U.S.C. 40101 note) or the guid-  
8 ance required by section 44807 of this title and subject  
9 to subsection (b)(2) of this section and section 44808, the  
10 Administrator may issue regulations under which a person  
11 may operate certain unmanned aircraft systems (as deter-  
12 mined by the Administrator) in the United States—

13 “(1) without an airman certificate;

14 “(2) without an airworthiness certificate for the  
15 associated unmanned aircraft; or

16 “(3) that are not registered with the Federal  
17 Aviation Administration.

18 “(b) SCOPE OF REGULATIONS.—

19 “(1) IN GENERAL.—In determining whether a  
20 person may operate an unmanned aircraft system  
21 under 1 or more of the circumstances described  
22 under paragraphs (1) through (3) of subsection (a),  
23 the Administrator shall use a risk-based approach  
24 and consider, at a minimum, the physical and func-

1 tional characteristics of the unmanned aircraft sys-  
2 tem.

3 “(2) LIMITATION.—The Administrator may  
4 only issue regulations under this section for un-  
5 manned aircraft systems that the Administrator de-  
6 termines may be operated safely in the national air-  
7 space system.

8 “(c) RULES OF CONSTRUCTION.—Nothing in this  
9 section may be construed—

10 “(1) to prohibit a person from operating an un-  
11 manned aircraft system under a circumstance de-  
12 scribed under paragraphs (1) through (3) of sub-  
13 section (a) if—

14 “(A) the circumstance is allowed by regula-  
15 tions issued under this section; and

16 “(B) the person operates the unmanned  
17 aircraft system in a manner prescribed by the  
18 regulations; and

19 “(2) to limit or affect in any way the Adminis-  
20 trator’s authority to conduct a rulemaking, make a  
21 determination, or carry out any activity related to  
22 unmanned aircraft or unmanned aircraft systems  
23 under any other provision of law.”.

24 (c) TABLE OF CONTENTS.—The table of contents for  
25 chapter 448, as amended by section 2126 of this Act, is

1 amended by inserting after the item relating to section  
2 44805 the following:

“44806. Additional rulemaking authority.”.

3 **SEC. 2128. GOVERNMENTAL UNMANNED AIRCRAFT SYS-**  
4 **TEMS.**

5 (a) IN GENERAL.—Chapter 448, as amended by sec-  
6 tion 2127 of this Act, is further amended by inserting  
7 after section 44806 the following:

8 **“§ 44807. Public unmanned aircraft systems**

9 “(a) GUIDANCE.—The Secretary of Transportation  
10 shall issue guidance regarding the operation of a public  
11 unmanned aircraft system—

12 “(1) to streamline the process for the issuance  
13 of a certificate of authorization or a certificate of  
14 waiver;

15 “(2) to provide for a collaborative process with  
16 public agencies to allow for an incremental expan-  
17 sion of access to the national airspace system as  
18 technology matures and the necessary safety anal-  
19 yses and data become available, and until standards  
20 are completed and technology issues are resolved;

21 “(3) to facilitate the capability of public agen-  
22 cies to develop and use test ranges, subject to oper-  
23 ating restrictions required by the Federal Aviation  
24 Administration, to test and operate public unmanned  
25 aircraft systems; and

1           “(4) to provide guidance on a public agency’s  
2           responsibilities when operating an unmanned air-  
3           craft without a civil airworthiness certificate issued  
4           by the Administration.

5           “(b) STANDARDS FOR OPERATION AND CERTIFI-  
6           CATION.—The Administrator of the Federal Aviation Ad-  
7           ministration shall develop and implement operational and  
8           certification requirements for the operation of a public un-  
9           manned aircraft system in the national airspace system.

10          “(c) AGREEMENTS WITH GOVERNMENT AGEN-  
11          CIES.—

12           “(1) IN GENERAL.—The Secretary shall enter  
13           into an agreement with each appropriate public  
14           agency to simplify the process for issuing a certifi-  
15           cate of waiver or a certificate of authorization with  
16           respect to an application for authorization to operate  
17           a public unmanned aircraft system in the national  
18           airspace system.

19           “(2) CONTENTS.—An agreement under para-  
20           graph (1) shall—

21                   “(A) with respect to an application de-  
22                   scribed in paragraph (1)—

23                           “(i) provide for an expedited review of  
24                           the application;

1                   “(ii) require a decision by the Admin-  
2                   istrator on approval or disapproval not  
3                   later than 60 business days after the date  
4                   of submission of the application;

5                   “(iii) allow for an expedited appeal if  
6                   the application is disapproved; and

7                   “(iv) if applicable, include verification  
8                   of the data minimization policy required  
9                   under subsection (d);

10                  “(B) allow for a one-time approval of simi-  
11                  lar operations carried out during a fixed period  
12                  of time; and

13                  “(C) allow a Government public safety  
14                  agency to operate an unmanned aircraft weigh-  
15                  ing 25 pounds or less if that unmanned aircraft  
16                  is operated—

17                         “(i) within or beyond the line of sight  
18                         of the operator;

19                         “(ii) less than 400 feet above the  
20                         ground;

21                         “(iii) during daylight conditions;

22                         “(iv) within Class G airspace; and

23                         “(v) outside of 5 statute miles from  
24                         any airport, heliport, seaplane base, space-

1 port, or other location with aviation activi-  
2 ties.

3 “(d) DATA MINIMIZATION FOR CERTAIN PUBLIC UN-  
4 MANNED AIRCRAFT SYSTEM OPERATORS.—Not later than  
5 180 days after the date of enactment of the Federal Avia-  
6 tion Administration Reauthorization Act of 2016 each  
7 Federal agency authorized by the Secretary to operate an  
8 unmanned aircraft system shall develop and update a data  
9 minimization policy that requires, at a minimum, that—

10 “(1) prior to the deployment of any new un-  
11 manned aircraft system technology, and at least  
12 every 3 years, existing policies and procedures relat-  
13 ing to the collection, use, retention, and dissemina-  
14 tion of information obtained by an unmanned air-  
15 craft system must be examined to ensure that pri-  
16 vacy, civil rights, and civil liberties are protected;

17 “(2) if the unmanned aircraft system is the  
18 platform for information collection, information  
19 must be collected, used, retained, and disseminated  
20 consistent with the Constitution, Federal law, and  
21 other applicable regulations and policies, such as the  
22 Privacy Act of 1974 (5 U.S.C. 552a);

23 “(3) the Federal agency or person operating on  
24 its behalf, only collect information using the un-  
25 manned aircraft system, or use unmanned aircraft

1 system-collected information, to the extent that the  
2 collection or use is consistent with and relevant to  
3 an authorized purpose as determined by the head of  
4 a Federal agency and consistent with the law;

5 “(4) any information collected, using an un-  
6 manned aircraft or an unmanned aircraft system,  
7 that may contain personal information will not be  
8 retained by any Federal agency for more than 180  
9 days after the date of collection unless—

10 “(A) the head of the Federal agency deter-  
11 mines that retention of the information is rel-  
12 evant and necessary to accomplish a purpose of  
13 the Federal agency required to be accomplished  
14 by statute or by executive order of the Presi-  
15 dent;

16 “(B) that Federal agency maintains the in-  
17 formation in a system of records under section  
18 552a of title 5; or

19 “(C) the information is required to be re-  
20 tained for a longer period under other applica-  
21 ble law, including regulations;

22 “(5) any information collected, using an un-  
23 manned aircraft or unmanned aircraft system, that  
24 is not maintained in a system of records under sec-



1           tion 552a of title 5, will not be disseminated outside  
2           of that Federal agency unless—

3                   “(A) dissemination is required by law; or

4                   “(B) dissemination satisfies an authorized  
5           purpose and complies with that Federal agen-  
6           cy’s disclosure requirements;

7                   “(6) to the extent it does not compromise law  
8           enforcement or national security a Federal agency  
9           shall—

10                   “(A) provide notice to the public regarding  
11           where in the national airspace system the Fed-  
12           eral agency is authorized to operate the un-  
13           manned aircraft system;

14                   “(B) keep the public informed about the  
15           Federal agency’s unmanned aircraft system  
16           program, including any changes to that pro-  
17           gram that would significantly affect privacy,  
18           civil rights, or civil liberties;

19                   “(C) make available to the public, on an  
20           annual basis, a general summary of the Federal  
21           agency’s unmanned aircraft system operations  
22           during the previous fiscal year, including—

23                   “(i) a brief description of types or cat-  
24           egories of missions flown; and

1                   “(ii) the number of times the Federal  
2                   agency provided assistance to other agen-  
3                   cies or to State, local, tribal, or territorial  
4                   governments; and

5                   “(D) make available on a public and  
6                   searchable Internet website the data minimiza-  
7                   tion policy of the Federal agency;

8                   “(7) ensures oversight of the Federal agency’s  
9                   unmanned aircraft system use, including—

10                   “(A) the use of audits or assessments that  
11                   comply with existing Federal agency policies  
12                   and regulations;

13                   “(B) the verification of the existence of  
14                   rules of conduct and training for Federal Gov-  
15                   ernment personnel and contractors who work on  
16                   programs, and procedures for reporting sus-  
17                   pected cases of misuse or abuse of unmanned  
18                   aircraft system technologies;

19                   “(C) the establishment of policies and pro-  
20                   cedures, or confirmation that policies and pro-  
21                   cedures are in place, that provide meaningful  
22                   oversight of individuals who have access to sen-  
23                   sitive information, including personal informa-  
24                   tion, collected using an unmanned aircraft sys-  
25                   tem;

1           “(D) ensuring that any data-sharing  
2 agreements or policies, data use policies, and  
3 record management policies applicable to an un-  
4 manned aircraft system conform to applicable  
5 laws, regulations, and policies;

6           “(E) the establishment of policies and pro-  
7 cedures, or confirmation that policies and pro-  
8 cedures are in place, to authorize the use of an  
9 unmanned aircraft system in response to a re-  
10 quest for unmanned aircraft system assistance  
11 in support of Federal, State, local, tribal, or  
12 territorial government operations; and

13           “(F) a requirement that State, local, trib-  
14 al, and territorial government recipients of Fed-  
15 eral grant funding for the purchase or use of  
16 unmanned aircraft systems for their own oper-  
17 ations have in place policies and procedures to  
18 safeguard individuals’ privacy, civil rights, and  
19 civil liberties prior to expending such funds; and

20           “(8) ensures the protection of civil rights and  
21 civil liberties, including—

22           “(A) ensuring that policies are in place to  
23 prohibit the collection, use, retention, or dis-  
24 semination of data in any manner that would  
25 violate the First Amendment or in any manner

1           that would discriminate against persons based  
2           upon their ethnicity, race, gender, national ori-  
3           gin, religion, sexual orientation, or gender iden-  
4           tity, in violation of law;

5           “(B) ensuring that unmanned aircraft sys-  
6           tem activities are performed in a manner con-  
7           sistent with the Constitution and applicable  
8           laws, Executive Orders, and other Presidential  
9           directives; and

10           “(C) ensuring that adequate procedures  
11           are in place to receive, investigate, and address,  
12           as appropriate, privacy, civil rights, and civil  
13           liberties complaints.

14           “(e) LAW ENFORCEMENT AND NATIONAL SECUR-  
15           ITY.—Each Federal agency shall effectuate a require-  
16           ment under subsection (d) only to the extent it does not  
17           compromise law enforcement or national security.

18           “(f) DEFINITION OF FEDERAL AGENCY.—In sub-  
19           sections (d) and (e), the term ‘Federal agency’ has the  
20           meaning given the term ‘agency’ in section 552(f) of title  
21           5, United States Code.”.

22           (b) TECHNICAL AND CONFORMING AMENDMENTS.—

23           (1) TABLE OF CONTENTS.—The table of con-  
24           tents for chapter 448, as amended by section 2127

1 of this Act, is amended by inserting after the item  
2 relating to section 44806 the following:

“44807. Public unmanned aircraft systems.”.

3 (2) PUBLIC UNMANNED AIRCRAFT SYSTEMS.—  
4 Section 334 of the FAA Modernization and reform  
5 Act of 2012 (49 U.S.C. 40101 note) and the item  
6 relating to that section in the table of contents  
7 under section 1(b) of that Act (126 Stat. 13) are re-  
8 pealed.

9 **SEC. 2129. SPECIAL RULES FOR MODEL AIRCRAFT.**

10 (a) IN GENERAL.—Chapter 448, as amended by sec-  
11 tion 2128 of this Act, is further amended by inserting  
12 after section 44807 the following:

13 **“§ 44808. Special rules for model aircraft**

14 “(a) IN GENERAL.—Notwithstanding any other pro-  
15 vision of law relating to the incorporation of unmanned  
16 aircraft systems into Federal Aviation Administration  
17 plans and policies, including this chapter, the Adminis-  
18 trator of the Federal Aviation Administration may not  
19 promulgate any new rule or regulation specific only to an  
20 unmanned aircraft operating as a model aircraft if—

21 “(1) the aircraft is flown strictly for hobby or  
22 recreational use;

23 “(2) the aircraft is operated in accordance with  
24 a community-based set of safety guidelines and with-

1 in the programming of a nationwide community-  
2 based organization;

3 “(3) not flown beyond visual line of sight of  
4 persons co-located with the operator or in direct  
5 communication with the operator;

6 “(4) the aircraft is operated in a manner that  
7 does not interfere with and gives way to any manned  
8 aircraft;

9 “(5) when flown within 5 miles of an airport,  
10 the operator of the aircraft provides the airport op-  
11 erator, where applicable, and the airport air traffic  
12 control tower (when an air traffic facility is located  
13 at the airport) with prior notice and receives ap-  
14 proval, to the extent practicable, for the operation  
15 from each (model aircraft operators flying from a  
16 permanent location within 5 miles of an airport  
17 should establish a mutually-agreed upon operating  
18 procedure with the airport operator and the airport  
19 air traffic control tower (when an air traffic facility  
20 is located at the airport));

21 “(6) the aircraft is flown from the surface to  
22 not more than 400 feet in altitude; and

23 “(7) the operator has passed an aeronautical  
24 knowledge and safety test administered by the Fed-  
25 eral Aviation Administration online for the operation

1 of unmanned aircraft systems subject to the require-  
2 ments of section 44809 and maintains proof of test  
3 passage to be made available to the Administrator or  
4 law enforcement upon request.

5 “(b) UPDATES.—

6 “(1) IN GENERAL.—The Administrator, in col-  
7 laboration with government and industry stake-  
8 holders, including nationwide community-based orga-  
9 nizations, shall initiate a process to update the oper-  
10 ational parameters under subsection (a), as appro-  
11 priate.

12 “(2) CONSIDERATIONS.—In updating an oper-  
13 ational parameter under paragraph (1), the Admin-  
14 istrator shall consider—

15 “(A) appropriate operational limitations to  
16 mitigate aviation safety risk and risk to the un-  
17 involved public;

18 “(B) operations outside the membership,  
19 guidelines, and programming of a nationwide  
20 community-based organization;

21 “(C) physical characteristics, technical  
22 standards, and classes of aircraft operating  
23 under this section;

24 “(D) trends in use, enforcement, or inci-  
25 dents involving unmanned aircraft systems; and

1           “(E) ensuring, to the greatest extent prac-  
2           ticable, that updates to the operational param-  
3           eters correspond to, and leverage, advances in  
4           technology.

5           “(3) SAVINGS CLAUSE.—Nothing in this sub-  
6           section shall be construed as expanding the author-  
7           ity of the Administrator to require operators of  
8           model aircraft under the exemption of this sub-  
9           section to be required to seek permissive authority of  
10          the Administrator prior to operation in the national  
11          airspace system.

12          “(c) STATUTORY CONSTRUCTION.—Nothing in this  
13          section shall be construed to limit the authority of the Ad-  
14          ministrator to pursue enforcement action against persons  
15          operating personal unmanned aircraft.

16          “(d) MODEL AIRCRAFT DEFINED.—In this section,  
17          the term ‘model aircraft’ means an unmanned aircraft  
18          that—

19                 “(1) is capable of sustained flight in the atmos-  
20                 phere; and

21                 “(2) is limited to weighing not more than 55  
22                 pounds, including the weight of anything attached to  
23                 or carried by the aircraft, unless otherwise approved  
24                 through a design, construction, inspection, flight



1 test, and operational safety program administered by  
2 a community-based organization.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) TABLE OF CONTENTS.—The table of con-  
5 tents for chapter 448, as amended by section 2128  
6 of this Act, is further amended by inserting after the  
7 item relating to section 44807 the following:

“44808. Special rules for model aircraft.”.

8 (2) SPECIAL RULE FOR MODEL AIRCRAFT.—

9 Section 336 of the FAA Modernization and Reform  
10 Act of 2012 (49 U.S.C. 40101 note) and the item  
11 relating to that section in the table of contents  
12 under section 1(b) of that Act (126 Stat. 13) are re-  
13 pealed.

14 **SEC. 2130. UNMANNED AIRCRAFT SYSTEMS AERONAUTICAL**  
15 **KNOWLEDGE AND SAFETY.**

16 (a) IN GENERAL.—Chapter 448, as amended by sec-  
17 tion 2129 of this Act, is further amended by inserting  
18 after section 44808 the following:

19 **“§ 44809. Aeronautical knowledge and safety test**

20 “(a) IN GENERAL.—An individual may not operate  
21 an unmanned aircraft system unless—

22 “(1) the individual has successfully completed  
23 an aeronautical knowledge and safety test under  
24 subsection (c);

1           “(2) the individual has authority to operate an  
2           unmanned aircraft under other Federal law; or

3           “(3) the individual is a holder of an airmen cer-  
4           tificate issued under section 44703.

5           “(b) EXCEPTION.—This section shall not apply to the  
6           operation of an unmanned aircraft system that has been  
7           authorized by the Federal Aviation Administration under  
8           section 44802, section 44805, section 44806, or section  
9           44807.

10          “(c) AERONAUTICAL KNOWLEDGE AND SAFETY  
11          TEST.—Not later than 180 days after the date of enact-  
12          ment of the Federal Aviation Administration Reauthoriza-  
13          tion Act of 2016, the Administrator of the Federal Avia-  
14          tion Administration, in consultation with manufacturers  
15          of unmanned aircraft systems, other industry stake-  
16          holders, and community-based aviation organizations,  
17          shall develop an aeronautical knowledge and safety test  
18          that can be administered electronically.

19          “(d) REQUIREMENTS.—The Administrator shall en-  
20          sure that the aeronautical knowledge and safety test is de-  
21          signed to adequately demonstrate an operator’s—

22                 “(1) understanding of aeronautical safety  
23                 knowledge, as applicable; and

24                 “(2) knowledge of Federal Aviation Administra-  
25                 tion regulations and requirements pertaining to the

1 operation of an unmanned aircraft system in the na-  
2 tional airspace system.

3 “(e) RECORD OF COMPLIANCE.—

4 “(1) IN GENERAL.—Each operator of an un-  
5 manned aircraft system described under subsection  
6 (a) shall maintain and make available for inspection,  
7 upon request by the Administrator or a Federal,  
8 State, or local law enforcement officer, a record of  
9 compliance with this section through—

10 “(A) an identification number, issued by  
11 the Federal Aviation Administration certifying  
12 passage of the aeronautical knowledge and safe-  
13 ty test;

14 “(B) if the individual has authority to op-  
15 erate an unmanned aircraft system under other  
16 Federal law, the requisite proof of authority  
17 under that law; or

18 “(C) an airmen certificate issued under  
19 section 44703.

20 “(2) COORDINATION.—The Administrator may  
21 coordinate the identification number under para-  
22 graph (1)(A) with an operator’s registration number  
23 to the extent practicable.

24 “(3) LIMITATION.—No fine or penalty may be  
25 imposed for the initial failure of an operator of an

1           unmanned aircraft system to comply with paragraph  
2           (1) unless the Administrator finds that the conduct  
3           of the operator actually posed a risk to the national  
4           airspace system.”.

5           (b) TABLE OF CONTENTS.—The table of contents for  
6 chapter 448, as amended by section 2129 of this Act, is  
7 amended by inserting after the item relating to section  
8 44808 the following:

“44809. Aeronautical knowledge and safety test.”.

9           **SEC. 2131. SAFETY STATEMENTS.**

10          (a) IN GENERAL.—Chapter 448, as amended by sec-  
11 tion 2130 of this Act, is further amended by inserting  
12 after section 44809 the following:

13          **“§ 44810. Safety statements**

14           “(a) PROHIBITION.—Except as provided in sub-  
15 section (d), it shall be unlawful for any person to introduce  
16 or deliver for introduction into interstate commerce any  
17 unmanned aircraft manufactured on or after the date this  
18 section takes effect unless a safety statement is attached  
19 to the unmanned aircraft or accompanying the unmanned  
20 aircraft in its packaging.

21           “(b) SAFETY STATEMENT.—

22                   “(1) IN GENERAL.—Not later than 1 year after  
23 the date of enactment of the Federal Aviation Ad-  
24 ministration Reauthorization Act of 2016, the Ad-

1        administrator of the Federal Aviation Administration  
2        shall issue guidance for implementing this section.

3            “(2) REQUIREMENTS.—A safety statement de-  
4        scribed in subsection (a) shall include—

5            “(A) information about laws and regula-  
6        tions applicable to unmanned aircraft systems;

7            “(B) recommendations for using un-  
8        manned aircraft in a manner that promotes the  
9        safety of persons and property;

10          “(C) include the date that the safety state-  
11        ment was created or last modified; and

12          “(D) include language approved by the Ad-  
13        ministrator regarding the following:

14            “(i) A person may operate the un-  
15        manned aircraft as a model aircraft (as de-  
16        fined in section 44808) or otherwise in ac-  
17        cordance with Federal Aviation Adminis-  
18        tration authorization or regulation, includ-  
19        ing requirements for the completion of the  
20        aeronautical knowledge and safety test  
21        under section 44809.

22            “(ii) The definition of a model aircraft  
23        under section 44808.

1                   “(iii) The requirements regarding a  
2                   model aircraft under paragraphs (1)  
3                   through (7) of section 44808(a).

4                   “(iv) The Administrator of the Fed-  
5                   eral Aviation Administration may pursue  
6                   enforcement action against a person oper-  
7                   ating model aircraft who endangers the  
8                   safety of the national airspace system.

9                   “(c) CIVIL PENALTY.—A person who violates sub-  
10                  section (a) shall be liable for each violation to the United  
11                  States Government for a civil penalty described in section  
12                  46301(a).

13                  “(d) EFFECTIVE DATE.—This section shall take ef-  
14                  fect on the date of enactment of this Act, except that sub-  
15                  section (a) of this section shall take effect 1 year after  
16                  the date of publication of the guidance under subsection  
17                  (b).”.

18                  (b) TABLE OF CONTENTS.—The table of contents for  
19                  chapter 448, as amended by section 2130 of this Act, is  
20                  further amended by inserting after the item relating to  
21                  section 44809 the following:

                  “44810. Safety statements.”.

22                  **SEC. 2132. TREATMENT OF UNMANNED AIRCRAFT OPER-**  
23                  **ATING UNDERGROUND.**

24                  An unmanned aircraft system that is operated under-  
25                  ground for mining purposes shall not be subject to regula-

1 tion or enforcement by the Federal Aviation Administra-  
2 tion under chapter 448 of title 49, United States Code.

3 **SEC. 2133. ENFORCEMENT.**

4 (a) UAS SAFETY ENFORCEMENT.—The Adminis-  
5 trator of the Federal Aviation Administration shall estab-  
6 lish a program to utilize available remote detection and  
7 identification technologies for safety oversight, including  
8 enforcement actions against operators of unmanned air-  
9 craft systems that are not in compliance with applicable  
10 Federal aviation laws, including regulations.

11 (b) CIVIL PENALTIES.—

12 (1) IN GENERAL.—Section 46301 is amended—

13 (A) in subsection (a)(1)(A), by inserting  
14 “chapter 448,” after “chapter 447 (except sec-  
15 tions 44717 and 44719–44723),”;

16 (B) in subsection (a)(5), by inserting  
17 “chapter 448,” after “chapter 447 (except sec-  
18 tions 44717–44723),”;

19 (C) in subsection (d)(2), by inserting  
20 “chapter 448,” after “chapter 447 (except sec-  
21 tions 44717 and 44719–44723),”;

22 (D) in subsection (f), by inserting “chapter  
23 448,” after “chapter 447 (except 44717 and  
24 44719-44723),”.

1           (2) RULE OF CONSTRUCTION.—Nothing in this  
2 subsection shall be construed to limit the authority  
3 of the Administrator to pursue an enforcement ac-  
4 tion for a violation of this Act, a regulation pre-  
5 scribed or order or authority issued under this Act,  
6 or any other applicable provision of aviation safety  
7 law or regulation.

8           (c) REPORTING.—As part of the program, the Ad-  
9 ministrator shall establish and publicize a mechanism for  
10 the public and law enforcement, including State and local  
11 law enforcement, to report a suspected abuse or a violation  
12 of chapter 448 for enforcement action.

13           (d) AUTHORIZATION OF APPROPRIATIONS.—To carry  
14 out this section, there is authorized to be appropriated  
15 \$5,000,000 for each of the fiscal years 2016 through  
16 2017.

17 **SEC. 2134. AVIATION EMERGENCY SAFETY PUBLIC SERV-**  
18 **ICES DISRUPTION.**

19           (a) IN GENERAL.—Chapter 463 is amended—

20               (1) in section 46301(d)(2), by inserting “sec-  
21 tion 46320,” after “section 46319,”; and

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



1 **“§ 46320. Interference with firefighting, law enforce-**  
2 **ment, or emergency response activities**

3 “(a) PROHIBITION.—No person may operate an air-  
4 craft so as to interfere with firefighting, law enforcement,  
5 or emergency response activities.

6 “(b) DEFINITION.—For purposes of this section, an  
7 aircraft interferes with the activities specified in sub-  
8 section (a) when its operation prevents the initiation of,  
9 interrupts, or endangers a person or property engaged in  
10 those activities.

11 “(c) CIVIL PENALTY.—A person violating subsection  
12 (a) shall be liable for a civil penalty of not more than  
13 \$20,000.

14 “(d) COMPROMISE AND SETOFF.—The United States  
15 Government may deduct the amount of a civil penalty im-  
16 posed or compromised under this section from the  
17 amounts the Government owes the person liable for the  
18 penalty.”.

19 (b) TABLE OF CONTENTS.—The table of contents for  
20 chapter 463 is amended by inserting after the item relat-  
21 ing to section 46319 the following:

“46320. Interference with firefighting, law enforcement, or emergency response  
activities.”.

1 **SEC. 2135. PILOT PROJECT FOR AIRPORT SAFETY AND AIR-**  
2 **SPACE HAZARD MITIGATION.**

3 (a) IN GENERAL.—The Administrator of the Federal  
4 Aviation Administration shall carry out a pilot program  
5 for airspace hazard mitigation at airports and other crit-  
6 ical infrastructure.

7 (b) CONSULTATION.—In carrying out the pilot pro-  
8 gram under subsection (a), the Administrator shall work  
9 with the Secretary of Defense, Secretary of Homeland Se-  
10 curity, and the heads of relevant Federal agencies for the  
11 purpose of ensuring technologies that are developed, test-  
12 ed, or deployed by those departments and agencies to miti-  
13 gate threats posed by errant or hostile unmanned aircraft  
14 system operations do not adversely impact or interfere  
15 with safe airport operations, navigation, and air traffic  
16 services.

17 (c) AUTHORIZATION.—There is authorized to be ap-  
18 propriated from the Airport and Airway Trust Fund to  
19 carry out this section \$6,000,000, and to remain available  
20 until expended.

21 **SEC. 2136. CONTRIBUTION TO FINANCING OF REGULATORY**  
22 **FUNCTIONS.**

23 (a) IN GENERAL.—Chapter 448, as amended by sec-  
24 tion 2131 of this Act, is further amended by inserting  
25 after section 44810 the following:

1 **“§ 44811. Regulatory and administrative fees**

2 “(a) IN GENERAL.—Subject to subsection (b), the  
3 Administrator may assess and collect regulatory and ad-  
4 ministrative fees to recover the costs of regulatory and ad-  
5 ministrative activities under this chapter, including en-  
6 forcement activities, policy and rulemaking activities, and  
7 applications for authorization to operate unmanned air-  
8 craft systems for compensation or hire, or in the further-  
9 ance of a business enterprise.

10 “(b) LIMITATIONS.—Fees authorized under sub-  
11 section (a) shall be reasonable, cost-based relative to the  
12 regulatory or administrative activity, and may not be dis-  
13 criminatory or a deterrent to compliance.

14 “(c) RECEIPTS CREDITED TO ACCOUNT.—Notwith-  
15 standing section 3302 of title 31, all fees and amounts  
16 collected under this section shall be credited to the sepa-  
17 rate account established under section 45303(c).

18 “(d) REGULATIONS.—Not later than 1 year after the  
19 date of enactment of the Federal Aviation Administration  
20 Reauthorization Act of 2016, the Administrator shall issue  
21 regulations to carry out this section.”.

22 (b) TABLE OF CONTENTS.—The table of contents for  
23 chapter 448, as amended by section 2131 of this Act, is  
24 further amended by inserting after the item relating to  
25 section 44810 the following:

“44811. Regulatory and administrative fees.”.

1 **SEC. 2137. SENSE OF CONGRESS REGARDING SMALL UAS**  
2 **RULEMAKING.**

3 It is the sense of the Congress that the Administrator  
4 of the Federal Aviation Administration and Secretary of  
5 Transportation should take every necessary action to expedite  
6 final action on the notice of proposed rulemaking  
7 dated February 23, 2015 (80 Fed. Reg. 9544), entitled  
8 “Operation and Certification of Small Unmanned Aircraft  
9 Systems”.

10 **SEC. 2138. UNMANNED AIRCRAFT SYSTEM TRAFFIC MAN-**  
11 **AGEMENT.**

12 (a) RESEARCH PLAN FOR UTM DEVELOPMENT.—

13 (1) IN GENERAL.—The Administrator of the  
14 Federal Aviation Administration, in coordination  
15 with the Administrator of the National Aeronautics  
16 and Space Administration, shall develop a research  
17 plan for unmanned traffic management development.

18 (2) REQUIREMENTS.—In developing the re-  
19 search plan under paragraph (1), the Administrator  
20 shall—

21 (A) identify research goals;

22 (B) assess the operational parameters and  
23 system requirements necessary to evaluate un-  
24 manned traffic management systems;

25 (C) research—

- 1 (i) operational parameters related to  
2 altitude, geographic coverage, classes of  
3 airspace, and critical infrastructure;
- 4 (ii) avionics capability requirements or  
5 standards;
- 6 (iii) operator identification and au-  
7 thentication requirements and capabilities;
- 8 (iv) communication protocols with air  
9 traffic control facilities that will not inter-  
10 fere with existing responsibility to  
11 deconflict manned aircraft in the national  
12 airspace system;
- 13 (v) collision avoidance requirements;
- 14 (vi) separation standards for manned  
15 and unmanned aircraft; and
- 16 (vii) spectrum needs;
- 17 (D) evaluate options for the administration  
18 and management structure for the traffic man-  
19 agement of low altitude operations of small un-  
20 manned aircraft systems; and
- 21 (E) ensure the plan is consistent with the  
22 broader Federal Aviation Administration regu-  
23 latory and operational framework encompassing  
24 all unmanned aircraft system operations ex-

1           pected to be authorized in the national airspace  
2           system.

3           (3) ASSESSMENT.—The research plan under  
4           paragraph (1) shall include an assessment of—

5                   (A) the ability to allow near-term small un-  
6                   manned aircraft system operations without need  
7                   of an automated traffic management system;

8                   (B) the full range of operational capability  
9                   any automated traffic management system  
10                  should possess;

11                  (C) the operational characteristics and  
12                  metrics that would drive incremental adoption  
13                  of automated capability and procedures con-  
14                  sistent with a rising aggregate community de-  
15                  mand for service for low altitude operations of  
16                  small unmanned aircraft; and

17                  (D) the integration points for small un-  
18                  manned aircraft system traffic management  
19                  with the existing national airspace system plan-  
20                  ning and traffic management systems.

21           (4) DEADLINES.—The Administrator shall—

22                   (A) initiate development of the research  
23                   plan not later than 90 days after the date of  
24                   enactment of this Act; and

1 (B) not later than 180 days after the date  
2 of enactment of this Act—

3 (i) complete the research plan;

4 (ii) submit the research plan to the  
5 appropriate committees of Congress; and

6 (iii) publish the research plan on the  
7 Federal Aviation Administration's Web  
8 site.

9 (b) PILOT PROGRAM.—

10 (1) IN GENERAL.—Not later than 120 days  
11 after the date the research plan under subsection (a)  
12 is submitted under subsection (a)(4)(B), the Admin-  
13 istrator of the Federal Aviation Administration shall  
14 coordinate with the Administrator of the National  
15 Aeronautics and Space Administration and small un-  
16 manned aircraft industry to develop operational con-  
17 cepts and top-level system requirements for an un-  
18 manned aircraft traffic management pilot program,  
19 consistent with subsection (a).

20 (2) SOLICITATION.—The Administrator shall  
21 issue a solicitation for operational prototype systems  
22 that meet these objectives for use in a pilot program  
23 to demonstrate, validate, or modify, as appropriate,  
24 these concepts and requirements.

25 (c) COMPREHENSIVE PLAN.—

1           (1) IN GENERAL.—Not later than 270 days  
2 after the date the pilot program under subsection  
3 (b) is complete, the Administrator of the Federal  
4 Aviation Administration, in coordination with the  
5 Administrator of the National Aeronautics and  
6 Space Administration, and in consultation with the  
7 head of each relevant Federal agency, shall develop  
8 a comprehensive plan for the deployment of un-  
9 manned aircraft traffic management systems in the  
10 national airspace.

11           (2) SYSTEM REQUIREMENTS.—The comprehen-  
12 sive plan under paragraph (1) shall include require-  
13 ments or standards consistent with established or  
14 planned rulemaking for, at a minimum—

15                   (A) the flight of small unmanned aircraft  
16 in controlled and uncontrolled airspace;

17                   (B) communications, as applicable—

18                           (i) among small unmanned aircraft;

19                           (ii) between small unmanned aircraft  
20 and manned aircraft operating in the same  
21 airspace; and

22                           (iii) between small unmanned aircraft  
23 and air traffic control as considered nec-  
24 essary; and



1 (C) air traffic management for small un-  
2 manned aircraft operations.

3 (d) SYSTEM IMPLEMENTATION.—Based on the com-  
4 prehensive plan under subsection (c), including the re-  
5 quirements under paragraph (2) of that subsection, and  
6 the pilot program under section (b), the Administrator  
7 shall determine the operational need and implementation  
8 schedule for evolutionary use of automation support sys-  
9 tems to separate and deconflict manned and unmanned  
10 aircraft.

11 **SEC. 2139. EMERGENCY EXEMPTION PROCESS.**

12 (a) IN GENERAL.—Not later than 90 days after the  
13 date of enactment of this Act, the Administrator of the  
14 Federal Aviation Administration shall publish guidance  
15 for the application for and procedures for the processing  
16 of, on an emergency basis, exemptions or certificates of  
17 authorization or waiver for the use of unmanned aircraft  
18 systems for emergency response operations. This guidance  
19 shall outline procedures for operations under both sections  
20 44805 and 44807, United States Code, with priority given  
21 to applications for public unmanned aircraft systems en-  
22 gaged in emergency response activities.

23 (b) REQUIREMENTS.—In providing guidance under  
24 subsection (a), the Administrator shall—

1           (1) if applicable, make explicit any safety re-  
2           quirements that must be met for the consideration  
3           of applications that include requests for beyond vis-  
4           ual line of sight and nighttime operations; and

5           (2) if applicable, explicitly state the procedures  
6           for coordinating with an incident commander to en-  
7           sure operations granted under procedures developed  
8           under subsection (a) do not interfere with manned  
9           emergency response operations or otherwise impact  
10          response efforts.

11 **SEC. 2140. PUBLIC UAS OPERATIONS BY TRIBAL GOVERN-**  
12 **MENTS. .**

13          (a) PUBLIC UAS OPERATIONS BY TRIBAL GOVERN-  
14 MENTS.—Section 40102(a)(41) is amended by adding at  
15 the end the following:

16                   “(F) An unmanned aircraft that is owned  
17                   and operated by an Indian tribal government  
18                   (as defined in section 102 of the Robert T.  
19                   Stafford Disaster Relief and Emergency Assist-  
20                   ance Act (42 U.S.C. 5122)), except as provided  
21                   in section 40125(b).”.

22          (b) CONFORMING AMENDMENT.—Section 40125(b)  
23 is amended by striking “or (D)” and inserting “(D), or  
24 (F)”.

1                   **PART III—TRANSITION AND SAVINGS**  
2                                   **PROVISIONS**  
3 **SEC. 2141. SENIOR ADVISOR FOR UNMANNED AIRCRAFT**  
4                                   **SYSTEMS INTEGRATION.**

5           (a) **IN GENERAL.**—There shall be in the Federal  
6 Aviation Administration a Senior Advisor for Unmanned  
7 Aircraft Systems Integration.

8           (b) **QUALIFICATIONS.**—The Senior Advisor for Un-  
9 manned Aircraft Systems Integration shall have a dem-  
10 onstrated ability in management and knowledge of or ex-  
11 perience in aviation.

12           (c) **RESPONSIBILITIES.**—Unless otherwise deter-  
13 mined by the Administrator of the Federal Aviation Ad-  
14 ministration—

15                   (1) the Senior Advisor shall report directly to  
16 the Deputy Administrator of the Federal Aviation  
17 Administration; and

18                   (2) the responsibilities of the Senior Advisor  
19 shall include the following:

20                                   (A) Providing advice to the Administrator  
21 and Deputy Administrator related to the inte-  
22 gration of unmanned aircraft systems into the  
23 national airspace system.

24                                   (B) Reviewing and evaluating Federal  
25 Aviation Administration policies, activities, and

1 operations related to unmanned aircraft sys-  
2 tems.

3 (C) Facilitating coordination and collabo-  
4 ration among components of the Federal Avia-  
5 tion Administration with respect to activities re-  
6 lated to unmanned aircraft systems integration.

7 (D) Interacting with Congress, and Fed-  
8 eral, State, or local agencies, and stakeholder  
9 organizations whose operations and interests  
10 are affected by the activities of the Federal  
11 Aviation Administration on matters related to  
12 unmanned aircraft systems integration.

13 **SEC. 2142. EFFECT ON OTHER LAWS.**

14 (a) FEDERAL PREEMPTION.—No State or political  
15 subdivision of a State may enact or enforce any law, regu-  
16 lation, or other provision having the force and effect of  
17 law relating to the design, manufacture, testing, licensing,  
18 registration, certification, operation, or maintenance of an  
19 unmanned aircraft system, including airspace, altitude,  
20 flight paths, equipment or technology requirements, pur-  
21 pose of operations, and pilot, operator, and observer quali-  
22 fications, training, and certification.

23 (b) PRESERVATION OF STATE AND LOCAL AUTHOR-  
24 ITY.—Nothing in this subtitle shall be construed to limit  
25 a State or local government's authority to enforce Federal,

1 State, or local laws relating to nuisance, voyeurism, har-  
2 assment, reckless endangerment, wrongful death, personal  
3 injury, property damage, or other illegal acts arising from  
4 the use of unmanned aircraft systems if such laws are not  
5 specifically related to the use of an unmanned aircraft sys-  
6 tem for those illegal acts.

7 (c) NO PREEMPTION OF COMMON LAW OR STATU-  
8 TORY CAUSES OF ACTION.—Nothing in this subtitle, nor  
9 any standard, rule, requirement, standard of performance,  
10 safety determination, or certification implemented pursu-  
11 ant to this subtitle, shall be construed to preempt, dis-  
12 place, or supplant any State or Federal common law rights  
13 or any State or Federal statute creating a remedy for civil  
14 relief, including those for civil damage, or a penalty for  
15 a criminal conduct. Notwithstanding any other provision  
16 of this subtitle, nothing in this subtitle, nor any amend-  
17 ments made by this subtitle, shall preempt or preclude any  
18 cause of action for personal injury, wrongful death, prop-  
19 erty damage, or other injury based on negligence, strict  
20 liability, products liability, failure to warn, or any other  
21 legal theory of liability under any State law, maritime law,  
22 or Federal common law or statutory theory if such laws  
23 are not specifically related to the use of an unmanned air-  
24 craft system.

1 **SEC. 2143. TRANSITION LANGUAGE.**

2 (a) REGULATIONS.—Notwithstanding the repeals  
3 under sections 2122(b)(2), 2125(b)(2), 2126(b)(2),  
4 2128(b)(2), and 2129(b)(2) of this Act, all orders, deter-  
5 minations, rules, regulations, permits, grants, and con-  
6 tracts, which have been issued under any law described  
7 under subsection (b) of this section on or before the effec-  
8 tive date of this Act shall continue in effect until modified  
9 or revoked by the Secretary of Transportation, acting  
10 through the Administrator of the Federal Aviation Admin-  
11 istration, as applicable, by a court of competent jurisdic-  
12 tion, or by operation of law other than this Act.

13 (b) LAWS DESCRIBED.—The laws described under  
14 this subsection are as follows:

15 (1) Section 332(c) of the FAA Modernization  
16 and Reform Act of 2012 (49 U.S.C. 40101 note).

17 (2) Section 332(d) of the FAA Modernization  
18 and Reform Act of 2012 (49 U.S.C. 40101 note).

19 (3) Section 333 of the FAA Modernization and  
20 reform Act of 2012 (49 U.S.C. 40101 note).

21 (4) Section 334 of the FAA Modernization and  
22 reform Act of 2012 (49 U.S.C. 40101 note).

23 (5) Section 336 of the FAA Modernization and  
24 reform Act of 2012 (49 U.S.C. 40101 note).

1 (c) EFFECT ON PENDING PROCEEDINGS.—This Act  
2 shall not affect administrative or judicial proceedings  
3 pending on the effective date of this Act.

4 **Subtitle B—FAA Safety**  
5 **Certification Reform**

6 **PART I—GENERAL PROVISIONS**

7 **SEC. 2211. DEFINITIONS.**

8 In this subtitle:

9 (1) ADMINISTRATOR.—The term “Adminis-  
10 trator” means the Administrator of the Federal  
11 Aviation Administration.

12 (2) ADVISORY COMMITTEE.—The term “Advi-  
13 sory Committee” means the Safety Oversight and  
14 Certification Advisory Committee established under  
15 section 2212.

16 (3) FAA.—The term “FAA” means the Fed-  
17 eral Aviation Administration.

18 (4) SECRETARY.—The term “Secretary” means  
19 the Secretary of Transportation.

20 (5) SYSTEMS SAFETY APPROACH.—The term  
21 “systems safety approach” means the application of  
22 specialized technical and managerial skills to the  
23 systematic, forward-looking identification and con-  
24 trol of hazards throughout the lifecycle of a project,  
25 program, or activity.

1 **SEC. 2212. SAFETY OVERSIGHT AND CERTIFICATION ADVI-**  
2 **SORY COMMITTEE.**

3 (a) ESTABLISHMENT.—Not later than 60 days after  
4 the date of enactment of this Act, the Secretary shall es-  
5 tablish a Safety Oversight and Certification Advisory  
6 Committee in accordance with this section.

7 (b) DUTIES.—The Advisory Committee shall provide  
8 advice to the Secretary on policy-level issues facing the  
9 aviation community that are related to FAA safety over-  
10 sight and certification programs and activities, including  
11 the following:

12 (1) Aircraft and flight standards certification  
13 processes, including efforts to streamline those proc-  
14 esses.

15 (2) Implementation and oversight of safety  
16 management systems.

17 (3) Risk-based oversight efforts.

18 (4) Utilization of delegation and designation au-  
19 thorities, including organization designation author-  
20 ization.

21 (5) Regulatory interpretation standardization  
22 efforts.

23 (6) Training programs.

24 (7) Expediting the rulemaking process and  
25 prioritizing safety-related rules.



1           (8) Enhancing global competitiveness of U.S.  
2           manufactured and FAA type-certificate aircraft  
3           products and services throughout the world.

4           (c) FUNCTIONS.—In carrying out its duties under  
5           subsection (b) related to FAA safety oversight and certifi-  
6           cation programs and activities, the Advisory Committee  
7           shall—

8           (1) foster aviation stakeholder collaboration in  
9           an open and transparent manner;

10          (2) consult with, and ensure participation by—

11           (A) the private sector, including represent-  
12          atives of—

13                   (i) general aviation;

14                   (ii) commercial aviation;

15                   (iii) aviation labor;

16                   (iv) aviation, aerospace, and avionics  
17          manufacturing; and

18                   (v) unmanned aircraft systems indus-  
19          try; and

20          (B) the public;

21          (3) recommend consensus national goals, stra-  
22          tegic objectives, and priorities for the most efficient,  
23          streamlined, and cost-effective safety oversight and  
24          certification processes in order to maintain the safe-  
25          ty of the aviation system while allowing the FAA to

1 meet future needs and ensure that aviation stake-  
2 holders remain competitive in the global market-  
3 place;

4 (4) provide policy recommendations for the  
5 FAA's safety oversight and certification efforts;

6 (5) periodically review and provide rec-  
7 ommendations regarding the FAA's safety oversight  
8 and certification efforts;

9 (6) periodically review and evaluate registration,  
10 certification, and related fees;

11 (7) provide appropriate legislative, regulatory,  
12 and guidance recommendations for the air transpor-  
13 tation system and the aviation safety regulatory en-  
14 vironment;

15 (8) recommend performance objectives for the  
16 FAA and aviation industry;

17 (9) recommend performance metrics for the  
18 FAA and the aviation industry to be tracked and re-  
19 viewed as streamlining certification reform, flight  
20 standards reform, and regulation standardization ef-  
21 forts progress;

22 (10) provide a venue for tracking progress to-  
23 ward national goals and sustaining joint commit-  
24 ments;

1           (11) recommend recruiting, hiring, staffing lev-  
2           els, training, and continuing education objectives for  
3           FAA aviation safety engineers and aviation safety  
4           inspectors;

5           (12) provide advice and recommendations to the  
6           FAA on how to prioritize safety rulemaking projects;

7           (13) improve the development of FAA regula-  
8           tions by providing information, advice, and rec-  
9           ommendations related to aviation issues;

10          (14) encourage the validation of U.S. manufac-  
11          tured and FAA type-certificate aircraft products and  
12          services throughout the world; and

13          (15) any other functions as determined appro-  
14          priate by the chairperson of the Advisory Committee  
15          and the Administrator.

16          (d) MEMBERSHIP.—

17           (1) VOTING MEMBERS.—The Advisory Com-  
18           mittee shall be composed of the following voting  
19           members:

20           (A) The Administrator, or the Administra-  
21           tor's designee.

22           (B) At least 1 representative, appointed by  
23           the Secretary, of each of the following:

24           (i) Aircraft and engine manufacturers.

1 (ii) Avionics and equipment manufac-  
2 turers.

3 (iii) Aviation labor organizations, in-  
4 cluding collective bargaining representa-  
5 tives of FAA aviation safety inspectors and  
6 aviation safety engineers.

7 (iv) General aviation operators.

8 (v) Air carriers.

9 (vi) Business aviation operators.

10 (vii) Unmanned aircraft systems man-  
11 ufacturers and operators.

12 (viii) Aviation safety management ex-  
13 perts.

14 (2) NONVOTING MEMBERS.—

15 (A) IN GENERAL.—In addition to the  
16 members appointed under paragraph (1), the  
17 Advisory Committee shall be composed of non-  
18 voting members appointed by the Secretary  
19 from among individuals representing FAA safe-  
20 ty oversight program offices.

21 (B) DUTIES.—A nonvoting member may—

22 (i) take part in deliberations of the  
23 Advisory Committee; and

1 (ii) provide input with respect to any  
2 report or recommendation of the Advisory  
3 Committee.

4 (C) LIMITATION.—A nonvoting member  
5 may not represent any stakeholder interest  
6 other than that of an FAA safety oversight pro-  
7 gram office.

8 (3) TERMS.—Each voting member and non-  
9 voting member of the Advisory Committee shall be  
10 appointed for a term of 2 years.

11 (4) RULE OF CONSTRUCTION.—Public Law  
12 104–65 (2 U.S.C. 1601 et seq.) may not be con-  
13 strued to prohibit or otherwise limit the appointment  
14 of any individual as a member of the Advisory Com-  
15 mittee.

16 (e) COMMITTEE CHARACTERISTICS.—The Advisory  
17 Committee shall have the following characteristics:

18 (1) Each voting member under subsection  
19 (d)(1)(B) shall be an executive that has decision au-  
20 thority within the member’s organization and can  
21 represent and enter into commitments on behalf of  
22 that organization in a way that serves the entire  
23 group of organizations that member represents  
24 under that subsection.

1           (2) The ability to obtain necessary information  
2 from experts in the aviation and aerospace commu-  
3 nities.

4           (3) A membership size that enables the Advi-  
5 sory Committee to have substantive discussions and  
6 reach consensus on issues in an expeditious manner.

7           (4) Appropriate expertise, including expertise in  
8 certification and risk-based safety oversight proc-  
9 esses, operations, policy, technology, labor relations,  
10 training, and finance.

11 (f) CHAIRPERSON.—

12           (1) IN GENERAL.—The chairperson of the Advi-  
13 sory Committee shall be appointed by the Secretary  
14 from among the voting members under subsection  
15 (d)(1)(B).

16           (2) TERM.—Each member appointed under  
17 paragraph (1) shall serve a term of 2 years as chair-  
18 person.

19 (g) MEETINGS.—

20           (1) FREQUENCY.—The Advisory Committee  
21 shall convene at least 2 meetings a year at the call  
22 of the chairperson.

23           (2) PUBLIC ATTENDANCE.—Each meeting of  
24 the Advisory Committee shall be open and accessible  
25 to the public.

1 (h) SPECIAL COMMITTEES.—

2 (1) ESTABLISHMENT.—The Advisory Com-  
3 mittee may establish 1 or more special committees  
4 composed of private sector representatives, members  
5 of the public, labor representatives, and other rel-  
6 evant parties in complying with consultation and  
7 participation requirements under subsection (c)(2).

8 (2) RULEMAKING ADVICE.—A special com-  
9 mittee established by the Advisory Committee may—

10 (A) provide rulemaking advice and rec-  
11 ommendations to the Advisory Committee;

12 (B) provide the FAA additional opportuni-  
13 ties to obtain firsthand information and insight  
14 from those persons that are most affected by  
15 existing and proposed regulations; and

16 (C) assist in expediting the development,  
17 revision, or elimination of rules in accordance  
18 with, and without circumventing, established  
19 public rulemaking processes and procedures.

20 (3) FEDERAL ADVISORY COMMITTEE ACT.—The  
21 Federal Advisory Committee Act (5 U.S.C. App.)  
22 shall not apply to a special committee under this  
23 subsection.

24 (i) SUNSET.—The Advisory Committee shall cease to  
25 exist on September 30, 2017.

1     **PART II—AIRCRAFT CERTIFICATION REFORM**

2     **SEC. 2221. AIRCRAFT CERTIFICATION PERFORMANCE OB-**  
3                   **JECTIVES AND METRICS.**

4           (a) IN GENERAL.—Not later than 120 days after the  
5 date the Advisory Committee is established under section  
6 2212, the Administrator shall establish performance objec-  
7 tives and apply and track performance metrics for the  
8 FAA and the aviation industry relating to aircraft certifi-  
9 cation in accordance with this section.

10          (b) COLLABORATION.—The Administrator shall carry  
11 out this section in collaboration with the Advisory Com-  
12 mittee and update agency performance objectives and  
13 metrics after considering the proposals recommended by  
14 the Advisory Committee under paragraphs (8) and (9) of  
15 section 2212(c).

16          (c) PERFORMANCE OBJECTIVES.—In establishing  
17 performance objectives under subsection (a), the Adminis-  
18 trator shall ensure progress is made toward, at a min-  
19 imum—

20           (1) eliminating certification delays and improv-  
21 ing cycle times;

22           (2) increasing accountability for both FAA and  
23 the aviation industry;

24           (3) achieving full utilization of FAA delegation  
25 and designation authorities, including organizational  
26 designation authorization;



1 (4) fully implementing risk management prin-  
2 ciples and a systems safety approach;

3 (5) reducing duplication of effort;

4 (6) increasing transparency;

5 (7) developing and providing training, including  
6 recurrent training, in auditing and a systems safety  
7 approach to certification oversight;

8 (8) improving the process for approving or ac-  
9 cepting the certification actions between the FAA  
10 and bilateral partners;

11 (9) maintaining and improving safety;

12 (10) streamlining the hiring process for—

13 (A) qualified systems safety engineers at  
14 staffing levels to support the FAA's efforts to  
15 implement a systems safety approach; and

16 (B) qualified systems safety engineers to  
17 guide the engineering of complex systems within  
18 the FAA; and

19 (11) maintaining the leadership of the United  
20 States in international aviation and aerospace.

21 (d) PERFORMANCE METRICS.—In carrying out sub-  
22 section (a), the Administrator shall—

23 (1) apply and track performance metrics for the  
24 FAA and the aviation industry; and

1           (2) transmit to the appropriate committees of  
2 Congress an annual report on tracking the progress  
3 toward full implementation of the recommendations  
4 under section 2212.

5 (e) DATA.—

6           (1) BASELINES.—Not later than 1 year after  
7 the date the Advisory Committee recommends initial  
8 performance metrics under section 2212(c)(9), the  
9 Administrator shall generate initial data with respect  
10 to each of the performance metrics applied and  
11 tracked under this section.

12           (2) BENCHMARKS.—The Administrator shall  
13 use the performance metrics applied and tracked  
14 under this section to generate data on an ongoing  
15 basis and to measure progress toward the consensus  
16 national goals, strategic objectives, and priorities  
17 recommended under section 2212(c)(3).

18 (f) PUBLICATION.—

19           (1) IN GENERAL.—Subject to paragraph (2),  
20 the Administrator shall make data generated using  
21 the performance metrics applied and tracked under  
22 this section available in a searchable, sortable, and  
23 downloadable format through the Internet Web site  
24 of the FAA or other appropriate methods.

1           (2) LIMITATIONS.—The Administrator shall  
2           make the data under paragraph (1) available in a  
3           manner that—

4                   (A) protects from disclosure identifying in-  
5                   formation regarding an individual or entity; and

6                   (B) protects from inappropriate disclosure  
7                   proprietary information.

8   **SEC. 2222. ORGANIZATION DESIGNATION AUTHORIZATIONS.**

9           (a) IN GENERAL.—Chapter 447 is amended by add-  
10          ing at the end the following:

11   **“§ 44736. Organization designation authorizations**

12          “(a) DELEGATIONS OF FUNCTIONS.—

13               “(1) IN GENERAL.—Except as provided in para-  
14               graph (3), in the oversight of an ODA holder, the  
15               Administrator of the Federal Aviation Administra-  
16               tion, in accordance with Federal Aviation Adminis-  
17               tration standards, shall—

18                   “(A) require, based on an application sub-  
19                   mitted by the ODA holder and approved by the  
20                   Administrator (or the Administrator’s des-  
21                   ignee), a procedures manual that addresses all  
22                   procedures and limitations regarding the speci-  
23                   fied functions to be performed by the ODA  
24                   holder subject to regulations prescribed by the  
25                   Administrator;

1           “(B) delegate fully to the ODA holder each  
2 of the functions specified in the procedures  
3 manual, unless the Administrator determines,  
4 after the date of the delegation and as a result  
5 of an inspection or other investigation, that the  
6 public interest and safety of air commerce re-  
7 quires a limitation with respect to 1 or more of  
8 the functions; and

9           “(C) conduct oversight activities, including  
10 by inspecting the ODA holder’s delegated func-  
11 tions and taking action based on validated in-  
12 spection findings.

13           “(2) DUTIES OF ODA HOLDERS.—An ODA  
14 holder shall—

15           “(A) perform each specified function dele-  
16 gated to the ODA holder in accordance with the  
17 approved procedures manual for the delegation;

18           “(B) make the procedures manual avail-  
19 able to each member of the appropriate ODA  
20 unit; and

21           “(C) cooperate fully with oversight activi-  
22 ties conducted by the Administrator in connec-  
23 tion with the delegation.

24           “(3) EXISTING ODA HOLDERS.—With regard to  
25 an ODA holder operating under a procedures man-

1 ual approved by the Administrator before the date of  
2 enactment of the Federal Aviation Administration  
3 Reauthorization Act of 2016, the Administrator  
4 shall—

5 “(A) at the request of the ODA holder,  
6 and in an expeditious manner, consider revi-  
7 sions to the ODA holder’s procedures manual;

8 “(B) delegate fully to the ODA holder each  
9 of the functions specified in the procedures  
10 manual, unless the Administrator determines,  
11 after the date of the delegation and as a result  
12 of an inspection or other investigation, that the  
13 public interest and safety of air commerce re-  
14 quires a limitation with respect to 1 or more of  
15 the functions; and

16 “(C) conduct oversight activities, including  
17 by inspecting the ODA holder’s delegated func-  
18 tions and taking action based on validated in-  
19 spection findings.

20 “(b) ODA OFFICE.—

21 “(1) ESTABLISHMENT.—Not later than 120  
22 days after the date of enactment of Federal Aviation  
23 Administration Reauthorization Act of 2016, the  
24 Administrator shall identify, within the Office of  
25 Aviation Safety, a centralized policy office to be re-

1       sponsible for the organization designation authoriza-  
2       tion (referred to in this subsection as the ODA Of-  
3       fice). The Director of the ODA Office shall report  
4       to the Director of the Aircraft Certification Service.

5           “(2) PURPOSE.—The purpose of the ODA Of-  
6       fice shall be to provide oversight and ensure consist-  
7       ency of the Federal Aviation Administration audit  
8       functions under the ODA program across the agen-  
9       cy.

10          “(3) FUNCTIONS.—The ODA Office shall—

11           “(A) improve the Administration and the  
12       ODA holder performance and ensure full use of  
13       the authorities delegated under the ODA pro-  
14       gram;

15           “(B) develop a more consistent approach  
16       to audit priorities, procedures, and training  
17       under the ODA program;

18           “(C) expeditiously review a random sample  
19       of limitations on delegated authorities under the  
20       ODA program to determine if the limitations  
21       are appropriate; and

22           “(D) ensure national consistency in the in-  
23       terpretation and application of the requirements  
24       of the ODA program and in the performance of  
25       the ODA program.

1 “(c) DEFINITIONS.—In this section:

2 “(1) ODA OR ORGANIZATION DESIGNATION AU-  
3 THORIZATION.—The term ‘ODA’ or ‘organization  
4 designation authorization’ means an authorization  
5 under section 44702(d) to perform approved func-  
6 tions on behalf of the Administrator of the Federal  
7 Aviation Administration.

8 “(2) ODA HOLDER.—The term ‘ODA holder’  
9 means an entity authorized under section  
10 44702(d)—

11 “(A) to which the Administrator of the  
12 Federal Aviation Administration issues an ODA  
13 letter of designation under subpart D of part  
14 183 of title 14, Code of Federal Regulations (or  
15 any corresponding similar regulation or ruling);  
16 and

17 “(B) that is responsible for administering  
18 1 or more ODA units.

19 “(3) ODA PROGRAM.—The term ‘ODA pro-  
20 gram’ means the program to standardize Federal  
21 Aviation Administration oversight of the organiza-  
22 tions that are approved to perform certain functions  
23 on behalf of the Administration under section  
24 44702(d).

1           “(4) ODA UNIT.—The term ‘ODA unit’ means  
2           a group of 2 or more individuals under the super-  
3           vision of an ODA holder who perform the specified  
4           functions under an ODA.

5           “(5) ORGANIZATION.—The term ‘organization’  
6           means a firm, a partnership, a corporation, a com-  
7           pany, an association, a joint-stock association, or a  
8           governmental entity.”.

9           (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
10          The table of contents of chapter 447 is amended by adding  
11          after the item relating to section 44735 the following:

          “44736. Organization designation authorizations.”.

12       **SEC. 2223. ODA REVIEW.**

13       (a) EXPERT REVIEW PANEL.—

14           (1) ESTABLISHMENT.—Not later than 60 days  
15           after the date of enactment of this Act, the Adminis-  
16           trator of the FAA shall convene a multidisciplinary  
17           expert review panel (referred to in this section as the  
18           “Panel”).

19           (2) COMPOSITION.—

20           (A) IN GENERAL.—The Panel shall be  
21           composed of not more than 20 members ap-  
22           pointed by the Administrator.

23           (B) QUALIFICATIONS.—The members ap-  
24           pointed to the Panel shall—



1 (i) each have a minimum of 5 years of  
2 experience in processes and procedures  
3 under the ODA program; and

4 (ii) include representatives of ODA  
5 holders, aviation manufacturers, safety ex-  
6 perts, and FAA labor organizations, in-  
7 cluding labor representatives of FAA avia-  
8 tion safety inspectors and aviation safety  
9 engineers.

10 (b) SURVEY.—The Panel shall survey ODA holders  
11 and ODA program applicants to document FAA safety  
12 oversight and certification programs and activities, includ-  
13 ing the FAA’s use of the ODA program and the speed  
14 and efficiency of the certification process. In carrying out  
15 this subsection, the Administrator shall consult with the  
16 appropriate survey experts and the panel established  
17 under subsection (a) to best design and conduct the survey

18 (c) ASSESSMENT.—The Panel shall—

19 (1) conduct an assessment of—

20 (A) the FAA’s processes and procedures  
21 under the ODA program and whether the proc-  
22 esses and procedures function as intended;

23 (B) the best practices of and lessons  
24 learned by ODA holders and the FAA personnel  
25 who provide oversight of ODA holders;

1 (C) the performance incentive policies , re-  
2 lated to the ODA program for FAA personnel,  
3 that do not conflict with the public interest;

4 (D) the training activities related to the  
5 ODA program for FAA personnel and ODA  
6 holders; and

7 (E) the impact, if any, that oversight of  
8 the ODA program has on FAA resources and  
9 the FAA's ability to process applications for  
10 certifications outside of the ODA program; and

11 (2) make recommendations for improving FAA  
12 safety oversight and certification programs and ac-  
13 tivities based on the results of the survey under sub-  
14 section (b) and each element of the assessment  
15 under paragraph (1) of this subsection.

16 (d) REPORT.—Not later than 180 days after the date  
17 the Panel is convened under subsection (a), the Panel shall  
18 submit to the Administrator, the Advisory Committee, and  
19 the appropriate committees of Congress a report on re-  
20 sults of the survey under subsection (b) and the assess-  
21 ment and recommendations under subsection (c).

22 (e) DEFINITIONS.—The terms used in this section  
23 have the meanings given the terms in section 44736 of  
24 title 49, United States Code.

1 (f) FEDERAL ADVISORY COMMITTEE ACT.—The  
2 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
3 apply to the Panel.

4 (g) SUNSET.—The Panel shall terminate on the date  
5 the report is submitted under subsection (d).

6 **SEC. 2224. TYPE CERTIFICATION RESOLUTION PROCESS.**

7 (a) IN GENERAL.—Section 44704(a) is amended by  
8 adding at the end the following:

9 “(6) TYPE CERTIFICATION RESOLUTION PROC-  
10 ESS.—

11 “(A) IN GENERAL.—Not later than 15  
12 months after the date of enactment of Federal  
13 Aviation Administration Reauthorization Act of  
14 2016, the Administrator shall establish an ef-  
15 fective, expeditious, and milestone-based issue  
16 resolution process for type certification activi-  
17 ties under this subsection.

18 “(B) PROCESS REQUIREMENTS.—The res-  
19 olution process shall provide for—

20 “(i) the resolution of technical issues  
21 at pre-established stages of the certifi-  
22 cation process, as agreed to by the Admin-  
23 istrator and the type certificate applicant;

24 “(ii) the automatic escalation to ap-  
25 propriate management personnel of the

1 Federal Aviation Administration and the  
2 type certificate applicant of any major cer-  
3 tification process milestone that is not  
4 completed or resolved within a specific pe-  
5 riod of time agreed to by the Adminis-  
6 trator and the type certificate applicant;  
7 and

8 “(iii) the resolution of a major certifi-  
9 cation process milestone escalated under  
10 clause (ii) within a specific period of time  
11 agreed to by the Administrator and the  
12 type certificate applicant.

13 “(C) DEFINITION OF MAJOR CERTIFI-  
14 CATION PROCESS MILESTONE.—In this para-  
15 graph, the term ‘major certification process  
16 milestone’ means a milestone related to a type  
17 certification basis, type certification plan, type  
18 inspection authorization, issue paper, or other  
19 major type certification activity agreed to by  
20 the Administrator and the type certificate appli-  
21 cant.”.

22 (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
23 Section 44704 is amended in the heading by striking  
24 “**airworthiness certificates,**” and inserting “**air-**  
25 **worthiness certificates,**”.

1 **SEC. 2225. SAFETY ENHANCING TECHNOLOGIES FOR SMALL**  
2 **GENERAL AVIATION AIRPLANES.**

3 (a) **POLICY.**—In an manner consistent with the Small  
4 Airplane Revitalization Act of 2013(49 U.S.C. 44704  
5 note), not later than 180 days after the date of enactment  
6 of this Act, the Administrator shall establish and begin  
7 implementing a risk-based policy that streamlines the in-  
8 stallation of safety enhancing technologies for small gen-  
9 eral aviation airplanes in a manner that reduces regu-  
10 latory delays and significantly improves safety.

11 (b) **INCLUSIONS.**—The safety enhancing technologies  
12 for small general aviation airplanes described in subsection  
13 (a) shall include, at a minimum, the replacement or ret-  
14 rofit of primary flight displays, auto pilots, engine mon-  
15 itors, and navigation equipment.

16 (c) **COLLABORATION.**—In carrying out this section,  
17 the Administrator shall collaborate with general aviation  
18 operators, general aviation manufacturers, and appro-  
19 priate FAA labor organizations, including representatives  
20 of FAA aviation safety inspectors and aviation safety engi-  
21 neers, certified under section 7111 of title 5, United  
22 States Code.

23 (d) **DEFINITION OF SMALL GENERAL AVIATION AIR-**  
24 **PLANE.**—In this section, the term “small general aviation  
25 airplane” means an airplane that—

1           (1) is certified to the standards of part 23 of  
2 title 14, Code of Federal Regulations;

3           (2) has a seating capacity of not more than 9  
4 passengers; and

5           (3) is not used in scheduled passenger-carrying  
6 operations under part 121 of title 14, Code of Fed-  
7 eral Regulations.

8 **SEC. 2226. STREAMLINING CERTIFICATION OF SMALL GEN-**  
9 **ERAL AVIATION AIRPLANES.**

10       (a) NOTICE OF PROPOSED RULEMAKING.—Not later  
11 than June 1, 2016, the Administrator shall issue a notice  
12 of proposed rulemaking to comply with section 3 of the  
13 Small Airplane Revitalization Act of 2013 (49 U.S.C.  
14 44704 note).

15       (b) GOVERNMENT REVIEW.—The Federal Govern-  
16 ment’s review process shall be streamlined to meet the  
17 deadline in subsection (a).

18       (c) FINAL RULEMAKING.—Not later than December  
19 31, 2016, the Administrator shall issue a final rulemaking  
20 to comply with section 3 of the Small Airplane Revitaliza-  
21 tion Act of 2013 (49 U.S.C. 44704 note).

1           **PART III—FLIGHT STANDARDS REFORM**

2   **SEC. 2231. FLIGHT STANDARDS PERFORMANCE OBJEC-**  
3                   **TIVES AND METRICS.**

4           (a) **IN GENERAL.**—Not later than 120 days after the  
5 date the Advisory Committee is established under section  
6 2212, the Administrator shall establish performance objec-  
7 tives and apply and track performance metrics for the  
8 FAA and the aviation industry relating to flight standards  
9 activities in accordance with this section.

10          (b) **COLLABORATION.**—The Administrator shall carry  
11 out this section in collaboration with the Advisory Com-  
12 mittee and update agency performance objectives and  
13 metrics after considering the recommendations of the Ad-  
14 visory Committee under paragraphs (8) and (9) of section  
15 2212(c).

16          (c) **PERFORMANCE OBJECTIVES.**—In carrying out  
17 subsection (a), the Administrator shall ensure that  
18 progress is made toward, at a minimum—

19               (1) eliminating delays with respect to such ac-  
20               tivities;

21               (2) increasing accountability for both FAA and  
22               the aviation industry;

23               (3) fully implementing risk management prin-  
24               ciples and a systems safety approach;

25               (4) reducing duplication of effort;

1           (5) promoting appropriate compliance activities  
2           and eliminating inconsistent regulatory interpreta-  
3           tions and inconsistent enforcement activities;

4           (6) improving and providing greater opportuni-  
5           ties for training, including recurrent training, in au-  
6           diting and a systems safety approach to oversight;

7           (7) developing and allowing the use of a single  
8           master source for guidance;

9           (8) providing and using a streamlined appeal  
10          process for the resolution of regulatory interpreta-  
11          tion questions;

12          (9) maintaining and improving safety; and

13          (10) increasing transparency.

14          (d) PERFORMANCE METRICS.—In carrying out sub-  
15          section (a), the Administrator shall—

16               (1) apply and track performance metrics for the  
17               FAA and the aviation industry; and

18               (2) transmit to the appropriate committees of  
19               Congress an annual report tracking the progress to-  
20               ward full implementation of the performance metrics  
21               under section 2212.

22          (e) DATA.—

23               (1) BASELINES.—Not later than 1 year after  
24               the date the Advisory Committee recommends initial  
25               performance metrics under section 2212(c)(9), the



1 Administrator shall generate initial data with respect  
2 to each of the performance metrics applied and  
3 tracked that are approved based on the rec-  
4 ommendations required under this section.

5 (2) BENCHMARKS.—The Administrator shall  
6 use the performance metrics applied and tracked  
7 under this section to generate data on an ongoing  
8 basis and to measure progress toward the consensus  
9 national goals, strategic objectives, and priorities  
10 recommended under section 2212(c)(3).

11 (f) PUBLICATION.—

12 (1) IN GENERAL.—Subject to paragraph (2),  
13 the Administrator shall make data generated using  
14 the performance metrics applied and tracked under  
15 this section available in a searchable, sortable, and  
16 downloadable format through the Internet Web site  
17 of the FAA or other appropriate methods.

18 (2) LIMITATIONS.—The Administrator shall  
19 make the data under paragraph (1) available in a  
20 manner that—

21 (A) protects from disclosure identifying in-  
22 formation regarding an individual or entity; and

23 (B) protects from inappropriate disclosure  
24 proprietary information.

1 **SEC. 2232. FAA TASK FORCE ON FLIGHT STANDARDS RE-**  
2 **FORM.**

3 (a) ESTABLISHMENT.—Not later than 90 days after  
4 the date of enactment of this Act, the Administrator shall  
5 establish the FAA Task Force on Flight Standards Re-  
6 form (referred to in this section as the “Task Force”).

7 (b) MEMBERSHIP.—

8 (1) APPOINTMENT.—The membership of the  
9 Task Force shall be appointed by the Administrator.

10 (2) NUMBER.—The Task Force shall be com-  
11 posed of not more than 20 members.

12 (3) REPRESENTATION REQUIREMENTS.—The  
13 membership of the Task Force shall include rep-  
14 resentatives, with knowledge of flight standards reg-  
15 ulatory processes and requirements, of—

16 (A) air carriers;

17 (B) general aviation;

18 (C) business aviation;

19 (D) repair stations;

20 (E) unmanned aircraft systems operators;

21 (F) flight schools;

22 (G) labor unions, including those rep-  
23 resenting FAA aviation safety inspectors and  
24 those representing FAA aviation safety engi-  
25 neers; and

26 (H) aviation safety experts.

1 (c) DUTIES.—The duties of the Task Force shall in-  
2 clude, at a minimum, identifying cost-effective best prac-  
3 tices and providing recommendations with respect to—

4 (1) simplifying and streamlining flight stand-  
5 ards regulatory processes;

6 (2) reorganizing the Flight Standards Service  
7 to establish an entity organized by function rather  
8 than geographic region, if appropriate;

9 (3) FAA aviation safety inspector training op-  
10 portunities;

11 (4) FAA aviation safety inspector standards  
12 and performance; and

13 (5) achieving, across the FAA, consistent—

14 (A) regulatory interpretations; and

15 (B) application of oversight activities.

16 (d) REPORT.—Not later than 1 year after the date  
17 of enactment of this Act, the Task Force shall submit to  
18 the Administrator, Advisory Committee, and appropriate  
19 committees of Congress a report detailing—

20 (1) the best practices identified and rec-  
21 ommendations provided by the Task Force under  
22 subsection (c); and

23 (2) any recommendations of the Task Force for  
24 additional regulatory action or cost-effective legisla-  
25 tive action.

1 (e) FEDERAL ADVISORY COMMITTEE ACT.—The  
2 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
3 apply to the Task Force.

4 (f) SUNSET.—The Task Force shall cease to exist on  
5 the date that the Task Force submits the report required  
6 under subsection (d).

7 **SEC. 2233. CENTRALIZED SAFETY GUIDANCE DATABASE.**

8 (a) ESTABLISHMENT.—Not later than 1 year after  
9 the date of enactment of this Act, the Administrator of  
10 the FAA shall establish a centralized safety guidance data-  
11 base for all of the regulatory guidance issued by the FAA  
12 Office of Aviation Safety regarding compliance with 1 or  
13 more aviation safety-related provisions of the Code of Fed-  
14 eral Regulations.

15 (b) REQUIREMENTS.—The database under subsection  
16 (a) shall—

17 (1) for each guidance, include a link to the spe-  
18 cific provision of the Code of Federal Regulations;

19 (2) subject to paragraph (3), be accessible to  
20 the public; and

21 (3) be provided in a manner that—

22 (A) protects from disclosure identifying in-  
23 formation regarding an individual or entity; and

24 (B) protects from inappropriate disclosure  
25 proprietary information.

1 (c) DATA ENTRY TIMING.—

2 (1) EXISTING DOCUMENTS.—Not later than 14  
3 months after the date the database is established,  
4 the Administrator shall have completed entering into  
5 the database any applicable regulatory guidance that  
6 are in effect and were issued before that date.

7 (2) NEW REGULATORY GUIDANCE AND UP-  
8 DATES.—Beginning on the date the database is es-  
9 tablished, the Administrator shall ensure that any  
10 applicable regulatory guidance that are issued on or  
11 after that date are entered into the database as they  
12 are issued.

13 (d) CONSULTATION REQUIREMENT.—In establishing  
14 the database under subsection (a), the Administrator shall  
15 consult and collaborate with appropriate stakeholders, in-  
16 cluding labor organizations (including those representing  
17 aviation workers, FAA aviation safety engineers, and FAA  
18 aviation safety inspectors) and aviation industry stake-  
19 holders.

20 (e) DEFINITION OF REGULATORY GUIDANCE.—In  
21 this section, the term “regulatory guidance” means all  
22 forms of written information issued by the FAA that an  
23 individual or entity may use to interpret or apply FAA  
24 regulations and requirements, including information an in-  
25 dividual or entity may use to determine acceptable means

1 of compliance with such regulations and requirements,  
2 such as an order, manual, circular, policy statement, and  
3 legal interpretation memorandum.

4 **SEC. 2234. REGULATORY CONSISTENCY COMMUNICATIONS**  
5 **BOARD.**

6 (a) ESTABLISHMENT.—Not later than 180 days after  
7 the date of enactment of this Act, the Administrator of  
8 the FAA shall establish a Regulatory Consistency Commu-  
9 nications Board (referred to in this section as the  
10 “Board”).

11 (b) CONSULTATION REQUIREMENT.—In establishing  
12 the Board, the Administrator shall consult and collaborate  
13 with appropriate stakeholders, including FAA labor orga-  
14 nizations (including labor organizations representing FAA  
15 aviation safety inspectors and labor organizations rep-  
16 resenting FAA aviation safety engineers) and aviation in-  
17 dustry stakeholders.

18 (c) MEMBERSHIP.—The Board shall be composed of  
19 FAA representatives, appointed by the Administrator,  
20 from—

- 21 (1) the Flight Standards Service;
- 22 (2) the Aircraft Certification Service; and
- 23 (3) the Office of the Chief Counsel.

24 (d) FUNCTIONS.—The Board shall carry out the fol-  
25 lowing functions:

1           (1) Recommend, at a minimum, processes by  
2       which—

3           (A) FAA personnel and persons regulated  
4       by the FAA may submit regulatory interpreta-  
5       tion questions without fear of retaliation;

6           (B) FAA personnel may submit written  
7       questions as to whether a previous approval or  
8       regulatory interpretation issued by FAA per-  
9       sonnel in another office or region is correct or  
10      incorrect; and

11          (C) Any other person may submit anony-  
12      mous regulatory interpretation questions.

13          (2) Meet on a regular basis to discuss and re-  
14      solve questions submitted under paragraph (1) and  
15      the appropriate application of regulations and policy  
16      with respect to each question.

17          (3) Provide to a person that submitted a ques-  
18      tion under subparagraph (A) or (B) of paragraph  
19      (1) an expeditious written response to the question.

20          (4) Recommend a process to make the resolu-  
21      tion of common regulatory interpretation questions  
22      publicly available to FAA personnel and the public  
23      in a manner that—

24              (A) does not reveal any identifying data of  
25      the person that submitted a question; and

1 (B) protects any proprietary information.

2 (5) Ensure that responses to questions under  
3 this subsection are incorporated into regulatory  
4 guidance (as defined in section 2233(e)).

5 (e) PERFORMANCE METRICS, TIMELINES, AND  
6 GOALS.—Not later than 180 days after the date that the  
7 Advisory Committee recommends performance objectives  
8 and performance metrics for the FAA and the aviation  
9 industry under paragraphs (8) and (9) of section 2212(c)  
10 , the Administrator, in collaboration with the Advisory  
11 Committee, shall—

12 (1) establish performance metrics, timelines,  
13 and goals to measure the progress of the Board in  
14 resolving regulatory interpretation questions sub-  
15 mitted under subsection (d)(1); and

16 (2) implement a process for tracking the  
17 progress of the Board in meeting the performance  
18 metrics, timelines, and goals under paragraph (1).

19 **SEC. 2235. FLIGHT STANDARDS SERVICE REALIGNMENT**  
20 **FEASIBILITY REPORT.**

21 (a) IN GENERAL.—Not later than 1 year after the  
22 date of enactment of this Act, the Administrator, in con-  
23 sultation with relevant industry stakeholders, shall—

24 (1) determine the feasibility of realigning flight  
25 standards service regional field offices to specialized



1 areas of aviation safety oversight and technical ex-  
2 pertise; and

3 (2) submit to the appropriate committees of  
4 Congress a report on the findings under paragraph  
5 (1).

6 (b) CONSIDERATIONS.—In making a determination  
7 under subsection (a), the Administrator shall consider a  
8 flight standards service regional field office providing sup-  
9 port in the area of its technical expertise to flight stand-  
10 ards district offices and certificate management offices.

11 **SEC. 2236. ADDITIONAL CERTIFICATION RESOURCES.**

12 (a) IN GENERAL.—Notwithstanding any other provi-  
13 sion of law, and subject to the requirements of subsection  
14 (b), the Administrator may enter into a reimbursable  
15 agreement with an applicant or certificate-holder for the  
16 reasonable travel and per diem expenses of the FAA asso-  
17 ciated with official travel to expedite the acceptance or val-  
18 idation by a foreign authority of an FAA certificate or  
19 design approval.

20 (b) CONDITIONS.—The Administrator may enter into  
21 an agreement under subsection (a) only if—

22 (1) the travel covered under the agreement is  
23 determined to be necessary, by both the Adminis-  
24 trator and the applicant or certificate-holder, to ex-

1       pedite the acceptance or validation of the relevant  
2       certificate or approval;

3             (2) the travel is conducted at the request of the  
4       applicant or certificate-holder;

5             (3) the travel plans and expenses are approved  
6       by the applicant or certificate-holder prior to travel;  
7       and

8             (4) the agreement requires payment in advance  
9       of FAA services and is consistent with the processes  
10       under section 106(l)(6) of title 49, United States  
11       Code.

12       (c) REPORT.—Not later than 2 years after the date  
13       of enactment of this Act, the Administrator shall submit  
14       to the appropriate committees of Congress a report on—

15             (1) the number of occasions on which the Ad-  
16       ministrator entered into reimbursable agreements  
17       under this section;

18             (2) the number of occasions on which the Ad-  
19       ministrator declined a request by an applicant or  
20       certificate-holder to enter into a reimbursable agree-  
21       ment under this section;

22             (3) the amount of reimbursements collected in  
23       accordance with agreements under this section; and

24             (4) the extent to which reimbursable agree-  
25       ments under this section assisted in reducing the

1 amount of time necessary for foreign authorities'  
2 validations of FAA certificates and design approvals.

3 (d) DEFINITIONS.—In this section:

4 (1) APPLICANT.—The term “applicant” means  
5 a person that has applied to a foreign authority for  
6 the acceptance or validation of an FAA certificate or  
7 design approval.

8 (2) CERTIFICATE-HOLDER.—The term “certifi-  
9 cate-holder” means a person that holds a certificate  
10 issued by the Administrator under part 21 of title  
11 14, Code of Federal Regulations.

12 **PART IV—SAFETY WORKFORCE**

13 **SEC. 2241. SAFETY WORKFORCE TRAINING STRATEGY.**

14 (a) SAFETY WORKFORCE TRAINING STRATEGY.—  
15 Not later than 60 days after the date of enactment of this  
16 Act, the Administrator of the FAA shall review and revise  
17 its safety workforce training strategy to ensure that it—

18 (1) aligns with an effective risk-based approach  
19 to safety oversight;

20 (2) best utilizes available resources;

21 (3) allows FAA employees participating in orga-  
22 nization management teams or conducting ODA pro-  
23 gram audits to complete, expeditiously, appropriate  
24 training, including recurrent training, in auditing  
25 and a systems safety approach to oversight;

1           (4) seeks knowledge-sharing opportunities be-  
2           tween the FAA and the aviation industry in new  
3           technologies, best practices, and other areas of inter-  
4           est related to safety oversight;

5           (5) fosters an inspector and engineer workforce  
6           that has the skills and training necessary to improve  
7           risk-based approaches that focus on requirements  
8           management and auditing skills; and

9           (6) includes, as appropriate, milestones and  
10          metrics for meeting the requirements of paragraphs  
11          (1) through (5).

12          (b) REPORT.—Not later than 270 days after the date  
13          the strategy is established under subsection (a), the Ad-  
14          ministrators shall submit to the appropriate committees of  
15          Congress a report on the implementation of the strategy  
16          and progress in meeting any milestones or metrics in-  
17          cluded in the strategy.

18          (c) DEFINITIONS.—In this section:

19           (1) ODA HOLDER.—The term “ODA holder”  
20           has the meaning given the term in section 44736 of  
21           title 49, United States Code.

22           (2) ODA PROGRAM.—The term “ODA pro-  
23           gram” means the program to standardize FAA over-  
24           sight of the organizations that are approved to per-

1 form certain functions on behalf of the FAA under  
2 section 44702(d) of title 49, United States Code.

3 (3) ORGANIZATION MANAGEMENT TEAM.—The  
4 term “organization management team” means a  
5 group of FAA employees consisting of FAA aviation  
6 safety engineers, flight test pilots, and aviation safe-  
7 ty inspectors overseeing an ODA holder and its spec-  
8 ified function delegated under section 44702.

9 **SEC. 2242. WORKFORCE STUDY.**

10 (a) WORKFORCE STUDY.—Not later than 90 days  
11 after the date of enactment of this Act, the Comptroller  
12 General of the United States shall conduct a study to as-  
13 sess the workforce and training needs of the Office of  
14 Aviation Safety of the Federal Aviation Administration  
15 and taking into consideration how those needs could be  
16 met.

17 (b) CONTENTS.—The study under subsection (a)  
18 shall include—

19 (1) a review of the current staffing levels and  
20 requirements for hiring and training, including re-  
21 current training, of aviation safety inspectors and  
22 aviation safety engineers;

23 (2) an analysis of the skills and qualifications  
24 required of aviation safety inspectors and aviation  
25 safety engineers for successful performance in the

1 current and future projected aviation safety regu-  
2 latory environment, including an analysis of the need  
3 for a systems engineering discipline within the Fed-  
4 eral Aviation Administration to guide the engineer-  
5 ing of complex systems, with an emphasis on audit-  
6 ing an ODA holder (as defined in section 44736(c)  
7 of title 49, United States Code);

8 (3) a review of current performance incentive  
9 policies of the Federal Aviation Administration, as  
10 applied to the Office of Aviation Safety, including  
11 awards for performance;

12 (4) an analysis of ways the Federal Aviation  
13 Administration can work with the aviation industry  
14 and FAA labor force to establish knowledge-sharing  
15 opportunities between the Federal Aviation Adminis-  
16 tration and the aviation industry in new tech-  
17 nologies, best practices, and other areas that could  
18 improve the aviation safety regulatory system; and

19 (5) recommendations on the best and most cost-  
20 effective approaches to address the needs of the cur-  
21 rent and future projected aviation safety regulatory  
22 system, including qualifications, training programs,  
23 and performance incentives for relevant agency per-  
24 sonnel.

1 (c) REPORT.—Not later than 270 days after the date  
2 of enactment of this Act, the Comptroller General shall  
3 submit to the appropriate committees of Congress a report  
4 on the results of the study required under subsection (a).

5 **PART V—INTERNATIONAL AVIATION**

6 **SEC. 2251. PROMOTION OF UNITED STATES AEROSPACE**  
7 **STANDARDS, PRODUCTS, AND SERVICES**  
8 **ABROAD.**

9 Section 40104 is amended by adding at the end the  
10 following:

11 “(d) PROMOTION OF UNITED STATES AEROSPACE  
12 STANDARDS, PRODUCTS, AND SERVICES ABROAD.—The  
13 Secretary shall take appropriate actions—

14 “(1) to promote United States aerospace-re-  
15 lated safety standards abroad;

16 “(2) to facilitate and vigorously defend approv-  
17 als of United States aerospace products and services  
18 abroad;

19 “(3) with respect to bilateral partners, to use  
20 bilateral safety agreements and other mechanisms to  
21 improve validation of United States type certificated  
22 aeronautical products and services and enhance mu-  
23 tual acceptance in order to eliminate redundancies  
24 and unnecessary costs; and

1           “(4) with respect to the aeronautical safety au-  
2           thorities of a foreign country, to streamline that  
3           country’s validation of United States aerospace  
4           standards, products, and services.”.

5   **SEC. 2252. BILATERAL EXCHANGES OF SAFETY OVERSIGHT**  
6                           **RESPONSIBILITIES.**

7           Section 44701(e) is amended by adding at the end  
8   the following:

9           “(5) FOREIGN AIRWORTHINESS DIRECTIVES.—

10                   “(A) ACCEPTANCE.—The Administrator  
11           shall accept an airworthiness directive (as de-  
12           fined in section 39.3 of title 14, Code of Fed-  
13           eral Regulations) issued by an aeronautical  
14           safety authority of a foreign country, and lever-  
15           age that aeronautical safety authority’s regu-  
16           latory process, if—

17                           “(i) the country is the state of design  
18                           for the product that is the subject of the  
19                           airworthiness directive;

20                           “(ii) the United States has a bilateral  
21                           safety agreement relating to aircraft cer-  
22                           tification with the country;

23                           “(iii) as part of the bilateral safety  
24                           agreement with the country, the Adminis-  
25                           trator has determined that the aero-



1 nautical safety authority has an aircraft  
2 certification system relating to safety that  
3 produces a level of safety equivalent to the  
4 level produced by the system of the Fed-  
5 eral Aviation Administration; and

6 “(iv) the aeronautical safety authority  
7 utilizes an open and transparent public no-  
8 tice and comment process in the issuance  
9 of airworthiness directives.

10 “(B) ALTERNATIVE APPROVAL PROCESS.—  
11 Notwithstanding subparagraph (A), the Admin-  
12 istrator may issue a Federal Aviation Adminis-  
13 tration airworthiness directive instead of accept-  
14 ing the airworthiness directive issued by the  
15 aeronautical safety authority of a foreign coun-  
16 try if the Administrator determines that such  
17 issuance is necessary for safety or operational  
18 reasons due to the complexity or unique fea-  
19 tures of the Federal Aviation Administration  
20 airworthiness directive or the United States  
21 aviation system.

22 “(C) ALTERNATIVE MEANS OF COMPLI-  
23 ANCE.—The Administrator may—

24 “(i) accept an alternative means of  
25 compliance, with respect to an airworthi-

1           ness directive under subparagraph (A),  
2           that was approved by the aeronautical  
3           safety authority of the foreign country that  
4           issued the airworthiness directive; or  
5           “(ii) notwithstanding subparagraph  
6           (A), and at the request of any person af-  
7           fected by an airworthiness directive under  
8           that subparagraph, the Administrator may  
9           approve an alternative means of compli-  
10          ance with respect to the airworthiness di-  
11          rective.”.

12 **SEC. 2253. FAA LEADERSHIP ABROAD.**

13       (a) IN GENERAL.—To promote United States aero-  
14       space safety standards, reduce redundant regulatory activ-  
15       ity, and facilitate acceptance of FAA design and produc-  
16       tion approvals abroad, the Administrator shall—

17           (1) attain greater expertise in issues related to  
18           dispute resolution, intellectual property, and export  
19           control laws to better support FAA certification and  
20           other aerospace regulatory activities abroad;

21           (2) work with United States companies to more  
22           accurately track the amount of time it takes foreign  
23           authorities, including bilateral partners, to validate  
24           United States type certificated aeronautical prod-  
25           ucts;

1           (3) provide assistance to United States compa-  
2           nies who have experienced significantly long foreign  
3           validation wait times;

4           (4) work with foreign authorities, including bi-  
5           lateral partners, to collect and analyze data to deter-  
6           mine the timeliness of the acceptance and validation  
7           of FAA design and production approvals by foreign  
8           authorities and the acceptance and validation of for-  
9           eign-certified products by the FAA;

10          (5) establish appropriate benchmarks and  
11          metrics to measure the success of bilateral aviation  
12          safety agreements and to reduce the validation time  
13          for United States type certificated aeronautical  
14          products abroad; and

15          (6) work with foreign authorities, including bi-  
16          lateral partners, to improve the timeliness of the ac-  
17          ceptance and validation of FAA design and produc-  
18          tion approvals by foreign authorities and the accept-  
19          ance and validation of foreign-certified products by  
20          the FAA.

21          (b) REPORT.—Not later than 1 year after the date  
22          of enactment of this Act, the Administrator shall submit  
23          to the appropriate committees of Congress a report that—

24                 (1) describes the Administrator’s strategic plan  
25                 for international engagement;

1           (2) describes the structure and responsibilities  
2 of all FAA offices that have international respon-  
3 sibilities, including the Aircraft Certification Office,  
4 and all the activities conducted by those offices re-  
5 lated to certification and production;

6           (3) describes current and forecasted staffing  
7 and travel needs for the FAA's international engage-  
8 ment activities, including the needs of the Aircraft  
9 Certification Office in the current and forecasted  
10 budgetary environment;

11          (4) provides recommendations, if appropriate,  
12 to improve the existing structure and personnel and  
13 travel policies supporting the FAA's international  
14 engagement activities, including the activities of the  
15 Aviation Certification Office, to better support the  
16 growth of United States aerospace exports; and

17          (5) identifies regulatory initiatives or cost-effec-  
18 tive legislative initiatives needed to improve and en-  
19 hance the timely acceptance of United States aero-  
20 space products abroad.

21          (c) INTERNATIONAL TRAVEL.—The Administrator of  
22 the FAA, or the Administrator's designee, may authorize  
23 international travel for any FAA employee, without the  
24 approval of any other person or entity, if the Adminis-  
25 trator determines that the travel is necessary—

1 (1) to promote United States aerospace safety  
2 standards; or

3 (2) to support expedited acceptance of FAA de-  
4 sign and production approvals.

5 **SEC. 2254. REGISTRATION, CERTIFICATION, AND RELATED**  
6 **FEEES.**

7 Section 45305 is amended—

8 (1) in subsection (a) by striking “Subject to  
9 subsection (b)” and inserting “Subject to subsection  
10 (c)”;

11 (2) by redesignating subsections (b) and (c) as  
12 subsections (c) and (d), respectively; and

13 (3) by inserting after subsection (a) the fol-  
14 lowing:

15 “(b) CERTIFICATION SERVICES.—Subject to sub-  
16 section (c), and notwithstanding section 45301(a), the Ad-  
17 ministrator may establish and collect a fee from a foreign  
18 government or entity for services related to certification,  
19 regardless of where the services are provided, if the fee—

20 “(1) is established and collected in a manner  
21 consistent with aviation safety agreements; and

22 “(2) does not exceed the estimated costs of the  
23 services.”.

1           **Subtitle C—Airline Passenger**  
2                           **Safety and Protections**

3   **SEC. 2301. PILOT RECORDS DATABASE DEADLINE.**

4           Section 44703(i)(2) is amended by striking “The Ad-  
5   ministrator shall establish” and inserting “Not later than  
6   April 30, 2017, the Administrator shall establish and  
7   make available for use”.

8   **SEC. 2302. ACCESS TO AIR CARRIER FLIGHT DECKS.**

9           The Administrator of the Federal Aviation Adminis-  
10   tration shall collaborate with other aviation authorities to  
11   advance of a global standard for access to air carrier flight  
12   decks and redundancy requirements consistent with the  
13   flight deck access and redundancy requirements in the  
14   United States.

15   **SEC. 2303. AIRCRAFT TRACKING AND FLIGHT DATA.**

16           (a) IN GENERAL.—Not later than 1 year after the  
17   date of enactment of this Act, the Administrator of the  
18   Federal Aviation Administration shall assess current per-  
19   formance standards, and as appropriate, conduct a rule-  
20   making to revise the standards to improve near-term and  
21   long-term aircraft tracking and flight data recovery, in-  
22   cluding retrieval, access, and protection of such data after  
23   an incident or accident.

1 (b) CONSIDERATIONS.—In revising the performance  
2 standards under subsection (a) the Administrator may  
3 consider—

4 (1) various methods for improving detection  
5 and retrieval of flight data, including—

6 (A) low frequency underwater locating de-  
7 vices; and

8 (B) extended battery life for underwater  
9 locating devices;

10 (2) automatic deployable flight recorders;

11 (3) triggered transmission of flight data, and  
12 other satellite-based solutions;

13 (4) distress-mode tracking; and

14 (5) protections against disabling flight recorder  
15 systems.

16 (c) COORDINATION.—In revising the performance  
17 standards under subsection (a), the Administrator shall  
18 coordinate with international regulatory authorities and  
19 the International Civil Aviation Organization to ensure  
20 that any new international standard for aircraft tracking  
21 and flight data recovery is consistent with a performance-  
22 based approach and is implemented in a globally har-  
23 monized manner.

1 **SEC. 2304. AUTOMATION RELIANCE IMPROVEMENTS.**

2 (a) MODERNIZATION OF TRAINING.—Not later than  
3 October 1, 2017, the Administrator of the Federal Avia-  
4 tion Administration shall review, and update as necessary,  
5 recent guidance regarding pilot flight deck monitoring  
6 that an air carrier can use to train and evaluate its pilots  
7 to ensure that air carrier pilots are trained to use and  
8 monitor automation systems while also maintaining pro-  
9 ficiency in manual flight operations consistent with the  
10 final rule entitled, “Qualification, Service, and Use of  
11 Crewmembers and Aircraft Dispatchers”, published on  
12 November 12, 2013 (78 Fed. Reg. 67799).

13 (b) CONSIDERATIONS.—In reviewing and updating  
14 the guidance, the Administrator shall—

15 (1) consider casualty driven scenarios during  
16 initial and recurrent simulator instruction that focus  
17 on automation complacency during system failure,  
18 including flight segments when automation is typi-  
19 cally engaged and should result in hand flying the  
20 aircraft into a safe position while employing crew re-  
21 source management principles;

22 (2) consider the development of metrics or  
23 measurable tasks an air carrier may use to evaluate  
24 the ability of pilots to appropriately monitor flight  
25 deck systems;



1           (3) consider the development of metrics an air  
2 carrier may use to evaluate manual flying skills and  
3 improve related training;

4           (4) convene an expert panel, including members  
5 with expertise in human factors, training, and flight  
6 operations—

7           (A) to evaluate and develop methods for  
8 training flight crews to understand the  
9 functionality of automated systems for flight  
10 path management;

11           (B) to identify and recommend to the Ad-  
12 ministrator the most effective training methods  
13 that ensure that pilots can apply manual flying  
14 skills in the event of flight deck automation fail-  
15 ure or an unexpected event; and

16           (C) identify and recommend to the Admin-  
17 istrator revision in the training guidance for  
18 flight crews to address the needs identified in  
19 subparagraphs (A) and (B); and

20           (5) develop any additional standards to be used  
21 for guidance the Administrator considers necessary  
22 to determine whether air carrier pilots receive suffi-  
23 cient training opportunities to develop, maintain,  
24 and demonstrate manual flying skills.

1 (c) DOT IG REVIEW.—Not later than 2 years after  
2 the date the Administrator reviews the guidance under  
3 subsection (a), the Inspector General of the Department  
4 of Transportation shall review the air carriers implemen-  
5 tation of the guidance and the ongoing work of the expert  
6 panel.

7 **SEC. 2305. ENHANCED MENTAL HEALTH SCREENING FOR**  
8 **PILOTS.**

9 Not later than 180 days after the date of enactment  
10 of this Act, the Administrator of the Federal Aviation Ad-  
11 ministration shall consider the recommendations of the  
12 Pilot Fitness Aviation Rulemaking Committee in deter-  
13 mining whether to implement, as part of a comprehensive  
14 medical certification process for pilots with a first- or sec-  
15 ond-class airman medical certificate, additional screening  
16 for mental health conditions, including depression and sui-  
17 cidal thoughts or tendencies, and access treatment that  
18 would address any risk associated with such conditions.

19 **SEC. 2306. SLEEP-RELATED MEDICAL CONDITIONS.**

20 (a) SLEEP-RELATED CONDITIONS.—Not later than 1  
21 year after the date of enactment of this Act, the Adminis-  
22 trator of the Federal Aviation Administration shall—

23 (1) review the existing medical standards for  
24 common sleep-related medical conditions, such as in-  
25 somnia; and

1           (2) if necessary, revise the medical standards in  
2           accordance with current scientific evidence, to estab-  
3           lish the appropriate circumstances under which a  
4           pilot may receive treatment for a sleep-related med-  
5           ical condition that does not impact the pilot's ability  
6           to safely perform the duties of an airman certificate  
7           and still qualify for the certificate.

8           (b) AMES EDUCATION AND TRAINING.—The Admin-  
9           istrator shall—

10           (1) increase education and training for aviation  
11           medical examiners and pilots with a first- or second-  
12           class airman medical certificate regarding common  
13           sleep-related conditions, such as insomnia, that may  
14           make an individual unable to safely perform the du-  
15           ties or exercise the privileges of the airman certifi-  
16           cate applied for or held; and

17           (2) require, as part of a medical examination  
18           for a first-class or second-class airman medical cer-  
19           tificate, that an individual be screened for common  
20           sleep-related conditions by an aviation medical exam-  
21           iner that has received the increased education and  
22           training described under paragraph (1).

23   **SEC. 2307. TRAINING FLIGHT ATTENDANTS TO IDENTIFY**  
24                                   **HUMAN TRAFFICKING.**

25           Section 44734(a) is amended—

1 (1) in paragraph (2) by striking “and” at the  
2 end;

3 (2) in paragraph (3) by striking the period at  
4 the end and inserting “; and”; and

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

6 “(4) identifying and timely alerting of appro-  
7 priate government personnel or a law enforcement  
8 officer and filing a report of a potential victim or in-  
9 cidence of human trafficking.”.

10 **SEC. 2308. REPORT ON OBSOLETE TEST EQUIPMENT.**

11 (a) REPORT.—Not later than 180 days after the date  
12 of enactment of this Act, the Administrator of the Federal  
13 Aviation Administration shall submit to the appropriate  
14 committees of Congress a report on the National Test  
15 Equipment Program (referred to in this section as the  
16 “Program”).

17 (b) CONTENTS.—The report shall include—

18 (1) a list of all known outstanding requests for  
19 test equipment, cataloged by type and location,  
20 under the Program;

21 (2) a description of the current method under  
22 the Program of ensuring calibrated equipment is in  
23 place for utilization;

24 (3) a plan by the Administrator for appropriate  
25 inventory of such equipment; and

1           (4) the Administrator's recommendations for  
2           increasing multi-functionality in future test equip-  
3           ment to be developed and all known and foreseeable  
4           manufacturer technological advances.

5   **SEC. 2309. PLAN FOR SYSTEMS TO PROVIDE DIRECT WARN-**  
6                           **INGS OF POTENTIAL RUNWAY INCURSIONS.**

7           (a) IN GENERAL.—Not later than June 30, 2016, the  
8   Administrator of the Federal Aviation Administration  
9   shall—

10           (1) assess available technologies to determine  
11           whether it is feasible, cost-effective, and appropriate  
12           to install and deploy, at any airport, systems to pro-  
13           vide a direct warning capability to flight crews and  
14           air traffic controllers of potential runway incursions;  
15           and

16           (2) submit to the appropriate committees of  
17           Congress a report on the assessment under para-  
18           graph (1), including any recommendations.

19           (b) CONSIDERATIONS.—In conducting the assess-  
20   ment under subsection (a), the Administration shall con-  
21   sider National Transportation Safety Board findings and  
22   relevant aviation stakeholder views relating to runway in-  
23   cursions.

1 **SEC. 2310. LASER POINTER INCIDENTS.**

2 (a) IN GENERAL.—Beginning 90 days after the date  
3 of enactment of this Act, the Administrator of the Federal  
4 Aviation Administration, in coordination with the Director  
5 of the Federal Bureau of Investigation, shall provide quar-  
6 terly updates to the appropriate committees of Congress  
7 regarding—

8 (1) the number of incidents involving the beam  
9 from a laser pointer (as defined in section 39A of  
10 title 18, United States Code) being aimed at, or in  
11 the flight path of, an aircraft in the airspace juris-  
12 diction of the United States;

13 (2) the number of civil or criminal enforcement  
14 actions taken by the Federal Aviation Administra-  
15 tion, Department of Transportation, or Department  
16 of Justice with regard to the incidents described in  
17 paragraph (1), including the amount of the civil or  
18 criminal penalties imposed on violators;

19 (3) the resolution of any incidents that did not  
20 result in a civil or criminal enforcement action; and

21 (4) any actions the Department of Transpor-  
22 tation or Department of Justice has taken on its  
23 own, or in conjunction with other Federal agencies  
24 or local law enforcement agencies, to deter the type  
25 of activity described in paragraph (1).

1 (b) CIVIL PENALTIES.—The Administrator shall re-  
2 vise the maximum civil penalty that may be imposed on  
3 an individual who aims the beam of a laser pointer at an  
4 aircraft in the airspace jurisdiction of the United States,  
5 or at the flight path of such an aircraft, to be \$25,000.

6 **SEC. 2311. HELICOPTER AIR AMBULANCE OPERATIONS**  
7 **DATA AND REPORTS.**

8 (a) IN GENERAL.—Not later than 1 year after the  
9 date of enactment of this Act, the Administrator of the  
10 Federal Aviation Administration, in collaboration with heli-  
11 copter air ambulance industry stakeholders, shall assess  
12 the availability of information to the general public related  
13 to the location of heliports and helipads used by heli-  
14 copters providing air ambulance services, including  
15 helipads and helipads outside of those listed as part of  
16 any existing databases of Airport Master Record (5010)  
17 forms.

18 (b) REQUIREMENTS.—Based on the assessment  
19 under subsection (a), the Administrator shall—

20 (1) update, as necessary, any existing guidance  
21 on what information is included in the current data-  
22 bases of Airport Master Record (5010) forms to in-  
23 clude information related to heliports and helipads  
24 used by helicopters providing air ambulance services;  
25 or

1           (2) develop, as appropriate and in collaboration  
2 with helicopter air ambulance industry stakeholders,  
3 a new database of heliports and helipads used by  
4 helicopters providing air ambulance services.

5       (c) REPORTS.—

6           (1) ASSESSMENT.—Not later than 30 days  
7 after the date the assessment under subsection (a)  
8 is complete, the Administrator shall submit to the  
9 appropriate committees of Congress a report on the  
10 assessment, including any recommendations on how  
11 to make information related to the location of heli-  
12 ports and helipads used by helicopters providing air  
13 ambulance services available to the general public.

14           (2) IMPLEMENTATION.—Not later than 30 days  
15 after completing action under paragraph (1) or  
16 paragraph (2) of subsection (b), the Administrator  
17 shall submit to the appropriate committees of Con-  
18 gress a report on the implementation of that action.

19       (d) INCIDENT AND ACCIDENT DATA.—Section 44731  
20 is amended—

21           (1) in subsection (a)—

22                   (A) in the matter preceding paragraph (1),  
23 by striking “not later than 1 year after the date  
24 of enactment of this section, and annually  
25 thereafter” and inserting “annually”;



1 (B) in paragraph (2), by striking “flights  
2 and hours flown, by registration number, dur-  
3 ing which helicopters operated by the certificate  
4 holder were providing helicopter air ambulance  
5 services” and inserting “hours flown by the hel-  
6 icopters operated by the certificate holder”;

7 (C) in paragraph (3)—

8 (i) by striking “of flight” and insert-  
9 ing “of patients transported and the num-  
10 ber of patient transport”;

11 (ii) by inserting “or” after “inter-  
12 facility transport,”; and

13 (iii) by striking “, or ferry or repo-  
14 sitioning flight”;

15 (D) in paragraph (5)—

16 (i) by striking “flights and”; and

17 (ii) by striking “while providing air  
18 ambulance services”; and

19 (E) by amending paragraph (6) to read as  
20 follows:

21 “(6) The number of hours flown at night by  
22 helicopters operated by the certificate holder.”;

23 (2) in subsection (d)—

24 (A) by striking “Not later than 2 years  
25 after the date of enactment of this section, and

1           annually thereafter, the Administrator shall  
2           submit” and inserting “The Administrator shall  
3           submit annually”; and

4           (B) by adding at the end the following:  
5           “The report shall include the number of acci-  
6           dents experienced by helicopter air ambulance  
7           operations, the number of fatal accidents expe-  
8           rienced by helicopter air ambulance operations,  
9           and the rate, per 100,000 flight hours, of acci-  
10          dents and fatal accidents experienced by opera-  
11          tors providing helicopter air ambulance serv-  
12          ices.”;

13          (3) by redesignating subsection (e) as sub-  
14          section (f); and

15          (4) by inserting after subsection (d) the fol-  
16          lowing:

17          “(e) IMPLEMENTATION.—In carrying out this sec-  
18          tion, the Administrator, in collaboration with part 135 cer-  
19          tificate holders providing helicopter air ambulance serv-  
20          ices, shall—

21                 “(1) propose and develop a method to collect  
22                 and store the data submitted under subsection (a),  
23                 including a method to protect the confidentiality of  
24                 any trade secret or proprietary information sub-  
25                 mitted; and

1           “(2) ensure that the database under subsection  
2           (c) and the report under subsection (d) include data  
3           and analysis that will best inform efforts to improve  
4           the safety of helicopter air ambulance operations.”.

5 **SEC. 2312. PART 135 ACCIDENT AND INCIDENT DATA.**

6           Not later than 1 year after the date of enactment  
7 of this Act, the Administrator of the Federal Aviation Ad-  
8 ministration shall—

9           (1) determine, in collaboration with the Na-  
10          tional Transportation Safety Board and Part 135  
11          industry stakeholders, what, if any, additional data  
12          should be reported as part of an accident or incident  
13          notice to more accurately measure the safety of on-  
14          demand Part 135 aircraft activity, to pinpoint safety  
15          problems, and to form the basis for critical research  
16          and analysis of general aviation issues; and

17          (2) submit to the appropriate committees of  
18          Congress a report on the findings under paragraph  
19          (1), including a description of the additional data to  
20          be collected, a timeframe for implementing the addi-  
21          tional data collection, and any potential obstacles to  
22          implementation.

23 **SEC. 2313. DEFINITION OF HUMAN FACTORS.**

24          Section 40102(a) is amended—

1           (1) by redesignating paragraphs (24) through  
2           (47) as paragraphs (25) through (48), respectively;  
3           and

4           (2) by inserting after paragraph (23) the fol-  
5           lowing:

6           “(24) ‘human factors’ means a multidisciplinary  
7           field that generates and compiles information about  
8           human capabilities and limitations and applies it to  
9           design, development, and evaluation of equipment,  
10          systems, facilities, procedures, jobs, environments,  
11          staffing, organizations, and personnel management  
12          for safe, efficient, and effective human performance,  
13          including people’s use of technology.”.

14 **SEC. 2314. SENSE OF CONGRESS; PILOT IN COMMAND AU-**  
15 **THORITY.**

16          It is the sense of Congress that the pilot in command  
17          of an aircraft is directly responsible for, and is the final  
18          authority as to, the operation of that aircraft, as set forth  
19          in section 91.3(a) of title 14, Code of Federal Regulations  
20          (or any successor regulation thereto).

21 **SEC. 2315. ENHANCING ASIAs.**

22          (a) IN GENERAL.—Not later than 1 year after the  
23          date of enactment of this Act, the Administrator of the  
24          Federal Aviation Administration, in consultation with rel-  
25          evant aviation industry stakeholders, shall assess what, if

1 any, improvements are needed to develop the predictive  
2 capability of the Aviation Safety Information Analysis and  
3 Sharing program (referred to in this section as “ASIAS”)  
4 with regard to identifying precursors to accidents.

5 (b) CONTENTS.—In conducting the assessment under  
6 subsection (a), the Administrator shall—

7 (1) determine what actions are necessary—

8 (A) to improve data quality and standard-  
9 ization; and

10 (B) to increase the data received from ad-  
11 ditional segments of the aviation industry, such  
12 as small airplane, helicopter, and business jet  
13 operations;

14 (2) consider how to prioritize the actions de-  
15 scribed in paragraph (1); and

16 (3) review available methods for disseminating  
17 safety trend data from ASIAS to the aviation safety  
18 community, including the inspector workforce, to in-  
19 form in their risk-based decision making efforts.

20 (c) REPORT.—Not later than 60 days after the date  
21 the assessment under subsection (a) is complete, the Ad-  
22 ministrator shall submit to the appropriate committees of  
23 Congress a report on the assessment, including rec-  
24 ommendations regarding paragraphs (1) through (3) of  
25 subsection (b).

1 **SEC. 2316. IMPROVING RUNWAY SAFETY.**

2 (a) IN GENERAL.—The Administrator of the Federal  
3 Aviation Administration shall expedite the development of  
4 metrics—

5 (1) to allow the Federal Aviation Administra-  
6 tion to determine whether runway incursions are in-  
7 creasing; and

8 (2) to assess the effectiveness of implemented  
9 runway safety initiatives.

10 (b) REPORT.—Not later than 1 year after the date  
11 of enactment of this Act, the Administrator shall submit  
12 to the appropriate committees of Congress a report on the  
13 progress in developing the metrics described in subsection  
14 (a).

15 **SEC. 2317. SAFE AIR TRANSPORTATION OF LITHIUM CELLS**  
16 **AND BATTERIES.**

17 (a) RESTRICTIONS ON TRANSPORTATION OF LITHI-  
18 IUM BATTERIES ON PASSENGER AIRCRAFT.—Pursuant to  
19 section 828 of the FAA Modernization and Reform Act  
20 of 2012 (49 U.S.C. 44701 note)—

21 (1) not later than 90 days after the date of en-  
22 actment of this Act, the Administrator of the Fed-  
23 eral Aviation Administration shall update applicable  
24 regulations to implement the revised standards  
25 adopted by the International Civil Aviation Organi-  
26 zation (ICAO) on February 22, 2016, regarding—

1 (A) prohibiting the bulk air transportation  
2 of lithium ion batteries on passenger aircraft;  
3 and

4 (B) prohibiting bulk air transport cargo  
5 shipment of lithium batteries with an internal  
6 charge above 30 percent; and

7 (2) the Secretary of Transportation may initiate  
8 a review of existing regulations under parts 171-181  
9 of title 49, Code of Federal Regulations, and any ap-  
10 plicable regulations under title 14, Code of Federal  
11 Regulations, regarding the air transportation, in-  
12 cluding passenger-carrying and cargo aircraft, of  
13 lithium batteries and cells.

14 (3) SAVINGS CLAUSE.—Nothing in this section  
15 shall be construed as expanding or constricting any  
16 other authority the Secretary of Transportation has  
17 under section 828 of the FAA Modernization and  
18 Reform Act of 2012 (49 U.S.C. 44701 note) to pro-  
19 mulgate additional emergency or permanent regula-  
20 tions as permitted by subsection (b) of that section.

21 (b) LITHIUM BATTERY SAFETY WORKING GROUP.—  
22 Not later than 90 days after the date of enactment of this  
23 Act, the President shall establish a lithium battery safety  
24 working group to promote and coordinate efforts related

1 to the promotion of the safe manufacture, use, and trans-  
2 portation of lithium batteries and cells.

3 (1) COMPOSITION.—

4 (A) IN GENERAL.—The working group  
5 shall be composed of at least 1 representative  
6 from each of the following:

7 (i) Consumer Product Safety Commis-  
8 sion.

9 (ii) Department of Transportation.

10 (iii) National Institute on Standards  
11 and Technology.

12 (B) ADDITIONAL MEMBERS.—The working  
13 group may include not more than 4 additional  
14 members with expertise in the safe manufac-  
15 ture, use, or transportation of lithium batteries  
16 and cells.

17 (C) SUBCOMMITTEES.—The President, or  
18 members of the working group, may—

19 (i) establish working group sub-  
20 committees to focus on specific issues re-  
21 lated to the safe manufacture, use, or  
22 transportation of lithium batteries and  
23 cells; and

24 (ii) include in a subcommittee the par-  
25 ticipation of non-member stakeholders with



1 expertise in areas that the President or  
2 members consider necessary.

3 (2) REPORT.—Not later than 1 year after the  
4 date it is established under subsection (b), the work-  
5 ing group shall—

6 (A) research—

7 (i) additional ways to decrease the  
8 risk of fires and explosions from lithium  
9 batteries and cells;

10 (ii) additional ways to ensure uniform  
11 transportation requirements for both bulk  
12 and individual batteries; and

13 (iii) new or existing technologies that  
14 could reduce the fire and explosion risk of  
15 lithium batteries and cells; and

16 (B) transmit to the appropriate commit-  
17 tees of Congress a report on the research under  
18 subparagraph (A), including any legislative rec-  
19 ommendations to effectuate the safety improve-  
20 ments described in clauses (i) through (iii) of  
21 that subparagraph.

22 (3) EXEMPTION FROM FACAA.—The Federal Ad-  
23 visory Committee Act (5 U.S.C. App.) shall not  
24 apply to the working group.

1           (4) **TERMINATION.**—The working group, and  
2           any working group subcommittees, shall terminate  
3           90 days after the date the report is transmitted  
4           under paragraph (2).

5   **SEC. 2318. FLIGHT ATTENDANT DUTY PERIOD LIMITATIONS**  
6   **AND REST REQUIREMENTS.**

7           (a) **MODIFICATION OF FINAL RULE.**—Not later than  
8           1 year after the date of enactment of this Act, the Admin-  
9           istrator of the Federal Aviation Administration shall re-  
10          vise the flight attendant duty period limitations and rest  
11          requirements under section 121.467 of title 14, Code of  
12          Federal Regulations.

13          (b) **CONTENTS.**—Except as provided in subsection  
14          (b), in revising the rule under subsection (a), the Adminis-  
15          trator shall ensure that a flight attendant scheduled to  
16          a duty period of 14 hours or less is given a scheduled rest  
17          period of at least 10 consecutive hours.

18          (c) **EXCEPTION.**—The rest period required under  
19          subsection (b) may be scheduled or reduced to 9 consecu-  
20          tive hours if the flight attendant is provided a subsequent  
21          rest period of at least 11 consecutive hours.

1           **Subtitle D—General Aviation**  
2                           **Safety**

3   **SEC. 2401. AUTOMATED WEATHER OBSERVING SYSTEMS**  
4                           **POLICY.**

5           (a) IN GENERAL.—Not later than 2 years after the  
6 date of enactment of this Act, the Administrator of the  
7 Federal Aviation Administration shall—

8                   (1) update automated weather observing sys-  
9                   tems standards to maximize the use of new tech-  
10                   nologies that promote the reduction of equipment or  
11                   maintenance cost for non-Federal automated weath-  
12                   er observing systems, including the use of remote  
13                   monitoring and maintenance, unless demonstrated to  
14                   be ineffective;

15                   (2) review, and if necessary update, existing  
16                   policies in accordance with the standards developed  
17                   under paragraph (1); and

18                   (3) establish a process under which appropriate  
19                   on site airport personnel or an aviation official may,  
20                   with appropriate manufacturer training or alter-  
21                   native training as determined by the Administrator,  
22                   be permitted to conduct the minimum tri-annual  
23                   preventative maintenance checks under the advisory  
24                   circular for non-Federal automated weather observ-  
25                   ing systems (AC 150/5220-16D).

1 (b) PERMISSION.—Permission to conduct the min-  
2 imum tri-annual preventative maintenance checks de-  
3 scribed under subsection (a)(3) shall not be withheld but  
4 for specific cause.

5 (c) STANDARDS.—In updating the standards under  
6 subsection (a)(1), the Administrator shall—

7 (1) ensure the standards are performance-  
8 based;

9 (2) use risk analysis to determine the accuracy  
10 of the automated weather observing systems outputs  
11 required for pilots to perform safe aircraft oper-  
12 ations; and

13 (3) provide a cost benefit analysis to determine  
14 whether the benefits outweigh the cost for any re-  
15 quirement not directly related to safety.

16 (d) REPORT.—Not later than September 30, 2017,  
17 the Administrator shall provide a report to the appropriate  
18 committees of Congress on the implementation of require-  
19 ments under this section.

20 **SEC. 2402. TOWER MARKING.**

21 (a) IN GENERAL.—Not later than 1 year after the  
22 date of enactment of this Act, the Administrator of the  
23 Federal Aviation Administration shall issue regulations to  
24 require the marking of covered towers.

1 (b) MARKING REQUIRED.—The regulations under  
2 subsection (a) shall require that a covered tower be clearly  
3 marked in a manner that is consistent with applicable  
4 guidance under the Federal Aviation Administration Advi-  
5 sory Circular issued December 4, 2015 (AC 70/7460-1L)  
6 or other relevant safety guidance, as determined by the  
7 Administrator.

8 (c) APPLICATION.—The regulations issued under  
9 subsection (a) shall ensure that—

10 (1) all covered towers constructed on or after  
11 the date on which such regulations take effect are  
12 marked in accordance with subsection (b): and

13 (2) a covered tower constructed before the date  
14 on which such regulations take effect is marked in  
15 accordance with subsection (b) not later than 6  
16 months after such effective date.

17 (d) DEFINITION OF COVERED TOWER.—

18 (1) IN GENERAL.—In this section, the term  
19 “covered tower” means a structure that—

20 (A) is self-standing or supported by guy  
21 wires and ground anchors;

22 (B) is 6 feet or less in diameter at the  
23 above-ground base, excluding concrete footing;

24 (C) at the highest point of the structure is  
25 at least 50 feet above ground level;

1 (D) at the highest point of the structure is  
2 not more than 200 feet above ground level;

3 (E) has accessory facilities on which an an-  
4 tenna, sensor, camera, meteorological instru-  
5 ment, or other equipment is mounted; and

6 (F) is located—

7 (i) outside the boundaries of an incor-  
8 porated city or town; or

9 (ii) on land that is—

10 (I) undeveloped; or

11 (II) used for agricultural pur-  
12 poses.

13 (2) EXCLUSIONS.—The term “covered tower”  
14 does not include any structure that—

15 (A) is adjacent to a house, barn, electric  
16 utility station, or other building;

17 (B) is within the curtilage of a farmstead;

18 (C) supports electric utility transmission or  
19 distribution lines;

20 (D) is a wind powered electrical generator  
21 with a rotor blade radius that exceeds 6 feet; or

22 (E) is a street light erected or maintained  
23 by Federal, State, local, or tribal entity.

24 (e) DATABASE.—The Administrator shall—

1           (1) develop a publicly available database that  
2           contains the location and height of each covered  
3           tower;

4           (2) keep the database current to the extent  
5           practicable; and

6           (3) ensure that any proprietary information in  
7           the database is protected from disclosure in accord-  
8           ance with law.

9   **SEC. 2403. CRASH-RESISTANT FUEL SYSTEMS.**

10          Not later than 1 year after the date of enactment  
11          of this Act, the Administrator of the Federal Aviation Ad-  
12          ministration shall evaluate and update, as necessary,  
13          standards for crash-resistant fuel systems for civilian  
14          rotorcraft.

15           **Subtitle E—General Provisions**

16   **SEC. 2501. DESIGNATED AGENCY SAFETY AND HEALTH OF-**  
17           **FICER.**

18          (a) IN GENERAL.—Section 106 is amended by adding  
19          at the end the following:

20           “(u) DESIGNATED AGENCY SAFETY AND HEALTH  
21          OFFICER.—

22           “(1) APPOINTMENT.—There shall be a Des-  
23          ignated Agency Safety and Health Officer appointed  
24          by the Administrator who shall exclusively fulfill the  
25          duties prescribed in this subsection.

1           “(2) RESPONSIBILITIES.—The Designated  
2 Agency Safety and Health Officer shall have respon-  
3 sibility and accountability for—

4           “(A) auditing occupational safety and  
5 health issues across the Administration;

6           “(B) overseeing Administration-wide com-  
7 pliance with relevant Federal occupational safe-  
8 ty and health statutes and regulations, national  
9 industry and consensus standards, and Admin-  
10 istration policies; and

11           “(C) encouraging a culture of occupational  
12 safety and health to complement the Adminis-  
13 tration’s existing safety culture.

14           “(3) REPORTING STRUCTURE.—The Designated  
15 Agency Safety and Health Officer shall occupy a  
16 full-time, senior executive position and shall report  
17 directly to the Assistant Administrator for Human  
18 Resource Management.

19           “(4) QUALIFICATIONS AND REMOVAL.—

20           “(A) QUALIFICATIONS.—The Designated  
21 Agency Safety and Health Officer shall have  
22 demonstrated ability and experience in the es-  
23 tablishment and administration of comprehen-  
24 sive occupational safety and health programs  
25 and knowledge of relevant Federal occupational



1 safety and health statutes and regulations, na-  
2 tional industry and consensus standards, and  
3 Administration policies.

4 “(B) REMOVAL.—The Designated Agency  
5 Safety and Health Officer shall serve at the  
6 pleasure of the Administrator.”.

7 (b) DEADLINE FOR APPOINTMENT.—Not later than  
8 180 days after the date of enactment of this Act, the Ad-  
9 ministrator of the Federal Aviation Administration shall  
10 appoint an individual to serve as the Designated Agency  
11 Safety and Health Officer under section 106(u) of title  
12 49, United States Code.

13 **SEC. 2502. REPAIR STATIONS LOCATED OUTSIDE UNITED**  
14 **STATES.**

15 (a) RISK-BASED OVERSIGHT.—Section 44733 is  
16 amended—

17 (1) by redesignating subsection (f) as sub-  
18 section (g);

19 (2) by inserting after subsection (e) the fol-  
20 lowing:

21 “(f) RISK-BASED OVERSIGHT.—

22 “(1) IN GENERAL.—Not later than 90 days  
23 after the date of enactment of the Federal Aviation  
24 Administration Reauthorization Act of 2016, the  
25 Administrator shall take measures to ensure that the

1 safety assessment system established under sub-  
2 section (a)—

3 “(A) places particular consideration on in-  
4 spections of part 145 repair stations located  
5 outside the United States that conduct sched-  
6 uled heavy maintenance work on part 121 air  
7 carrier aircraft; and

8 “(B) accounts for the frequency and seri-  
9 ousness of any corrective actions that part 121  
10 air carriers must implement to aircraft fol-  
11 lowing such work at such repair stations.

12 “(2) INTERNATIONAL AGREEMENTS.—The Ad-  
13 ministrator shall take the measures required under  
14 paragraph (1)—

15 “(A) in accordance with the United States  
16 obligations under applicable international agree-  
17 ments; and

18 “(B) in a manner consistent with the ap-  
19 plicable laws of the country in which a repair  
20 station is located.

21 “(3) ACCESS TO DATA.—The Administrator  
22 may access and review such information or data in  
23 the possession of a part 121 air carrier as the Ad-  
24 ministrator may require in carrying out paragraph  
25 (1)(B).”; and

1 (3) in subsection (g), as redesignated—

2 (A) by redesignating paragraphs (1) and  
3 (2) as paragraphs (2) and (3), respectively; and

4 (B) by inserting before paragraph (2), as  
5 redesignated, the following:

6 “(1) HEAVY MAINTENANCE WORK.—The term  
7 ‘heavy maintenance work’ means a C-check, a D-  
8 check, or equivalent maintenance operation with re-  
9 spect to the airframe of a transport-category air-  
10 craft.”.

11 (b) ALCOHOL AND CONTROLLED SUBSTANCES TEST-  
12 ING.—The Administrator of the Federal Aviation Admin-  
13 istration shall ensure that—

14 (1) not later than 90 days after the date of en-  
15 actment of this Act, a notice of proposed rulemaking  
16 required pursuant to section 44733(d)(2) of title 49,  
17 United States Code, is published in the Federal Reg-  
18 ister; and

19 (2) not later than 1 year after the date on  
20 which the notice of proposed rulemaking is published  
21 in the Federal Register, the rulemaking is finalized.

22 (c) BACKGROUND INVESTIGATIONS.—Not later than  
23 180 days after the date of enactment of this Act, the Ad-  
24 ministrator of the Federal Aviation Administration shall  
25 ensure that each employee of a repair station certificated

1 under part 145 of title 14, Code of Federal Regulations,  
2 who performs a safety-sensitive function on an air carrier  
3 aircraft has undergone a pre-employment background in-  
4 vestigation sufficient to determine whether the individual  
5 presents a threat to aviation safety, in a manner that is—

6 (1) determined acceptable by the Administrator;

7 (2) consistent with the applicable laws of the  
8 country in which the repair station is located; and

9 (3) consistent with the United States obliga-  
10 tions under international agreements.

11 **SEC. 2503. FAA TECHNICAL TRAINING.**

12 (a) **E-LEARNING TRAINING PILOT PROGRAM.**—Not  
13 later than 90 days after the date of enactment of this Act,  
14 the Administrator of the Federal Aviation Administration,  
15 in collaboration with the exclusive bargaining representa-  
16 tives of covered FAA personnel, shall establish an e-learn-  
17 ing training pilot program in accordance with the require-  
18 ments of this section.

19 (b) **CURRICULUM.**—The pilot program shall—

20 (1) include a recurrent training curriculum for  
21 covered FAA personnel to ensure that the covered  
22 FAA personnel receive instruction on the latest avia-  
23 tion technologies, processes, and procedures;

1           (2) focus on providing specialized technical  
2           training for covered FAA personnel, as determined  
3           necessary by the Administrator;

4           (3) include training courses on applicable regu-  
5           lations of the Federal Aviation Administration; and

6           (4) consider the efficacy of instructor-led online  
7           training.

8           (c) PILOT PROGRAM TERMINATION.—The pilot pro-  
9           gram shall terminate 1 year after the date of establish-  
10          ment of the pilot program.

11          (d) E-LEARNING TRAINING PROGRAM.—Upon termi-  
12          nation of the pilot program, the Administrator shall assess  
13          and establish or update an e-learning training program  
14          that incorporates lessons learned for covered FAA per-  
15          sonnel as a result of the pilot program.

16          (e) DEFINITIONS.—In this section:

17           (1) COVERED FAA PERSONNEL.—The term  
18           “covered FAA personnel” means airway transpor-  
19           tation systems specialists and aviation safety inspec-  
20           tors of the Federal Aviation Administration.

21           (2) E-LEARNING TRAINING.—The term “e-  
22           learning training” means learning utilizing electronic  
23           technologies to access educational curriculum outside  
24           of a traditional classroom.

1 **SEC. 2504. SAFETY CRITICAL STAFFING.**

2 (a) **AUDIT BY DOT INSPECTOR GENERAL.**—Not  
3 later than 1 year after the date of enactment of this Act,  
4 the Inspector General of the Department of Transpor-  
5 tation shall conduct and complete an audit of the staffing  
6 model used by the Federal Aviation Administration to de-  
7 termine the number of aviation safety inspectors that are  
8 needed to fulfill the mission of the Federal Aviation Ad-  
9 ministration and adequately ensure aviation safety.

10 (b) **CONTENTS.**—The audit shall include, at a min-  
11 imum—

12 (1) a review of the staffing model and an anal-  
13 ysis of how consistently the staffing model is applied  
14 throughout the Federal Aviation Administration’s  
15 aviation safety lines of business;

16 (2) a review of the assumptions and methods  
17 used in devising and implementing the staffing  
18 model to assess the adequacy of the staffing model  
19 to predict the number of aviation safety inspectors  
20 needed to properly fulfill the mission of the Federal  
21 Aviation Administration and meet the future growth  
22 of the aviation industry; and

23 (3) a determination on whether the current  
24 staffing model takes into account the Federal Avia-  
25 tion Administration’s authority to fully utilize des-  
26 ignees.

1 (c) REPORT.—Not later than 30 days after the date  
2 of completion of the audit, the Inspector General shall  
3 submit to the appropriate committees of Congress a report  
4 on the results of the audit.

5 **Subtitle F—Third Class Medical**  
6 **Reform and General Aviation**  
7 **Pilot Protections**

8 **SEC. 2601. SHORT TITLE.**

9 This subtitle may be cited as the “Pilot’s Bill of  
10 Rights 2”.

11 **SEC. 2602. MEDICAL CERTIFICATION OF CERTAIN SMALL**  
12 **AIRCRAFT PILOTS.**

13 (a) IN GENERAL.—Not later than 180 days after the  
14 date of enactment of this Act, the Administrator of the  
15 Federal Aviation Administration shall issue or revise regu-  
16 lations to ensure that an individual may operate as pilot  
17 in command of a covered aircraft if—

18 (1) the individual possesses a valid driver’s li-  
19 cense issued by a State, territory, or possession of  
20 the United States and complies with all medical re-  
21 quirements or restrictions associated with that li-  
22 cense;

23 (2) the individual holds a medical certificate  
24 issued by the Federal Aviation Administration on  
25 the date of enactment of this Act, held such a cer-

1       tificate at any point during the 10-year period pre-  
2       ceding such date of enactment, or obtains such a  
3       certificate after such date of enactment;

4               (3) the most recent medical certificate issued by  
5       the Federal Aviation Administration to the indi-  
6       vidual—

7               (A) indicates whether the certificate is  
8       first, second, or third class;

9               (B) may include authorization for special  
10       issuance;

11              (C) may be expired;

12              (D) cannot have been revoked or sus-  
13       pended; and

14              (E) cannot have been withdrawn;

15              (4) the most recent application for airman med-  
16       ical certification submitted to the Federal Aviation  
17       Administration by the individual cannot have been  
18       completed and denied;

19              (5) the individual has completed a medical edu-  
20       cation course described in subsection (c) during the  
21       24 calendar months before acting as pilot in com-  
22       mand of a covered aircraft and demonstrates proof  
23       of completion of the course;

24              (6) the individual, when serving as a pilot in  
25       command, is under the care and treatment of a phy-



1           sician if the individual has been diagnosed with any  
2           medical condition that may impact the ability of the  
3           individual to fly;

4           (7) the individual has received a comprehensive  
5           medical examination from a State-licensed physician  
6           during the previous 48 months and—

7           (A) prior to the examination, the indi-  
8           vidual—

9           (i) completed the individual's section  
10           of the checklist described in subsection (b);

11           and

12           (ii) provided the completed checklist  
13           to the physician performing the examina-  
14           tion; and

15           (B) the physician conducted the com-  
16           prehensive medical examination in accordance  
17           with the checklist described in subsection (b),  
18           checking each item specified during the exam-  
19           ination and addressing, as medically appro-  
20           priate, every medical condition listed, and any  
21           medications the individual is taking; and

22           (8) the individual is operating in accordance  
23           with the following conditions:

24           (A) The covered aircraft is carrying not  
25           more than 5 passengers.

1 (B) The individual is operating the covered  
2 aircraft under visual flight rules or instrument  
3 flight rules.

4 (C) The flight, including each portion of  
5 that flight, is not carried out—

6 (i) for compensation or hire, including  
7 that no passenger or property on the flight  
8 is being carried for compensation or hire;

9 (ii) at an altitude that is more than  
10 18,000 feet above mean sea level;

11 (iii) outside the United States, unless  
12 authorized by the country in which the  
13 flight is conducted; or

14 (iv) at an indicated air speed exceed-  
15 ing 250 knots.

16 (b) COMPREHENSIVE MEDICAL EXAMINATION.—

17 (1) IN GENERAL.—Not later than 180 days  
18 after the date of enactment of this Act, the Adminis-  
19 trator shall develop a checklist for an individual to  
20 complete and provide to the physician performing  
21 the comprehensive medical examination required in  
22 subsection (a)(7).

23 (2) REQUIREMENTS.—The checklist shall con-  
24 tain—

1 (A) a section, for the individual to com-  
2 plete that contains—

3 (i) boxes 3 through 13 and boxes 16  
4 through 19 of the Federal Aviation Admin-  
5 istration Form 8500-8 (3-99);

6 (ii) a signature line for the individual  
7 to affirm that—

8 (I) the answers provided by the  
9 individual on that checklist, including  
10 the individual's answers regarding  
11 medical history, are true and com-  
12 plete;

13 (II) the individual understands  
14 that he or she is prohibited under  
15 Federal Aviation Administration regu-  
16 lations from acting as pilot in com-  
17 mand, or any other capacity as a re-  
18 quired flight crew member, if he or  
19 she knows or has reason to know of  
20 any medical deficiency or medically  
21 disqualifying condition that would  
22 make the individual unable to operate  
23 the aircraft in a safe manner; and

24 (III) the individual is aware of  
25 the regulations pertaining to the pro-

1                   hibition on operations during medical  
2                   deficiency and has no medically dis-  
3                   qualifying conditions in accordance  
4                   with applicable law;

5                   (B) a section with instructions for the indi-  
6                   vidual to provide the completed checklist to the  
7                   physician performing the comprehensive medical  
8                   examination required in subsection (a)(7); and

9                   (C) a section, for the physician to com-  
10                  plete, that instructs the physician—

11                  (i) to perform a clinical examination  
12                  of—

13                               (I) head, face, neck, and scalp;

14                               (II) nose, sinuses, mouth, and  
15                               throat;

16                               (III) ears, general (internal and  
17                               external canals), and eardrums (per-  
18                               foration);

19                               (IV)            eyes            (general),  
20                               ophthalmoscopic, pupils (equality and  
21                               reaction), and ocular motility (associ-  
22                               ated parallel movement, nystagmus);

23                               (V) lungs and chest (not includ-  
24                               ing breast examination);

- 1 (VI) heart (precordial activity,
- 2 rhythm, sounds, and murmurs);
- 3 (VII) vascular system (pulse, am-
- 4 plitude, and character, and arms, legs,
- 5 and others);
- 6 (VIII) abdomen and viscera (in-
- 7 cluding hernia);
- 8 (IX) anus (not including digital
- 9 examination);
- 10 (X) skin;
- 11 (XI) G-U system (not including
- 12 pelvic examination);
- 13 (XII) upper and lower extrem-
- 14 ities (strength and range of motion);
- 15 (XIII) spine and other musculo-
- 16 skeletal;
- 17 (XIV) identifying body marks,
- 18 scars, and tattoos (size and location);
- 19 (XV) lymphatics;
- 20 (XVI) neurologic (tendon re-
- 21 flexes, equilibrium, senses, cranial
- 22 nerves, and coordination, etc.);
- 23 (XVII) psychiatric (appearance,
- 24 behavior, mood, communication, and
- 25 memory);

- 1 (XVIII) general systemic;
- 2 (XIX) hearing;
- 3 (XX) vision (distant, near, and
- 4 intermediate vision, field of vision,
- 5 color vision, and ocular alignment);
- 6 (XXI) blood pressure and pulse;
- 7 and
- 8 (XXII) anything else the physi-
- 9 cian, in his or her medical judgment,
- 10 considers necessary;
- 11 (ii) to exercise medical discretion to
- 12 address, as medically appropriate, any
- 13 medical conditions identified, and to exer-
- 14 cise medical discretion in determining
- 15 whether any medical tests are warranted
- 16 as part of the comprehensive medical ex-
- 17 amination;
- 18 (iii) to discuss all drugs the individual
- 19 reports taking (prescription and non-
- 20 prescription) and their potential to inter-
- 21 fere with the safe operation of an aircraft
- 22 or motor vehicle;
- 23 (iv) to sign the checklist, stating: “I
- 24 certify that I discussed all items on this
- 25 checklist with the individual during my ex-

1           amination, discussed any medications the  
2           individual is taking that could interfere  
3           with their ability to safely operate an air-  
4           craft or motor vehicle, and performed an  
5           examination that included all of the items  
6           on this checklist. I certify that I am not  
7           aware of any medical condition that, as  
8           presently treated, could interfere with the  
9           individual's ability to safely operate an air-  
10          craft.”; and

11                   (v) to provide the date the comprehen-  
12                   sive medical examination was completed,  
13                   and the physician's full name, address,  
14                   telephone number, and State medical li-  
15                   cense number.

16           (3) LOGBOOK.—The completed checklist shall  
17           be retained in the individual's logbook and made  
18           available on request.

19           (c) MEDICAL EDUCATION COURSE REQUIRE-  
20           MENTS.—The medical education course described in this  
21           subsection shall—

22                   (1) be available on the Internet free of charge;

23                   (2) be developed and periodically updated in co-  
24           ordination with representatives of relevant nonprofit

1 and not-for-profit general aviation stakeholder  
2 groups;

3 (3) educate pilots on conducting medical self-as-  
4 sements;

5 (4) advise pilots on identifying warning signs of  
6 potential serious medical conditions;

7 (5) identify risk mitigation strategies for med-  
8 ical conditions;

9 (6) increase awareness of the impacts of poten-  
10 tially impairing over-the-counter and prescription  
11 drug medications;

12 (7) encourage regular medical examinations and  
13 consultations with primary care physicians;

14 (8) inform pilots of the regulations pertaining  
15 to the prohibition on operations during medical defi-  
16 ciency and medically disqualifying conditions;

17 (9) provide the checklist developed by the Fed-  
18 eral Aviation Administration in accordance with sub-  
19 section (b); and

20 (10) upon successful completion of the course,  
21 electronically provide to the individual and transmit  
22 to the Federal Aviation Administration—

23 (A) a certification of completion of the  
24 medical education course, which shall be printed  
25 and retained in the individual's logbook and



1           made available upon request, and shall contain  
2           the individual's name, address, and airman cer-  
3           tificate number;

4           (B) subject to subsection (d), a release au-  
5           thorizing the National Driver Register through  
6           a designated State Department of Motor Vehi-  
7           cles to furnish to the Federal Aviation Adminis-  
8           tration information pertaining to the individ-  
9           ual's driving record;

10          (C) a certification by the individual that  
11          the individual is under the care and treatment  
12          of a physician if the individual has been diag-  
13          nosed with any medical condition that may im-  
14          pact the ability of the individual to fly, as re-  
15          quired under (a)(6);

16          (D) a form that includes—

17                 (i) the name, address, telephone num-  
18                 ber, and airman certificate number of the  
19                 individual;

20                 (ii) the name, address, telephone num-  
21                 ber, and State medical license number of  
22                 the physician performing the comprehen-  
23                 sive medical examination required in sub-  
24                 section (a)(7);

1 (iii) the date of the comprehensive  
2 medical examination required in subsection  
3 (a)(7); and

4 (iv) a certification by the individual  
5 that the checklist described in subsection  
6 (b) was followed and signed by the physi-  
7 cian in the comprehensive medical exam-  
8 ination required in subsection (a)(7); and

9 (E) a statement, which shall be printed,  
10 and signed by the individual certifying that the  
11 individual understands the existing prohibition  
12 on operations during medical deficiency by stat-  
13 ing: “I understand that I cannot act as pilot in  
14 command, or any other capacity as a required  
15 flight crew member, if I know or have reason to  
16 know of any medical condition that would make  
17 me unable to operate the aircraft in a safe  
18 manner.”.

19 (d) NATIONAL DRIVER REGISTER.—The authoriza-  
20 tion under subsection (c)(10)(B) shall be an authorization  
21 for a single access to the information contained in the Na-  
22 tional Driver Register.

23 (e) SPECIAL ISSUANCE PROCESS.—

24 (1) IN GENERAL.—An individual who has quali-  
25 fied for the third-class medical certificate exemption

1 under subsection (a) and is seeking to serve as a  
2 pilot in command of a covered aircraft shall be re-  
3 quired to have completed the process for obtaining  
4 an Authorization for Special Issuance of a Medical  
5 Certificate for each of the following:

6 (A) A mental health disorder, limited to an  
7 established medical history or clinical diagnosis  
8 of—

9 (i) personality disorder that is severe  
10 enough to have repeatedly manifested itself  
11 by overt acts;

12 (ii) psychosis, defined as a case in  
13 which an individual—

14 (I) has manifested delusions, hal-  
15 lucinations, grossly bizarre or disorga-  
16 nized behavior, or other commonly ac-  
17 cepted symptoms of psychosis; or

18 (II) may reasonably be expected  
19 to manifest delusions, hallucinations,  
20 grossly bizarre or disorganized behav-  
21 ior, or other commonly accepted  
22 symptoms of psychosis;

23 (iii) bipolar disorder; or

24 (iv) substance dependence within the  
25 previous 2 years, as defined in section

1                   67.307(a)(4) of title 14, Code of Federal  
2                   Regulations.

3                   (B) A neurological disorder, limited to an  
4                   established medical history or clinical diagnosis  
5                   of any of the following:

6                   (i) Epilepsy.

7                   (ii) Disturbance of consciousness with-  
8                   out satisfactory medical explanation of the  
9                   cause.

10                  (iii) A transient loss of control of  
11                  nervous system functions without satisfac-  
12                  tory medical explanation of the cause.

13                  (C) A cardiovascular condition, limited to a  
14                  one-time special issuance for each diagnosis of  
15                  the following:

16                  (i) Myocardial infraction.

17                  (ii) Coronary heart disease that has  
18                  required treatment.

19                  (iii) Cardiac valve replacement.

20                  (iv) Heart replacement.

21                  (2) SPECIAL RULE FOR CARDIOVASCULAR CON-  
22                  DITIONS.—In the case of an individual with a car-  
23                  diovascular condition, the process for obtaining an  
24                  Authorization for Special Issuance of a Medical Cer-  
25                  tificate shall be satisfied with the successful comple-

1           tion of an appropriate clinical evaluation without a  
2           mandatory wait period.

3                   (3) SPECIAL RULE FOR MENTAL HEALTH CON-  
4           DITIONS.—

5                   (A) In the case of an individual with a  
6           clinically diagnosed mental health condition, the  
7           third-class medical certificate exemption under  
8           subsection (a) shall not apply if—

9                           (i) in the judgment of the individual's  
10           State-licensed medical specialist, the condi-  
11           tion—

12                                   (I) renders the individual unable  
13           to safely perform the duties or exer-  
14           cise the airman privileges described in  
15           subsection (a)(8); or

16                                   (II) may reasonably be expected  
17           to make the individual unable to per-  
18           form the duties or exercise the privi-  
19           leges described in subsection (a)(8); or

20                           (ii) the individual's driver's license is  
21           revoked by the issuing agency as a result  
22           of a clinically diagnosed mental health con-  
23           dition.

24                   (B) Subject to subparagraph (A), an indi-  
25           vidual clinically diagnosed with a mental health

1           condition shall certify every 2 years, in conjunc-  
2           tion with the certification under subsection  
3           (c)(10)(C), that the individual is under the care  
4           of a State-licensed medical specialist for that  
5           mental health condition.

6           (4) SPECIAL RULE FOR NEUROLOGICAL CONDI-  
7           TIONS.—

8                   (A) In the case of an individual with a  
9                   clinically diagnosed neurological condition, the  
10                  third-class medical certificate exemption under  
11                  subsection (a) shall not apply if—

12                           (i) in the judgment of the individual's  
13                           State-licensed medical specialist, the condi-  
14                           tion—

15                                   (I) renders the individual unable  
16                                   to safely perform the duties or exer-  
17                                   cise the airman privileges described in  
18                                   subsection (a)(8); or

19                                   (II) may reasonably be expected  
20                                   to make the individual unable to per-  
21                                   form the duties or exercise the privi-  
22                                   leges described in subsection (a)(8); or

23                                   (ii) the individual's driver's license is  
24                                   revoked by the issuing agency as a result

1                   of a clinically diagnosed neurological condi-  
2                   tion.

3                   (B) Subject to subparagraph (A), an indi-  
4                   vidual clinically diagnosed with a neurological  
5                   condition shall certify every 2 years, in conjunc-  
6                   tion with the certification under subsection  
7                   (c)(10)(C), that the individual is under the care  
8                   of a State-licensed medical specialist for that  
9                   neurological condition.

10               (f) IDENTIFICATION OF ADDITIONAL MEDICAL CON-  
11               DITIONS FOR THE CACI PROGRAM.—

12                   (1) IN GENERAL.—Not later than 180 days  
13                   after the date of enactment of this Act, the Adminis-  
14                   trator shall review and identify additional medical  
15                   conditions that could be added to the program  
16                   known as the Conditions AMEs Can Issue (CACI)  
17                   program.

18                   (2) CONSULTATIONS.—In carrying out para-  
19                   graph (1), the Administrator shall consult with avia-  
20                   tion, medical, and union stakeholders.

21                   (3) REPORT REQUIRED.—Not later than 180  
22                   days after the date of enactment of this Act, the Ad-  
23                   ministrator shall submit to the Committee on Com-  
24                   merce, Science, and Transportation of the Senate  
25                   and the Committee on Transportation and Infra-

1 structure of the House of Representatives a report  
2 listing the medical conditions that have been added  
3 to the CACI program under paragraph (1).

4 (g) EXPEDITED AUTHORIZATION FOR SPECIAL  
5 ISSUANCE OF A MEDICAL CERTIFICATE.—

6 (1) IN GENERAL.—The Administrator shall im-  
7 plement procedures to expedite the process for ob-  
8 taining an Authorization for Special Issuance of a  
9 Medical Certificate under section 67.401 of title 14,  
10 Code of Federal Regulations.

11 (2) CONSULTATIONS.—In carrying out para-  
12 graph (1), the Administrator shall consult with avia-  
13 tion, medical, and union stakeholders.

14 (3) REPORT REQUIRED.—Not later than 1 year  
15 after the date of enactment of this Act, the Adminis-  
16 trator shall submit to the Committee on Commerce,  
17 Science, and Transportation of the Senate and the  
18 Committee on Transportation and Infrastructure of  
19 the House of Representatives a report describing  
20 how the procedures implemented under paragraph  
21 (1) will streamline the process for obtaining an Au-  
22 thorization for Special Issuance of a Medical Certifi-  
23 cate and reduce the amount of time needed to review  
24 and decide special issuance cases.



1           (h) REPORT REQUIRED.—Not later than 5 years  
2 after the date of enactment of this Act, the Administrator,  
3 in coordination with the National Transportation Safety  
4 Board, shall submit to the Committee on Commerce,  
5 Science, and Transportation of the Senate and the Com-  
6 mittee on Transportation and Infrastructure of the House  
7 of Representatives a report that describes the effect of the  
8 regulations issued or revised under subsection (a) and in-  
9 cludes statistics with respect to changes in small aircraft  
10 activity and safety incidents.

11           (i) PROHIBITION ON ENFORCEMENT ACTIONS.—Be-  
12 ginning on the date that is 1 year after the date of enact-  
13 ment of this Act, the Administrator may not take an en-  
14 forcement action for not holding a valid third-class med-  
15 ical certificate against a pilot of a covered aircraft for a  
16 flight, through a good faith effort, if the pilot and the  
17 flight meet the applicable requirements under subsection  
18 (a), except paragraph (5) of that subsection, unless the  
19 Administrator has published final regulations in the Fed-  
20 eral Register under that subsection.

21           (j) COVERED AIRCRAFT DEFINED.—In this section,  
22 the term “covered aircraft” means an aircraft that—  
23               (1) is authorized under Federal law to carry not  
24               more than 6 occupants; and

1           (2) has a maximum certificated takeoff weight  
2           of not more than 6,000 pounds.

3           (k) OPERATIONS COVERED.—The provisions and re-  
4           quirements covered in this section do not apply to pilots  
5           who elect to operate under the medical requirements under  
6           subsection (b) or subsection (c) of section 61.23 of title  
7           14, Code of Federal Regulations.

8           (l) AUTHORITY TO REQUIRE ADDITIONAL INFORMA-  
9           TION.—

10           (1) IN GENERAL.—If the Administrator receives  
11           credible or urgent information, including from the  
12           National Driver Register or the Administrator’s  
13           Safety Hotline, that reflects on an individual’s abil-  
14           ity to safely operate a covered aircraft under the  
15           third-class medical certificate exemption in sub-  
16           section (a), the Administrator may require the indi-  
17           vidual to provide additional information or history so  
18           that the Administrator may determine whether the  
19           individual is safe to continue operating a covered  
20           aircraft.

21           (2) USE OF INFORMATION.—The Administrator  
22           may use credible or urgent information received  
23           under paragraph (1) to request an individual to pro-  
24           vide additional information or to take actions under  
25           section 44709(b) of title 49, United States Code.

1 **SEC. 2603. EXPANSION OF PILOT'S BILL OF RIGHTS.**

2 (a) APPEALS OF SUSPENDED AND REVOKED AIRMAN  
3 CERTIFICATES.—Section 2(d)(1) of the Pilot's Bill of  
4 Rights (Public Law 112-153; 126 Stat. 1159; 49 U.S.C.  
5 44703 note) is amended by striking “or imposing a puni-  
6 tive civil action or an emergency order of revocation under  
7 subsections (d) and (e) of section 44709 of such title” and  
8 inserting “suspending or revoking an airman certificate  
9 under section 44709(d) of such title, or imposing an emer-  
10 gency order of revocation under subsections (d) and (e)  
11 of section 44709 of such title”.

12 (b) DE NOVO REVIEW BY DISTRICT COURT; BURDEN  
13 OF PROOF.—Section 2(e) of the Pilot's Bill of Rights  
14 (Public Law 112-153; 126 Stat. 1159; 49 U.S.C. 44703  
15 note) is amended—

16 (1) by amending paragraph (1) to read as fol-  
17 lows:

18 “(1) IN GENERAL.—In an appeal filed under  
19 subsection (d) in a United States district court with  
20 respect to a denial, suspension, or revocation of an  
21 airman certificate by the Administrator—

22 “(A) the district court shall review the de-  
23 nial, suspension, or revocation de novo, includ-  
24 ing by—

1                   “(i) conducting a full independent re-  
2                   view of the complete administrative record  
3                   of the denial, suspension, or revocation;

4                   “(ii) permitting additional discovery  
5                   and the taking of additional evidence; and

6                   “(iii) making the findings of fact and  
7                   conclusions of law required by Rule 52 of  
8                   the Federal Rules of Civil Procedure with-  
9                   out being bound to any findings of fact of  
10                  the Administrator or the National Trans-  
11                  portation Safety Board.”;

12                  (2) by redesignating paragraph (2) as para-  
13                  graph (3); and

14                  (3) by inserting after paragraph (1) the fol-  
15                  lowing:

16                  “(2) BURDEN OF PROOF.—In an appeal filed  
17                  under subsection (d) in a United States district  
18                  court after an exhaustion of administrative remedies,  
19                  the burden of proof shall be as follows:

20                  “(A) In an appeal of the denial of an ap-  
21                  plication for the issuance or renewal of an air-  
22                  man certificate under section 44703 of title 49,  
23                  United States Code, the burden of proof shall  
24                  be upon the applicant denied an airman certifi-  
25                  cate by the Administrator.

1           “(B) In an appeal of an order issued by  
2           the Administrator under section 44709 of title  
3           49, United States Code, the burden of proof  
4           shall be upon the Administrator.”; and

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

6           “(4) APPLICABILITY OF ADMINISTRATIVE PRO-  
7           CEDURE ACT.—Notwithstanding paragraph (1)(A) of  
8           this subsection or subsection (a)(1) of section 554 of  
9           title 5, United States Code, section 554 of such title  
10          shall apply to adjudications of the Administrator  
11          and the National Transportation Safety Board to  
12          the same extent as that section applied to such adju-  
13          dications before the date of enactment of the Pilot’s  
14          Bill of Rights 2.”.

15          (c) NOTIFICATION OF INVESTIGATION.—Subsection  
16 (b) of section 2 of the Pilot’s Bill of Rights (Public Law  
17 112-153; 126 Stat. 1159; 49 U.S.C. 44703 note) is  
18 amended—

19           (1) in paragraph (2)(A), by inserting “and the  
20           specific activity on which the investigation is based”  
21           after “nature of the investigation”; and

22           (2) in paragraph (3), by striking “timely”; and

23           (3) in paragraph (5), by striking “section  
24           44709(c)(2)” and inserting “section 44709(e)(2)”.

1 (d) RELEASE OF INVESTIGATIVE REPORTS.—Section  
2 2 of the Pilot’s Bill of Rights (Public Law 112-153; 126  
3 Stat. 1159; 49 U.S.C. 44703 note) is further amended by  
4 inserting after subsection (e) the following:

5 “(f) RELEASE OF INVESTIGATIVE REPORTS.—

6 “(1) IN GENERAL.—

7 “(A) EMERGENCY ORDERS.—In any pro-  
8 ceeding conducted under part 821 of title 49,  
9 Code of Federal Regulations, relating to the  
10 amendment, modification, suspension, or rev-  
11 ocation of an airman certificate, in which the  
12 Administrator issues an emergency order under  
13 subsections (d) and (e) of section 44709, sec-  
14 tion 44710, or section 46105(c) of title 49,  
15 United States Code, or another order that takes  
16 effect immediately, the Administrator shall pro-  
17 vide to the individual holding the airman certifi-  
18 cate the releasable portion of the investigative  
19 report at the time the Administrator issues the  
20 order. If the complete Report of Investigation is  
21 not available at the time the Emergency Order  
22 is issued, the Administrator shall issue all por-  
23 tions of the report that are available at the time  
24 and shall provide the full report within 5 days  
25 of its completion.

1           “(B) OTHER ORDERS.—In any non-emer-  
2           gency proceeding conducted under part 821 of  
3           title 49, Code of Federal Regulations, relating  
4           to the amendment, modification, suspension, or  
5           revocation of an airman certificate, in which the  
6           Administrator notifies the certificate holder of a  
7           proposed certificate action under subsections  
8           (b) and (c) of section 44709 or section 44710  
9           of title 49, United States Code, the Adminis-  
10          trator shall, upon the written request of the  
11          covered certificate holder and at any time after  
12          that notification, provide to the covered certifi-  
13          cate holder the releasable portion of the inves-  
14          tigative report.

15          “(2) MOTION FOR DISMISSAL.—If the Adminis-  
16          trator does not provide the releasable portions of the  
17          investigative report to the individual holding the air-  
18          man certificate subject to the proceeding referred to  
19          in paragraph (1) by the time required by that para-  
20          graph, the individual may move to dismiss the com-  
21          plaint of the Administrator or for other relief and,  
22          unless the Administrator establishes good cause for  
23          the failure to provide the investigative report or for  
24          a lack of timeliness, the administrative law judge

1 shall order such relief as the judge considers appro-  
2 priate.

3 “(3) RELEASABLE PORTION OF INVESTIGATIVE  
4 REPORT.—For purposes of paragraph (1), the re-  
5 leasable portion of an investigative report is all in-  
6 formation in the report, except for the following:

7 “(A) Information that is privileged.

8 “(B) Information that constitutes work  
9 product or reflects internal deliberative process.

10 “(C) Information that would disclose the  
11 identity of a confidential source.

12 “(D) Information the disclosure of which is  
13 prohibited by any other provision of law.

14 “(E) Information that is not relevant to  
15 the subject matter of the proceeding.

16 “(F) Information the Administrator can  
17 demonstrate is withheld for good cause.

18 “(G) Sensitive security information, as de-  
19 fined in section 15.5 of title 49, Code of Fed-  
20 eral Regulations (or any corresponding similar  
21 ruling or regulation).

22 “(4) RULE OF CONSTRUCTION.—Nothing in  
23 this subsection shall be construed to prevent the Ad-  
24 ministrator from releasing to an individual subject  
25 to an investigation described in subsection (b)(1)—



1           “(A) information in addition to the infor-  
2           mation included in the releasable portion of the  
3           investigative report; or

4           “(B) a copy of the investigative report be-  
5           fore the Administrator issues a complaint.”.

6 **SEC. 2604. LIMITATIONS ON REEXAMINATION OF CERTIFI-**  
7 **CATE HOLDERS.**

8           (a) IN GENERAL.—Section 44709(a) is amended—  
9           (1) by striking “The Administrator” and insert-  
10          ing the following:

11           “(1) IN GENERAL.—The Administrator”;

12           (2) by striking “reexamine” and inserting “, ex-  
13          cept as provided in paragraph (2), reexamine”; and

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

15           “(2) LIMITATION ON THE REEXAMINATION OF  
16          AIRMAN CERTIFICATES.—

17           “(A) IN GENERAL.—The Administrator  
18          may not reexamine an airman holding a stu-  
19          dent, sport, recreational, or private pilot certifi-  
20          cate issued under section 44703 of this title if  
21          the reexamination is ordered as a result of an  
22          event involving the fault of the Federal Aviation  
23          Administration or its designee, unless the Ad-  
24          ministrator has reasonable grounds—

1                   “(i) to establish that the airman may  
2                   not be qualified to exercise the privileges of  
3                   a particular certificate or rating, based  
4                   upon an act or omission committed by the  
5                   airman while exercising those privileges,  
6                   after the certificate or rating was issued by  
7                   the Federal Aviation Administration or its  
8                   designee; or

9                   “(ii) to demonstrate that the airman  
10                  obtained the certificate or the rating  
11                  through fraudulent means or through an  
12                  examination that was substantially and de-  
13                  monstrably inadequate to establish the air-  
14                  man’s qualifications.

15                  “(B) NOTIFICATION REQUIREMENTS.—Be-  
16                  fore taking any action to reexamine an airman  
17                  under subparagraph (A), the Administrator  
18                  shall provide to the airman—

19                         “(i) a reasonable basis, described in  
20                         detail, for requesting the reexamination;  
21                         and

22                         “(ii) any information gathered by the  
23                         Federal Aviation Administration, that the  
24                         Administrator determines is appropriate to  
25                         provide, such as the scope and nature of

1                   the requested reexamination, that formed  
2                   the basis for that justification.”.

3           (b) AMENDMENT, MODIFICATION, SUSPENSION, OR  
4 REVOCATION OF AIRMAN CERTIFICATES AFTER REEXAM-  
5 INATION.—Section 44709(b) is amended—

6           (1) in paragraph (1), by redesignating subpara-  
7           graphs (A) and (B) as clauses (i) and (ii), respec-  
8           tively, and indenting appropriately;

9           (2) by redesignating paragraphs (1) and (2) as  
10           subparagraphs (A) and (B), respectively, and indent-  
11           ing appropriately;

12           (3) in the matter preceding subparagraph (A),  
13           as redesignated, by striking “The Administrator”  
14           and inserting the following:

15           “(1) IN GENERAL.—Except as provided in para-  
16           graph (2), the Administrator”; and

17           (4) by adding at the end the following:

18           “(2) AMENDMENTS, MODIFICATIONS, SUSPEN-  
19           SIONS, AND REVOCATIONS OF AIRMAN CERTIFICATES  
20           AFTER REEXAMINATION.—

21           “(A) IN GENERAL.—The Administrator  
22           may not issue an order to amend, modify, sus-  
23           pend, or revoke an airman certificate held by a  
24           student, sport, recreational, or private pilot and  
25           issued under section 44703 of this title after a

1 reexamination of the airman holding the certifi-  
2 cate unless the Administrator determines that  
3 the airman—

4 “(i) lacks the technical skills and com-  
5 petency, or care, judgment, and responsi-  
6 bility, necessary to hold and safely exercise  
7 the privileges of the certificate; or

8 “(ii) materially contributed to the  
9 issuance of the certificate by fraudulent  
10 means.

11 “(B) STANDARD OF REVIEW.—Any order  
12 of the Administrator under this paragraph shall  
13 be subject to the standard of review provided  
14 for under section 2 of the Pilot’s Bill of Rights  
15 (49 U.S.C. 44703 note).”.

16 (c) CONFORMING AMENDMENTS.—Section  
17 44709(d)(1) is amended—

18 (1) in subparagraph (A), by striking “sub-  
19 section (b)(1)(A)” and inserting “subsection  
20 (b)(1)(A)(i)”; and

21 (2) in subparagraph (B), by striking “sub-  
22 section (b)(1)(B)” and inserting “subsection  
23 (b)(1)(A)(ii)”.

24 **SEC. 2605. EXPEDITING UPDATES TO NOTAM PROGRAM.**

25 (a) IN GENERAL.—

1           (1) Beginning on the date that is 180 days  
2           after the date of enactment of this Act, the Adminis-  
3           trator of the Federal Aviation Administration may  
4           not take any enforcement action against any indi-  
5           vidual for a violation of a NOTAM (as defined in  
6           section 3 of the Pilot’s Bill of Rights (49 U.S.C.  
7           44701 note)) until the Administrator certifies to the  
8           appropriate congressional committees that the Ad-  
9           ministrator has complied with the requirements of  
10          section 3 of the Pilot’s Bill of Rights, as amended  
11          by this section.

12           (2) In this subsection, the term “appropriate  
13          congressional committees” means—

14                   (A) the Committee on Commerce, Science,  
15                   and Transportation of the Senate; and

16                   (B) the Committee on Transportation and  
17                   Infrastructure of the House of Representatives.

18          (b) AMENDMENTS.—Section 3 of the Pilot’s Bill of  
19          Rights (Public Law 112-153; 126 Stat. 1162; 49 U.S.C.  
20          44701 note) is amended—

21           (1) in subsection (a)(2)—

22                   (A) in the matter preceding subparagraph

23                   (A)—

24                           (i) by striking “this Act” and insert-  
25                           ing “the Pilot’s Bill of Rights 2”; and

1 (ii) by striking “begin” and inserting  
2 “complete the implementation of”;

3 (B) by amending subparagraph (B) to read  
4 as follows:

5 “(B) to continue developing and modern-  
6 izing the NOTAM repository, in a public cen-  
7 tral location, to maintain and archive all  
8 NOTAMs, including the original content and  
9 form of the notices, the original date of publica-  
10 tion, and any amendments to such notices with  
11 the date of each amendment, in a manner that  
12 is Internet-accessible, machine-readable, and  
13 searchable;”;

14 (C) in subparagraph (C), by striking the  
15 period at the end and inserting “; and”; and

16 (D) by adding at the end the following:

17 “(D) to specify the times during which  
18 temporary flight restrictions are in effect and  
19 the duration of a designation of special use air-  
20 space in a specific area.”; and

21 (2) by amending subsection (d) to read as fol-  
22 lows:

23 “(d) DESIGNATION OF REPOSITORY AS SOLE  
24 SOURCE FOR NOTAMS.—

25 “(1) IN GENERAL.—The Administrator—

1           “(A) shall consider the repository for  
2 NOTAMs under subsection (a)(2)(B) to be the  
3 sole location for airmen to check for NOTAMs;  
4 and

5           “(B) may not consider a NOTAM to be  
6 announced or published until the NOTAM is in-  
7 cluded in the repository for NOTAMs under  
8 subsection (a)(2)(B).

9           “(2) PROHIBITION ON TAKING ACTION FOR VIO-  
10 LATIONS OF NOTAMS NOT IN REPOSITORY.—

11           “(A) IN GENERAL.—Except as provided in  
12 subparagraph (B), beginning on the date that  
13 the repository under subsection (a)(2)(B) is  
14 final and published, the Administrator may not  
15 take any enforcement action against an airman  
16 for a violation of a NOTAM during a flight if—

17           “(i) that NOTAM is not available  
18 through the repository before the com-  
19 mencement of the flight; and

20           “(ii) that NOTAM is not reasonably  
21 accessible and identifiable to the airman.

22           “(B) EXCEPTION FOR NATIONAL SECUR-  
23 ITY.—Subparagraph (A) shall not apply in the  
24 case of an enforcement action for a violation of

1 a NOTAM that directly relates to national se-  
2 curity.”.

3 **SEC. 2606. ACCESSIBILITY OF CERTAIN FLIGHT DATA.**

4 (a) IN GENERAL.—Subchapter I of chapter 471 is  
5 amended by inserting after section 47124 the following:

6 **“§ 47124a. Accessibility of certain flight data**

7 “(a) DEFINITIONS.—In this section:

8 “(1) ADMINISTRATION.—The term ‘Administra-  
9 tion’ means the Federal Aviation Administration.

10 “(2) ADMINISTRATOR.—The term ‘Adminis-  
11 trator’ means the Administrator of the Federal Avia-  
12 tion Administration.

13 “(3) APPLICABLE INDIVIDUAL.—The term ‘ap-  
14 plicable individual’ means an individual who is the  
15 subject of an investigation initiated by the Adminis-  
16 trator related to a covered flight record.

17 “(4) CONTRACT TOWER.—The term ‘contract  
18 tower’ means an air traffic control tower providing  
19 air traffic control services pursuant to a contract  
20 with the Administration under the contract air traf-  
21 fic control tower program under section  
22 47124(b)(3).

23 “(5) COVERED FLIGHT RECORD.—The term  
24 ‘covered flight record’ means any air traffic data (as  
25 defined in section 2(b)(4)(B) of the Pilot’s Bill of



1 Rights (49 U.S.C. 44703 note)), created, main-  
2 tained, or controlled by any program of the Adminis-  
3 tration, including any program of the Administration  
4 carried out by employees or contractors of the Ad-  
5 ministration, such as contract towers, flight service  
6 stations, and controller training programs.

7 “(b) PROVISION OF COVERED FLIGHT RECORD TO  
8 ADMINISTRATION.—

9 “(1) REQUESTS.—Whenever the Administration  
10 receives a written request for a covered flight record  
11 from an applicable individual and the covered flight  
12 record is not in the possession of the Administration,  
13 the Administrator shall request the covered flight  
14 record from the contract tower or other contractor  
15 of the Administration in possession of the covered  
16 flight record.

17 “(2) PROVISION OF RECORDS.—Any covered  
18 flight record created, maintained, or controlled by a  
19 contract tower or another contractor of the Adminis-  
20 tration that maintains covered flight records shall be  
21 provided to the Administration if the Administration  
22 requests the record pursuant to paragraph (1).

23 “(3) NOTICE OF PROPOSED CERTIFICATE AC-  
24 TION.—If the Administrator has issued, or subse-  
25 quently issues, a Notice of Proposed Certificate Ac-

1       tion relying on evidence contained in the covered  
2       flight record and the individual who is the subject of  
3       an investigation has requested the record, the Ad-  
4       ministrator shall promptly produce the record and  
5       extend the time the individual has to respond to the  
6       Notice of Proposed Certificate Action until the cov-  
7       ered flight record is provided.

8       “(c) IMPLEMENTATION.—

9           “(1) IN GENERAL.—Not later than 180 days  
10       after the date of enactment of the Pilot’s Bill of  
11       Rights 2, the Administrator shall promulgate regula-  
12       tions or guidance to ensure compliance with this sec-  
13       tion.

14       “(2) COMPLIANCE BY CONTRACTORS.—

15           “(A) Compliance with this section by a  
16       contract tower or other contractor of the Ad-  
17       ministration that maintains covered flight  
18       records shall be included as a material term in  
19       any contract between the Administration and  
20       the contract tower or contractor entered into or  
21       renewed on or after the date of enactment of  
22       the Pilot’s Bill of Rights 2.

23           “(B) Subparagraph (A) shall not apply to  
24       any contract or agreement in effect on the date  
25       of enactment of the Pilot’s Bill of Rights 2 un-

1           less the contract or agreement is renegotiated,  
2           renewed, or modified after that date.”.

3           (b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

4   The table of contents for chapter 471 is amended by in-  
5   serting after the item relating to section 47124 the fol-  
6   lowing:

“47124a. Accessibility of certain flight data.”.

7   **SEC. 2607. AUTHORITY FOR LEGAL COUNSEL TO ISSUE**  
8           **CERTAIN NOTICES.**

9           Not later than 180 days after the date of enactment  
10   of this Act, the Administrator of the Federal Aviation Ad-  
11   ministration shall revise section 13.11 of title 14, Code  
12   of Federal Regulations, to authorize legal counsel of the  
13   Federal Aviation Administration to close enforcement ac-  
14   tions covered by that section with a warning notice, letter  
15   of correction, or other administrative action.

16           **TITLE III—AIR SERVICE**  
17           **IMPROVEMENTS**

18   **SEC. 3001. DEFINITIONS.**

19           In this title:

20           (1) **COVERED AIR CARRIER.**—The term “cov-  
21   ered air carrier” means an air carrier or a foreign  
22   air carrier as those terms are defined in section  
23   40102 of title 49, United States Code.

24           (2) **ONLINE SERVICE.**—The term “online serv-  
25   ice” means any service available over the Internet,

1 or that connects to the Internet or a wide-area net-  
2 work.

3 (3) TICKET AGENT.—The term “ticket agent”  
4 has the meaning given the term in section 40102 of  
5 title 49, United States Code.

6 **Subtitle A—Passenger Air Service**  
7 **Improvements**

8 **SEC. 3101. CAUSES OF AIRLINE DELAYS OR CANCELLA-**  
9 **TIONS.**

10 (a) REVIEW.—

11 (1) IN GENERAL.—Not later than 1 year after  
12 the date of enactment of this Act, the Secretary of  
13 Transportation shall review the categorization of  
14 delays and cancellations with respect to air carriers  
15 that are required to report such data.

16 (2) CONSIDERATIONS.—In conducting the re-  
17 view under paragraph (1), the Secretary shall con-  
18 sider, at a minimum—

19 (A) whether delays and cancellations at-  
20 tributed by an air carrier to weather were un-  
21 avoidable due to an operational or air traffic  
22 control issue, or due to the air carrier’s pref-  
23 erence in determining which flights to delay or  
24 cancel during a weather event;

1 (B) whether and to what extent delays and  
2 cancellations attributed by an air carrier to  
3 weather disproportionately impact service to  
4 smaller airports and communities; and

5 (C) whether it is an unfair or deceptive  
6 practice in violation of section 41712 of title  
7 49, United States Code, for an air carrier to in-  
8 form a passenger that a flight is delayed or  
9 cancelled due to weather, without any other  
10 context or explanation for the delay or cancella-  
11 tion, when the air carrier has discretion as to  
12 which flights to delay or cancel.

13 (3) ADVISORY COMMITTEE FOR AVIATION CON-  
14 SUMER PROTECTION.—The Secretary may use the  
15 Advisory Committee for Aviation Consumer Protec-  
16 tion, established under section 411 of the FAA Mod-  
17 ernization and Reform Act of 2012 (49 U.S.C.  
18 42301 prec. note), to assist in conducting the review  
19 and providing recommendations.

20 (b) REPORT.—Not later than 90 days after the date  
21 the review under subsection (a) is complete, the Secretary  
22 shall submit to the appropriate committees of Congress  
23 a report on the review under subsection (a), including any  
24 recommendations.

1 (c) SAVINGS PROVISION.—Nothing in this section  
2 shall be construed as affecting the decision of an air car-  
3 rier to maximize its system capacity during weather-re-  
4 lated events to accommodate the greatest number of pas-  
5 sengers.

6 **SEC. 3102. INVOLUNTARY CHANGES TO ITINERARIES.**

7 (a) REVIEW.—

8 (1) IN GENERAL.—Not later than 1 year after  
9 the date of enactment of this Act, the Secretary of  
10 Transportation shall review whether it is an unfair  
11 or deceptive practice in violation of section 41712 of  
12 title 49, United States Code, for an air carrier to  
13 change the itinerary of a passenger, more than 24  
14 hours before departure, if the new itinerary involves  
15 additional stops or departs 3 hours earlier or later  
16 and compensation or other more suitable air trans-  
17 portation is not offered.

18 (2) ADVISORY COMMITTEE FOR AVIATION CON-  
19 SUMER PROTECTION.—The Secretary may use the  
20 Advisory Committee for Aviation Consumer Protec-  
21 tion, established under section 411 of the FAA Mod-  
22 ernization and Reform Act of 2012 (49 U.S.C.  
23 42301 prec. note), to assist in conducting the review  
24 and providing recommendations.

1 (b) REPORT.—Not later than 90 days after the date  
2 the review under subsection (a) is complete, the Secretary  
3 shall submit to appropriate committees of Congress a re-  
4 port on the review under subsection (a), including any rec-  
5 ommendations.

6 **SEC. 3103. ADDITIONAL CONSUMER PROTECTIONS.**

7 Not later than 180 days after the date that the re-  
8 views under sections 3101 and 3102 of this Act are com-  
9 plete, the Secretary of Transportation shall issue a supple-  
10 mental notice of proposed rulemaking to its notice of pro-  
11 posed rulemaking published in the Federal Register on  
12 May 23, 2014 (DOT-OST-2014-0056) (relating to the  
13 transparency of airline ancillary fees and other consumer  
14 protection issues) to consider the following:

15 (1) Requiring an air carrier to provide notifica-  
16 tion and refunds or other consideration to a con-  
17 sumer who is impacted by delays or cancellations  
18 when an air carrier has a choice as to which flights  
19 to cancel or delay during a weather-related event.

20 (2) Requiring an air carrier to provide notifica-  
21 tion and refunds or other consideration to a con-  
22 sumer who is impacted by involuntary changes to  
23 the consumer's itinerary.

1 **SEC. 3104. ADDRESSING THE NEEDS OF FAMILIES OF PAS-**  
2 **SENGERS INVOLVED IN AIRCRAFT ACCI-**  
3 **DENTS.**

4 (a) AIR CARRIERS HOLDING CERTIFICATES OF PUB-  
5 LIC CONVENIENCE AND NECESSITY.—Section 41113 is  
6 amended—

7 (1) in subsection (a), by striking “a major” and  
8 inserting “any”;

9 (2) in subsection (b)—

10 (A) in paragraph (9), by striking “(and  
11 any other victim of the accident)” and inserting  
12 “(and any other victim of the accident, includ-  
13 ing any victim on the ground)”;

14 (B) in paragraph (16), by striking “major”  
15 and inserting “any”; and

16 (C) in paragraph (17)(A), by striking “sig-  
17 nificant” and inserting “any”; and

18 (3) by amending subsection (e) to read as fol-  
19 lows:

20 “(e) DEFINITIONS.—In this section—

21 “(1) ‘aircraft accident’ means any aviation dis-  
22 aster, regardless of its cause or suspected cause, for  
23 which the National Transportation Safety Board is  
24 the lead investigative agency.

25 “(2) ‘passenger’ has the meaning given the  
26 term in section 1136.”.



1 (b) FOREIGN AIR CARRIERS PROVIDING FOREIGN  
2 AIR TRANSPORTATION.—Section 41313 is amended—

3 (1) in subsection (b), by striking “a major” and  
4 inserting “any”; and

5 (2) in subsection (c)—

6 (A) in paragraph (1), by striking “a sig-  
7 nificant” and inserting “any”;

8 (B) in paragraph (2), by striking “a sig-  
9 nificant” and inserting “any”;

10 (C) in paragraph (16), by striking “major”  
11 and inserting “any”; and

12 (D) in paragraph (17)(A), by striking “sig-  
13 nificant” and inserting “any”.

14 (c) NATIONAL TRANSPORTATION SAFETY BOARD.—

15 Section 1136(a) is amended by striking “aircraft accident  
16 within the United States involving an air carrier or foreign  
17 air carrier and resulting in a major loss of life” and insert-  
18 ing “aircraft accident involving an air carrier or foreign  
19 air carrier, resulting in any loss of life, and for which the  
20 National Transportation Safety Board will serve as the  
21 lead investigative agency”.

22 **SEC. 3105. EMERGENCY MEDICAL KITS.**

23 (a) IN GENERAL.—Not later than 1 year after the  
24 date of the enactment of this Act, the Administrator of  
25 the Federal Aviation Administration shall evaluate and re-

1 vise, as appropriate, the regulations under part 121 of title  
2 14, Code of Federal Regulations, regarding the emergency  
3 medical equipment requirements, including the contents of  
4 the first-aid kit, applicable to all certificate holders oper-  
5 ating passenger-carrying airplanes under that part.

6 (b) CONSIDERATIONS.—The Administrator shall con-  
7 sider whether the minimum contents of approved emer-  
8 gency medical kits, including approved first-aid kits, in-  
9 clude appropriate medications and equipment to meet the  
10 emergency medical needs of children, including consider-  
11 ation of an epinephrine auto-injector, as appropriate.

12 **SEC. 3106. TRAVELERS WITH DISABILITIES.**

13 (a) IN GENERAL.—Not later than 1 year after the  
14 date of enactment of this Act, the Comptroller General  
15 of the United States shall—

16 (1) conduct a study of airport accessibility best  
17 practices for individuals with disabilities, limited mo-  
18 bility, or visual or hearing impairments; and

19 (2) submit to the appropriate committees of  
20 Congress a report on the study, including the Comp-  
21 troller General’s findings, conclusions, and rec-  
22 ommendations.

23 (b) CONTENTS.—The study under subsection (a)  
24 shall include accessibility best practices beyond those rec-  
25 ommended under the Architectural Barriers Act of 1968

1 (42 U.S.C. 4151 et seq.), Rehabilitation Act of 1973 (29  
2 U.S.C. 701 et seq.), Air Carrier Access Act of 1986 (100  
3 Stat. 1080; Public Law 99–435), or Americans with Dis-  
4 abilities Act of 1990 (42 U.S.C. 12101 et seq), that im-  
5 prove infrastructure and communications, such as with re-  
6 gard to wayfinding, amenities, and passenger care.

7 **SEC. 3107. EXTENSION OF ADVISORY COMMITTEE FOR**  
8 **AVIATION CONSUMER PROTECTION.**

9 (a) **TERMINATION.**—Section 411(h) of the FAA Mod-  
10 ernization and Reform Act of 2012 (Public Law 112–95;  
11 49 U.S.C. 42301 prec. note) is amended by striking  
12 “March 30, 2016” and inserting “September 30, 2017”.

13 (b) **FINANCIAL DISCLOSURE.**—Section 411 of the  
14 FAA Modernization and Reform Act of 2012 (Public Law  
15 112–95; 49 U.S.C. 42301 prec. note) is further amend-  
16 ed—

17 (1) by redesignating subsection (h) as sub-  
18 section (i); and

19 (2) by inserting before subsection (i), the fol-  
20 lowing:

21 “(h) **CONFLICT OF INTEREST DISCLOSURE.**—Begin-  
22 ning on the date of enactment of the Federal Aviation Ad-  
23 ministration Reauthorization Act of 2016, each member  
24 of the advisory committee who is not a government em-  
25 ployee shall disclose, on an annual basis, any potential

1 conflicts of interest, including financial conflicts of inter-  
2 est, to the Secretary in such form and manner as pre-  
3 scribed by the Secretary.”.

4 (c) RECOMMENDATIONS.—Section 411(g) of the FAA  
5 Modernization and Reform Act of 2012 (Public Law 112–  
6 95; 49 U.S.C. 42301 prec. note) is amended—

7 (1) by striking “of the first 2 calendar years be-  
8 ginning after the date of enactment of this Act” and  
9 inserting “calendar year”; and

10 (2) by inserting “and post on the Department  
11 of Transportation Web site” after “Congress”.

12 **SEC. 3108. EXTENSION OF COMPETITIVE ACCESS REPORTS.**

13 Section 47107(r)(3) is amended by striking “April 1,  
14 2016” and inserting “October 1, 2017”.

15 **SEC. 3109. REFUNDS FOR DELAYED BAGGAGE.**

16 (a) IN GENERAL.—Not later than 1 year after the  
17 date of enactment of this Act, the Secretary of Transpor-  
18 tation shall issue final regulations to require a covered air  
19 carrier to promptly provide an automatic refund to a pas-  
20 senger in the amount of any applicable ancillary fees paid  
21 if the covered air carrier has charged the passenger an  
22 ancillary fee for checked baggage but the covered air car-  
23 rier fails to deliver the checked baggage to the passenger  
24 not later than 6 hours after the arrival of a domestic flight  
25 or 12 hours after the arrival of an international flight.

1 (b) EXCEPTION.—If as part of the rulemaking the  
2 Secretary makes a determination on the record that a re-  
3 quirement under subsection (a) is unfeasible and will neg-  
4 atively affect consumers in certain cases, the Secretary  
5 may modify 1 or both of the deadlines in that subsection  
6 for such cases, except that—

7 (1) the deadline relating to a domestic flight  
8 may not exceed 12 hours after the arrival of the do-  
9 mestic flight; and

10 (2) the deadline relating to an international  
11 flight may not exceed 24 hours after the arrival of  
12 the domestic flight.

13 **SEC. 3110. REFUNDS FOR OTHER FEES THAT ARE NOT HON-**  
14 **ORED BY A COVERED AIR CARRIER.**

15 (a) IN GENERAL.—Not later than 1 year after the  
16 date of enactment of this Act, the Secretary of Transpor-  
17 tation shall promulgate regulations that require each cov-  
18 ered air carrier to promptly provide an automatic refund  
19 to a passenger of any ancillary fees paid for services that  
20 the passenger does not receive, including on the pas-  
21 senger’s scheduled flight or, if rescheduled, a subsequent  
22 replacement itinerary.

23 (b) CANCELLED FLIGHTS.—As part of the rule under  
24 subsection (a), the Secretary shall require each covered air  
25 carrier to promptly provide an automatic refund to a pas-

1 senger of any ancillary fees paid for services that the pas-  
2 senger does not receive for a flight cancelled by the pas-  
3 senger.

4 **SEC. 3111. DISCLOSURE OF FEES TO CONSUMERS.**

5 (a) IN GENERAL.—Not later than 1 year after the  
6 date of enactment of this Act, the Secretary of Transpor-  
7 tation shall issue final regulations requiring—

8 (1) each covered air carrier to disclose to a con-  
9 sumer the baggage fee, cancellation fee, change fee,  
10 ticketing fee, and seat selection fee of that covered  
11 air carrier in a standardized format; and

12 (2) notwithstanding the manner in which infor-  
13 mation regarding the fees described in paragraph  
14 (1) is collected, each ticket agent to disclose to a  
15 consumer such fees of a covered air carrier in the  
16 standardized format described in paragraph (1).

17 (b) REQUIREMENTS.—The regulations under sub-  
18 section (a) shall require that each disclosure—

19 (1) if ticketing is done on an Internet Web site  
20 or other online service—

21 (A) be prominently displayed to the con-  
22 sumer prior to the point of purchase; and

23 (B) set forth the fees described in sub-  
24 section (a)(1) in clear and plain language and  
25 a font of easily readable size; and

1           (2) if ticketing is done on the telephone, be ex-  
2           pressly stated to the consumer during the telephone  
3           call and prior to the point of purchase.

4 **SEC. 3112. SEAT ASSIGNMENTS.**

5           (a) IN GENERAL.—Not later than 15 months after  
6           the date of enactment of this Act, the Secretary of Trans-  
7           portation shall complete such actions as may be necessary  
8           to require each covered air carrier and ticket agent to dis-  
9           close to a consumer that seat selection for which a fee  
10          is charged is an optional service, and that if a consumer  
11          does not pay for a seat assignment, a seat will be assigned  
12          to the consumer from available inventory at the time the  
13          consumer checks in for the flight or prior to departure.

14          (b) REQUIREMENTS.—The disclosure under sub-  
15          section (a) shall—

16                (1) if ticketing is done on an Internet Web site  
17                or other online service, be prominently displayed to  
18                the consumer on that Internet Web site or online  
19                service during the selection of seating or prior to the  
20                point of purchase; and

21                (2) if ticketing is done on the telephone, be ex-  
22                pressly stated to the consumer during the telephone  
23                call and prior to the point of purchase.

1 **SEC. 3113. CHILD SEATING.**

2 (a) IN GENERAL.—Not later than 15 months after  
3 the date of enactment of this Act, the Secretary of Trans-  
4 portation shall complete such actions as may be necessary  
5 to require each covered air carrier and ticket agent to dis-  
6 close to a consumer that if a reservation includes a child  
7 under the age of 13 traveling with an accompanying pas-  
8 senger who is age 13 or older—

9 (1) whether adjoining seats are available at no  
10 additional cost at the time of purchase; and

11 (2) if not, what the covered air carrier’s policy  
12 is for accommodating adjoining seat requests at the  
13 time the consumer checks in for the flight or prior  
14 to departure.

15 (b) REQUIREMENTS.—The disclosure under sub-  
16 section (a) shall—

17 (1) if ticketing is done on an Internet Web site  
18 or other online service, be prominently displayed to  
19 the consumer on that Internet Web site or online  
20 service during the selection of seating or prior to the  
21 point of purchase; and

22 (2) if ticketing is done on the telephone, be ex-  
23 pressly stated to the consumer during the telephone  
24 call and prior to the point of purchase.



1 **SEC. 3114. CONSUMER COMPLAINT PROCESS IMPROVE-**  
2 **MENT.**

3 (a) IN GENERAL.—Section 42302 is amended—

4 (1) by redesignating subsections (b) and (c) as  
5 subsections (c) and (d), respectively;

6 (2) by inserting after subsection (a), the fol-  
7 lowing:

8 “(b) POINT OF SALE.—Each air carrier, foreign air  
9 carrier, and ticket agent shall inform each consumer of  
10 a carrier service, at the point of sale, that the consumer  
11 can file a complaint about that service with the carrier  
12 and with the Aviation Consumer Protection Division of the  
13 Department of Transportation.”;

14 (3) by amending subsection (c), as redesign-  
15 nated, to read as follows:

16 “(c) INTERNET WEB SITE OR OTHER ONLINE SERV-  
17 ICE NOTICE.—Each air carrier and foreign air carrier  
18 shall include on its Internet Web site, any related mobile  
19 device application, and online service—

20 “(1) the hotline telephone number established  
21 under subsection (a) or for the Aviation Consumer  
22 Protection Division of the Department of Transpor-  
23 tation;

24 “(2) an active link and the email address, tele-  
25 phone number, and mailing address of the air car-  
26 rier or foreign air carrier, as applicable, for a con-

1       sumer to submit a complaint to the carrier about the  
2       quality of service;

3               “(3) notice that the consumer can file a com-  
4       plaint with the Aviation Consumer Protection Divi-  
5       sion of the Department of Transportation;

6               “(4) an active link to the Internet Web site of  
7       the Aviation Consumer Protection Division of the  
8       Department of Transportation for a consumer to file  
9       a complaint; and

10              “(5) the active link described in paragraph (2)  
11       on the same Internet Web site page as the active  
12       link described in paragraph (4).”; and

13              (4) in subsection (d), as redesignated—

14                      (A) in the matter preceding paragraph (1),  
15                      by striking “An air carrier or foreign air carrier  
16                      providing scheduled air transportation using  
17                      any aircraft that as originally designed has a  
18                      passenger capacity of 30 or more passenger  
19                      seats” and inserting “Each air carrier and for-  
20                      eign air carrier”;

21                      (B) in paragraph (1), by striking “air car-  
22                      rier” and inserting “carrier”; and

23                      (C) in paragraph (2), by striking “air car-  
24                      rier” and inserting “carrier”.

1 (b) RULEMAKING.—Not later than 1 year after the  
2 date of enactment of this Act, the Secretary of Transpor-  
3 tation shall promulgate regulations to implement the re-  
4 quirements of section 42302 of title 49, United States  
5 Code, as amended.

6 **SEC. 3115. ONLINE ACCESS TO AVIATION CONSUMER PRO-**  
7 **TECTION INFORMATION.**

8 (a) INTERNET WEB SITE.—Not later than 180 days  
9 after the date of enactment of this Act, the Secretary of  
10 Transportation shall—

11 (1) complete an evaluation of the aviation con-  
12 sumer protection portion of the Department of  
13 Transportation’s public Internet Web site to identify  
14 any changes to the user interface that will improve  
15 usability, accessibility, consumer satisfaction, and  
16 Web site performance;

17 (2) in completing the evaluation under para-  
18 graph (1)—

19 (A) consider the best practices of other  
20 Federal agencies with effective Web sites; and

21 (B) consult with the Federal Web Man-  
22 agers Council;

23 (3) develop a plan, including an implementation  
24 timeline, for—

1 (A) making the changes identified under  
2 paragraph (1); and

3 (B) making any necessary changes to that  
4 portion of the Web site that will enable a con-  
5 sumer—

6 (i) to access information regarding  
7 each complaint filed with the Aviation Con-  
8 sumer Protection Division of the Depart-  
9 ment of Transportation;

10 (ii) to search the complaints described  
11 in clause (i) by the name of the air carrier  
12 and the type of complaint; and

13 (iii) to determine the date a complaint  
14 was filed and the date a complaint was re-  
15 solved; and

16 (4) submit the evaluation and plan to appro-  
17 priate committees of Congress.

18 (b) MOBILE APPLICATION SOFTWARE.—Not later  
19 than 1 year after the date of enactment of this Act, the  
20 Secretary of Transportation shall—

21 (1) implement a program to develop application  
22 software for wireless devices that will enable a user  
23 to access information and perform activities related  
24 to aviation consumer protection, such as—

1 (A) information regarding airline pas-  
2 senger protections, including protections related  
3 to lost baggage and baggage fees, disclosure of  
4 additional fees, bumping, and tarmac delays;  
5 and

6 (B) file an aviation consumer complaint,  
7 including a safety and security, airline service,  
8 disability and discrimination, or privacy com-  
9 plaint, with the Aviation Consumer Protection  
10 Division of the Department of Transportation;  
11 and

12 (2) make the application software available to  
13 the public at no cost.

14 **SEC. 3116. STUDY ON IN CABIN WHEELCHAIR RESTRAINT**  
15 **SYSTEMS.**

16 Not later than 2 years after the date of the enact-  
17 ment of this Act, the Architectural and Transportation  
18 Barriers Compliance Board, in consultation with the Sec-  
19 retary of Transportation, shall conduct a study to deter-  
20 mine the ways in which particular individuals with signifi-  
21 cant disabilities who use wheelchairs, including power  
22 wheelchairs, can be accommodated through in cabin wheel-  
23 chair restraint systems.

1 **SEC. 3117. TRAINING POLICIES REGARDING ASSISTANCE**  
2 **FOR PERSONS WITH DISABILITIES.**

3 (a) IN GENERAL.—Not later than 270 days after the  
4 date of enactment of this Act, the Comptroller General  
5 of the United States shall submit to Congress a report  
6 describing—

7 (1) each air carrier’s training policy for its per-  
8 sonnel and contractors regarding assistance for per-  
9 sons with disabilities, as required by Department of  
10 Transportation regulations;

11 (2) any variations among the air carriers in the  
12 policies described in paragraph (1);

13 (3) how the training policies are implemented to  
14 meet the Department of Transportation regulations;

15 (4) how frequently an air carrier must train  
16 new employees and contractors due to turnover in  
17 positions that require such training;

18 (5) how frequently, in the prior 10 years, the  
19 Department of Transportation has requested, after  
20 reviewing a training policy, that an air carrier take  
21 corrective action; and

22 (6) the action taken by an air carrier under  
23 paragraph (5).

24 (b) BEST PRACTICES.—After the date the report is  
25 submitted under subsection (a), the Secretary of Trans-  
26 portation, based on the findings of the report, shall de-

1 velop and disseminate to air carriers such best practices  
2 as the Secretary considers necessary to improve the train-  
3 ing policies.

4 **SEC. 3118. ADVISORY COMMITTEE ON THE AIR TRAVEL**  
5 **NEEDS OF PASSENGERS WITH DISABILITIES.**

6 (a) ESTABLISHMENT.—The Secretary of Transpor-  
7 tation shall establish an advisory committee for the air  
8 travel needs of passengers with disabilities (referred to in  
9 this subsection as the “Advisory Committee”).

10 (b) DUTIES.—The Advisory Committee shall advise  
11 the Secretary with regard to the implementation of the  
12 Air Carrier Access Act of 1986 (Public Law 99–435; 100  
13 Stat. 1080), including—

14 (1) assessing the disability-related access bar-  
15 riers encountered by passengers with disabilities;

16 (2) determining the extent to which the pro-  
17 grams and activities of the Department of Transpor-  
18 tation are addressing the barriers described in para-  
19 graph (1);

20 (3) recommending improvements to the air  
21 travel experience of passengers with disabilities; and

22 (4) such activities as the Secretary considers  
23 necessary to carry out this section.

24 (c) MEMBERSHIP.—

1           (1) IN GENERAL.—The Advisory Committee  
2 shall be comprised of at least 1 representative of  
3 each of the following groups:

4           (A) Passengers with disabilities.

5           (B) National disability organizations.

6           (C) Air carriers.

7           (D) Airport operators.

8           (E) Contractor service providers.

9           (2) APPOINTMENT.—The Secretary of Trans-  
10 portation shall appoint each member of the Advisory  
11 Committee.

12           (3) VACANCIES.—A vacancy in the Advisory  
13 Committee shall be filled in the manner in which the  
14 original appointment was made.

15           (d) CHAIRPERSON.—The Secretary of Transportation  
16 shall designate, from among the members appointed under  
17 subsection (c), an individual to serve as chairperson of the  
18 Advisory Committee.

19           (e) TRAVEL EXPENSES.—Members of the advisory  
20 committee shall serve without pay, but shall receive travel  
21 expenses, including per diem in lieu of subsistence, in ac-  
22 cordance with subchapter I of chapter 57 of title 5, United  
23 States Code.

24           (f) REPORTS.—



1           (1) IN GENERAL.—Not later than February 1  
2 of each year, the Advisory Committee shall submit  
3 to the Secretary of Transportation a report on the  
4 needs of passengers with disabilities in air travel, in-  
5 cluding—

6           (A) an assessment of disability-related ac-  
7 cess barriers, both those that were evident in  
8 the preceding year and those that will likely be  
9 an issue in the next 5 years;

10           (B) an evaluation of the extent to which  
11 the Department of Transportation’s programs  
12 and activities are eliminating disability-related  
13 access barriers;

14           (C) a description of the Advisory Commit-  
15 tee’s actions during the prior calendar year;

16           (D) a description of activities that the Ad-  
17 visory Committee proposed to undertake in the  
18 succeeding calendar year; and

19           (E) any recommendations for legislation,  
20 administrative action, or other action that the  
21 Advisory Committee considers appropriate.

22           (2) REPORT TO CONGRESS.—Not later than 60  
23 days after the date the Secretary receives the report  
24 under subparagraph (A), the shall submit to Con-  
25 gress a copy of the report, including any additional

1 findings or recommendations that the Secretary con-  
2 siders appropriate.

3 (g) TERMINATION.—The Advisory Committee shall  
4 terminate 2 years after the date of enactment of this Act.

5 **SEC. 3119. REPORT ON COVERED AIR CARRIER CHANGE**  
6 **AND CANCELLATION FEES.**

7 (a) IN GENERAL.—The Comptroller General of the  
8 United States shall conduct a study of existing airline in-  
9 dustry change and cancellation fees and the current indus-  
10 try practice for handling changes to or cancellation of  
11 ticketed travel on covered air carriers.

12 (b) CONSIDERATIONS.—In conducting the study, the  
13 Comptroller General shall consider, at a minimum—

14 (1) whether and how each covered air carrier  
15 calculates its change fees and cancellation fees; and

16 (2) the relationship between the cost of the  
17 ticket and the date of change or cancellation as com-  
18 pared to the date of travel.

19 (c) REPORT.—Not later than 1 year after the date  
20 of enactment of this Act, the Comptroller General shall  
21 submit to the appropriate committees of Congress a report  
22 on the study, including the Comptroller General's findings,  
23 conclusions, and recommendations.

1 **SEC. 3120. ENFORCEMENT OF AVIATION CONSUMER PRO-**  
2 **TECTION RULES.**

3 (a) IN GENERAL.—The Comptroller General of the  
4 United States shall conduct a study to consider and evalu-  
5 ate Department of Transportation enforcement of aviation  
6 consumer protection rules.

7 (b) CONTENTS.—The study under subsection (a)  
8 shall include an evaluation of—

9 (1) available enforcement mechanisms;

10 (2) any obstacles to enforcement; and

11 (3) trends in Department of Transportation en-  
12 forcement actions.

13 (c) REPORT.—Not later than 1 year after the date  
14 of enactment of this Act, the Comptroller General shall  
15 submit to the appropriate committees of Congress a report  
16 on the study, including the Comptroller General's findings,  
17 conclusions, and recommendations.

18 **SEC. 3121. DIMENSIONS FOR PASSENGER SEATS.**

19 (a) IN GENERAL.—Not later than 18 months after  
20 the date of enactment of this Act, the Secretary of Trans-  
21 portation shall initiate a proceeding to study the minimum  
22 seat pitch for passenger seats on aircraft operated by air  
23 carriers (as defined in section 40102 of title 49, United  
24 States Code).

25 (b) CONSIDERATIONS.—In reviewing any minimum  
26 seat pitch under subsection (a), the Secretary shall con-

1 sider the safety of passengers, including passengers with  
2 disabilities.

### 3 **Subtitle B—Essential Air Service**

#### 4 **SEC. 3201. ESSENTIAL AIR SERVICE.**

5 (a) AUTHORIZATION EXTENSION.—Section 41742 is  
6 amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by striking “Out of the” and in-  
10 sserting “All of the”; and

11 (ii) by striking “or otherwise” and all  
12 that follows through “year is” and insert-  
13 ing “for each of fiscal years 2016 through  
14 2017 are”;

15 (B) in paragraph (2), by striking  
16 “\$150,000,000” and all that follows though  
17 “March 31, 2016” and inserting  
18 “\$155,000,000 for each of fiscal years 2016  
19 through 2017”; and

20 (C) by striking paragraph (3);

21 (2) by striking subsection (b); and

22 (3) by redesignating subsection (c) as sub-  
23 section (b).

24 (b) DEFINITIONS.—Section 41731(a)(1)(A) is  
25 amended by striking clause (ii) and inserting the following:

1                   “(ii) was determined, on or after Oc-  
2                   tober 1, 1988, and before December 1,  
3                   2012, under this subchapter by the Sec-  
4                   retary of Transportation to be eligible to  
5                   receive subsidized small community air  
6                   service under section 41736 (a);”.

7 **SEC. 3202. SMALL COMMUNITY AIR SERVICE DEVELOP-**  
8 **MENT PROGRAM.**

9           (a) **EXTENSION OF AUTHORIZATION.**—Section  
10 41743(e)(2) is amended to read as follows:

11                   “(2) **AUTHORIZATION OF APPROPRIATIONS.**—  
12                   There is authorized to be appropriated to the Sec-  
13                   retary \$10,000,000 for each of fiscal years 2016  
14                   through 2017 to carry out this section. Such sums  
15                   shall remain available until expended.”.

16           (b) **ELIGIBILITY.**—Section 41743(c)(1) is amended  
17 to read as follows:

18                   “(1) **SIZE.**—On the date of the most recent no-  
19                   tice of order soliciting community proposals issued  
20                   by the Secretary under this section, the airport serv-  
21                   ing the community or consortium—

22                           “(A) was not larger than a small hub air-  
23                           port, as determined using the Department of  
24                           Transportation’s most recent published classi-  
25                           fication; and

1                   “(B)(i) had insufficient air carrier service;

2                   or

3                   “(ii) had unreasonably high air fares.”.

4 **SEC. 3203. SMALL COMMUNITY PROGRAM AMENDMENTS.**

5       (a) IN GENERAL.—Section 41743(c)(4) is amend-  
6 ed—

7           (1) by inserting “(B) SAME PROJECTS.—” be-  
8 fore the second sentence and indenting appro-  
9 priately;

10          (2) by inserting “(A) IN GENERAL.—” before  
11 the first sentence and indenting appropriately;

12          (3) in subparagraph (B), as designated by this  
13 subsection, by striking “No community” and insert-  
14 ing “Except as provided in subparagraph (C)”; and

15          (4) by adding at the end the following:

16               “(C) EXCEPTION.—The Secretary may  
17 waive the limitation under subparagraph (B)  
18 related to projects that are the same if the Sec-  
19 retary determines that the community or con-  
20 sortium spent little or no money on its previous  
21 project or encountered industry or environ-  
22 mental challenges, due to circumstances that  
23 were reasonably beyond the control of the com-  
24 munity or consortium.”.

1 (b) **AUTHORITY TO MAKE AGREEMENTS.**—Section  
2 41743(e)(1) is amended by adding at the end the fol-  
3 lowing: “The Secretary may amend the scope of a grant  
4 agreement at the request of the community or consortium  
5 and any participating air carrier, and may limit the scope  
6 of a grant agreement to only the elements using grant as-  
7 sistance or to only the elements achieved, if the Secretary  
8 determines that the amendment is reasonably consistent  
9 with the original purpose of the project.”.

10 **SEC. 3204. WAIVERS.**

11 Section 41732 is amended by adding at the end the  
12 following:

13 “(c) **WAIVERS.**—Notwithstanding section 41733(e),  
14 upon request by an eligible place, the Secretary may waive,  
15 in whole or in part, subsections (a) and (b) of this section  
16 or subsections (a) through (c) of section 41734. A waiver  
17 issued under this subsection shall remain in effect for a  
18 limited period of time, as determined by the Secretary.”.

19 **SEC. 3205. WORKING GROUP ON IMPROVING AIR SERVICE**  
20 **TO SMALL COMMUNITIES.**

21 (a) **IN GENERAL.**—Not later than 120 days after the  
22 date of enactment of this Act, the Secretary of Transpor-  
23 tation and the Administrator of the Federal Aviation Ad-  
24 ministration shall establish a working group—

1           (1) to identify obstacles to attracting and main-  
2           taining air transportation service to and from small  
3           communities; and

4           (2) to develop recommendations for maintaining  
5           and improving air transportation service to and from  
6           small communities.

7           (b) OUTREACH.—In carrying out the requirements  
8           under paragraphs (1) and (2) of subsection (a), the work-  
9           ing group shall consult with—

10           (1) interested Governors;

11           (2) representatives of State and local agencies,  
12           and other officials and groups, representing rural  
13           States and other rural areas;

14           (3) other representatives of relevant State and  
15           local agencies; and

16           (4) members of the public with experience in  
17           aviation safety, economic development, and related  
18           issues.

19           (c) CONSIDERATIONS.—In carrying out the require-  
20           ments under paragraphs (1) and (2) of subsection (a), the  
21           working group shall—

22           (1) consider whether funding for, and terms of,  
23           current or potential new programs is sufficient to  
24           help ensure continuation of or improvement to air  
25           transportation service to small communities, includ-



1       ing the Essential Air Service Program and the Small  
2       Community Air Service Development Program;

3           (2) identify initiatives to help support pilot  
4       training to provide air transportation service to  
5       small communities;

6           (3) consider whether Federal funding for air-  
7       ports serving small communities, including airports  
8       that have lost air transportation services or had de-  
9       creased enplanements in recent years, is adequate to  
10      ensure that small communities have access to qual-  
11      ity, affordable air transportation service;

12          (4) consider potential improvements in pilot  
13      training and any constraints affecting pilot career  
14      pathways that, if addressed, would increase both  
15      aviation safety and pilot supply;

16          (5) identify innovative State or local efforts that  
17      have established public-private partnerships that are  
18      successful in attracting and retaining air transpor-  
19      tation service in small communities; and

20          (6) consider such other issues as the Secretary  
21      and Administrator consider appropriate.

22      (d) COMPOSITION.—

23          (1) IN GENERAL.—The working group shall be  
24      facilitated through the Administrator or the Admin-  
25      istrator's designee.

1           (2) MEMBERSHIP.—Members of the working  
2           group shall be appointed by the Administrator and  
3           shall include representatives of—

4                   (A) State and local government, including  
5           State and local aviation officials;

6                   (B) State governors;

7                   (C) aviation safety experts;

8                   (D) economic development officials; and

9                   (E) the traveling public from small com-  
10          munities.

11       (e) REPORT AND RECOMMENDATIONS.—Not later  
12       than 1 year after the date of enactment of this Act, the  
13       Secretary and the Administrator shall submit to the ap-  
14       propriate committees of Congress a report, including—

15                   (1) a summary of the views expressed by the  
16       participants in the outreach under subsection (b);

17                   (2) a description of the working group’s find-  
18       ings, including the identification of any areas of gen-  
19       eral consensus among the non-Federal participants  
20       in the outreach under subsection (b); and

21                   (3) any recommendations for legislative or regu-  
22       latory action that would assist in maintaining and  
23       improving air transportation service to and from  
24       small communities.

1       **TITLE IV—NEXTGEN AND FAA**  
2                               **ORGANIZATION**

3   **SEC. 4001. DEFINITIONS.**

4       In this title:

5               (1) ADMINISTRATION.—The term “Administra-  
6       tion” means the Federal Aviation Administration.

7               (2) ADMINISTRATOR.—The term “Adminis-  
8       trator” means the Administrator of the Federal  
9       Aviation Administration.

10              (3) ADS-B.—The term “ADS-B” means auto-  
11       matic dependent surveillance-broadcast.

12              (4) ADS-B OUT.—The term “ADS-B Out”  
13       means automatic dependent surveillance-broadcast  
14       with the ability to transmit information from the  
15       aircraft to ground stations and to other equipped  
16       aircraft.

17              (5) NEXTGEN.—The term “NextGen” means  
18       the Next Generation Air Transportation System.

19       **Subtitle A—Next Generation Air**  
20                               **Transportation System**

21   **SEC. 4101. RETURN ON INVESTMENT ASSESSMENT.**

22       (a) IN GENERAL.—Not later than 1 year after the  
23       date of the enactment of this Act, the Administrator shall  
24       submit to the appropriate committees of Congress a report

1 on the Administrator's assessment of each NextGen pro-  
2 gram.

3 (b) CONTENTS.—The report under subsection (a)  
4 shall include—

5 (1) an estimate of the date that each NextGen  
6 program will have a positive return on investment;

7 (2) an assessment of the impacts of each such  
8 program for—

9 (A) the Federal Government; and

10 (B) the users of the national airspace sys-  
11 tem;

12 (3) a description of how each such program di-  
13 rectly contributes to a more safe and efficient air  
14 traffic control system; and

15 (4) the status of NextGen programs and of the  
16 projected return on investment for each such pro-  
17 gram.

18 (c) NEXTGEN PRIORITY LIST.—Based on the assess-  
19 ment under subsection (a) the Administrator shall—

20 (1) develop, in coordination with the NextGen  
21 Advisory Committee and considering the need for a  
22 balance between long-term and near-term user bene-  
23 fits, a prioritization of each NextGen program;

24 (2) include the priority list in the report under  
25 subsection (b); and



1       ration of aircraft over the oceans and other specific  
2       regions not covered by radar.

3       (b) REPORT.—Not later than 6 months after the date  
4       of the enactment of this Act, and biannually thereafter  
5       until the date that the Administrator certifies that the Ad-  
6       ministration has the capability to receive space-based  
7       ADS-B data, the Administrator shall submit to the appro-  
8       priate committees of Congress a report that—

9           (1) details the actions the Administrator has  
10       taken to ensure 2018 readiness and usage;

11          (2) details the actions that remain to be taken  
12       to implement such capability;

13          (3) includes a schedule for expected completion  
14       of each outstanding action described in paragraph  
15       (2); and

16          (4) includes a detailed description of the invest-  
17       ment decisions and requests for funding made by the  
18       Administrator that are consistent with the terrestrial  
19       ADS-B implementation to ensure a sustained pro-  
20       gram beyond 2018.

21       **SEC. 4103. NEXTGEN METRICS REPORT.**

22       Section 710(e)(2) of the Vision 100—Century of  
23       Aviation Reauthorization Act (Public Law 108–176; 49  
24       U.S.C. 40101 note) is amended—

1 (1) in subparagraph (D), by striking “; and”  
2 and inserting a semicolon;

3 (2) in subparagraph (E), by striking the period  
4 at the end and inserting “; and”; and

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

6 “(F) a description of the progress made on  
7 NextGen performance goals relative to the per-  
8 formance metrics established under section 214  
9 of the FAA Modernization and Reform Act of  
10 2012 (Public Law 112–95; 49 U.S.C. 40101  
11 note).”.

12 **SEC. 4104. FACILITY OUTAGE CONTINGENCY PLANS.**

13 (a) FINDINGS.—Congress makes the following find-  
14 ings:

15 (1) On September 26, 2014, an Administration  
16 contract employee deliberately started a fire that de-  
17 stroyed critical equipment at the Administration’s  
18 Chicago Air Route Traffic Control Center (referred  
19 to in this section as the “Chicago Center”) in Au-  
20 rora, Illinois.

21 (2) As a result of the damage, Chicago Center  
22 was unable to control air traffic for more than 2  
23 weeks, thousands of flights were delayed or cancelled  
24 into and out of O’Hare International Airport and  
25 Midway Airport in Chicago, and aviation stake-

1 holders and airlines reportedly lost over  
2 \$350,000,000.

3 (3) According to the Office of the Inspector  
4 General of the Department of Transportation, the  
5 fire at Chicago Center demonstrated that the Ad-  
6 ministration's contingency plans for the Chicago  
7 Center and the airspace it controls do not ensure re-  
8 dundancy and resiliency for sustained operations.

9 (4) Further, the Inspector General found that  
10 Chicago Center incident highlighted the limited flexi-  
11 bility and lack of resiliency in critical elements of the  
12 Administration's current air traffic control infra-  
13 structure, including limited communication capacity  
14 and the inability to easily transfer control of air-  
15 space and flight plans.

16 (b) COMPREHENSIVE CONTINGENCY PLAN.—Not  
17 later than 180 days after the date of the enactment of  
18 this Act, the Administrator shall update the Administra-  
19 tion's comprehensive contingency plan to address potential  
20 air traffic facility outages that could have a major impact  
21 on operation of the national airspace system.

22 (c) REPORT.—Not later than 60 days after the date  
23 the plan is updated under subsection (b), the Adminis-  
24 trator shall submit to the appropriate committees of Con-  
25 gress a report on the update, including any recommenda-



1 tions for ensuring air traffic facility outages do not have  
2 a major impact on operation of the national airspace sys-  
3 tem.

4 **SEC. 4105. ADS-B MANDATE ASSESSMENT.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) The Administration’s ADS-B program is ex-  
8 pected to be the centerpiece of the NextGen effort  
9 at the Administration, but the satellite-based system  
10 faces uncertainty and controversy.

11 (2) In May 2010, the Administration published  
12 a final rule that mandated airspace users be  
13 equipped with ADS-B Out avionics by January 1,  
14 2020.

15 (3) Subsequently, in April 2015, the Adminis-  
16 tration announced completion of the ADS-B ground-  
17 based radio infrastructure. However, the ADS-B  
18 program faces considerable uncertainty and unan-  
19 swered questions about whether or not the 2020  
20 mandate is still meaningful.

21 (4) In 2014, the Office of the Inspector General  
22 found that while ADS-B is providing benefits where  
23 radar is limited or nonexistent in places such as the  
24 Gulf of Mexico, the system is providing only limited

1 initial services to pilots and air traffic controllers in  
2 domestic airspace.

3 (5) The Office of the Inspector General also  
4 found, in 2014, that all elements of the system, such  
5 as avionics, the ground infrastructure, and controller  
6 automation systems, had not yet been tested in com-  
7 bination to see if the overall system can be used in  
8 congested airspace and perform as well as existing  
9 radar, much less allow aircraft to fly closer together.  
10 This is referred to as “end-to-end testing.”

11 (6) When this report was issued, commercial  
12 and general aviation stakeholders voiced serious con-  
13 cerns that equipping with new avionics for the 2020  
14 mandate will be difficult due to the cost and limited  
15 availability of avionics, and capacity of certified re-  
16 pair stations to install avionics.

17 (b) ASSESSMENT.—Not later than 1 year after the  
18 date of the enactment of this Act, the Inspector General  
19 of the Department of Transportation shall assess—

20 (1) Administration and industry readiness to  
21 meet the ADS-B mandate by 2020;

22 (2) changes to ADS-B program since May  
23 2010; and

24 (3) additional options to comply with the man-  
25 date and consequences, both for individual system

1 users and for the overall safety and efficiency of the  
2 national airspace system, for noncompliance.

3 (c) REPORT.—Not later than 60 days after the date  
4 the assessment under subsection (b) is complete, the In-  
5 spector General of the Department of Transportation shall  
6 submit to the appropriate committees of Congress a report  
7 on the progress made toward meeting the ADS-B mandate  
8 by 2020, including any recommendations of the Inspector  
9 General to carry out such mandate.

10 **SEC. 4106. NEXTGEN INTEROPERABILITY.**

11 (a) IN GENERAL.—To implement a more effective  
12 international strategy for achieving NextGen interoper-  
13 ability with foreign countries, the Administrator shall take  
14 the following actions:

15 (1) Conduct a gap analysis to identify potential  
16 risks to NextGen interoperability with other Air  
17 Navigation Service Providers and establish a sched-  
18 ule for periodically reevaluating such risks.

19 (2) Develop a plan that identifies and docu-  
20 ments actions the Administrator will undertake to  
21 mitigate such risks, using information from the gap  
22 analysis as a basis for making management deci-  
23 sions about how to allocate resources for such ac-  
24 tions.

1 (b) REPORT.—Not later than 1 year after the date  
2 of the enactment of this Act, the Administrator shall sub-  
3 mit to the appropriate committees of Congress a report  
4 on the analysis conducted under paragraph (1) of sub-  
5 section (a) and on the actions the Administrator has taken  
6 under paragraph (2) of such subsection.

7 **SEC. 4107. NEXTGEN TRANSITION MANAGEMENT.**

8 (a) IN GENERAL.—The Administrator shall—

9 (1) identify and analyze technical and oper-  
10 ational maturity gaps in NextGen transition and im-  
11 plementation plans; and

12 (2) develop a plan to mitigate the gaps identi-  
13 fied in paragraph (1).

14 (b) REPORT.—Not later than 1 year after the date  
15 of the enactment of this Act, the Administrator shall sub-  
16 mit to the appropriate committees of Congress a report  
17 on the actions taken to carry out the plan required by  
18 subsection (a)(2).

19 **SEC. 4108. IMPLEMENTATION OF NEXTGEN OPERATIONAL**  
20 **IMPROVEMENTS.**

21 (a) IN GENERAL.—To help ensure that NextGen  
22 operational improvements are fully implemented in the  
23 midterm, the Administrator shall—

24 (1) work with airlines and other users of the  
25 national airspace system (referred to in this section

1 as “NAS”) to develop and implement a system to  
2 systematically track the use of existing performance  
3 based navigation (referred to in this section as  
4 “PBN”) procedures;

5 (2) require consideration of other key oper-  
6 ational improvements in planning for NextGen im-  
7 provements, including identifying additional  
8 metroplexes for PBN projects, non-metroplex PBN  
9 procedures, as well as the identification of unused  
10 flight routes for decommissioning;

11 (3) develop and implement guidelines for ensur-  
12 ing timely inclusion of appropriate stakeholders, in-  
13 cluding airport representatives, in the planning and  
14 implementation of NextGen improvement efforts;  
15 and

16 (4) assure that NextGen planning documents  
17 provide stakeholders information on how and when  
18 operational improvements are expected to achieve  
19 NextGen goals and targets.

20 (b) REPORT.—Not later than 1 year after the date  
21 of the enactment of this Act, the Administrator shall sub-  
22 mit to the appropriate committees of Congress a report  
23 on the progress made toward implementing the require-  
24 ments of subsection (a), and on the schedule and process  
25 that will be used to implement PBN at additional airports,

1 including information on how the Administration will part-  
2 ner and coordinate with private industry to ensure expedi-  
3 tious implementation of performance based navigation.

4 **SEC. 4109. CYBERSECURITY.**

5 (a) IN GENERAL.—The Administrator shall—

6 (1) identify and implement ways to better incor-  
7 porate cybersecurity measures as a systems char-  
8 acteristic at all levels and phases of the architecture  
9 and design of air traffic control programs, including  
10 NextGen programs;

11 (2) develop a threat model that will identify  
12 vulnerabilities to better focus resources to mitigate  
13 cybersecurity risks;

14 (3) develop an appropriate plan to mitigate  
15 cybersecurity risk, to respond to an attack, intru-  
16 sion, or otherwise unauthorized access and to adapt  
17 to evolving cybersecurity threats; and

18 (4) foster a cybersecurity culture throughout  
19 the Administration, including air traffic control pro-  
20 grams and relevant contractors.

21 (b) REPORT.—Not later than 1 year after the date  
22 of the enactment of this Act, the Administrator shall sub-  
23 mit to the appropriate committees of Congress a report  
24 on the progress made toward implementing the require-  
25 ments under subsection (a).

1 **SEC. 4110. DEFINING NEXTGEN.**

2 Not later than 1 year after the date of the enactment  
3 of this Act, the Comptroller General of the United States  
4 shall—

5 (1) assess how the line items included in the  
6 Administration's NextGen budget request relate to  
7 the goals and expected outcomes of NextGen, includ-  
8 ing how NextGen programs directly contribute to a  
9 measurably safer and more efficient air traffic con-  
10 trol system; and

11 (2) submit to the appropriate committees of  
12 Congress a report on the results of the assessment  
13 under paragraph (1), including any recommenda-  
14 tions for the removal of line items that do not per-  
15 tain to the overall vision for NextGen.

16 **SEC. 4111. HUMAN FACTORS.**

17 (a) IN GENERAL.—In order to avoid having to subse-  
18 quently modify products and services developed as a part  
19 of NextGen, the Administrator shall—

20 (1) recognize and incorporate, in early design  
21 phases of all relevant NextGen programs, the human  
22 factors and procedural and airspace implications of  
23 stated goals and associated technical changes; and

24 (2) ensure that a human factors specialist, sep-  
25 arate from the research and certification groups, is  
26 directly involved with the NextGen approval process.

1 (b) REPORT.—Not later than 1 year after the date  
2 of the enactment of this Act, the Administrator shall sub-  
3 mit to the appropriate committees of Congress a report  
4 on the progress made toward implementing the require-  
5 ments under subsection (a).

6 **SEC. 4112. MAJOR ACQUISITION REPORTS.**

7 (a) IN GENERAL.—The Administrator shall evaluate  
8 the current acquisition practices of the Administration to  
9 ensure that such practices—

10 (1) identify the current estimated costs for each  
11 acquisition system, including all segments;

12 (2) separately identify cumulative amounts for  
13 acquisition costs, technical refresh, and other en-  
14 hancements in order to identify the total baselined  
15 and re-baselined costs for each system; and

16 (3) account for the way funds are being used  
17 when reporting to managers, Congress, and other  
18 stakeholders.

19 (b) REPORT.—Not later than 1 year after the date  
20 of the enactment of this Act, the Administrator shall sub-  
21 mit to the appropriate committees of Congress a report  
22 on the progress made toward implementing the require-  
23 ments under subsection (a).



1 **SEC. 4113. EQUIPAGE MANDATES.**

2 (a) IN GENERAL.—Before NextGen-related equipage  
3 mandates are imposed on users of the national airspace  
4 system, the Administrator, in collaboration with all rel-  
5 evant stakeholders, shall—

6 (1) provide a statement of estimated cost and  
7 benefits that is based upon mature and stable tech-  
8 nical specifications; and

9 (2) create a schedule for Administration  
10 deliverables and investments by both users and the  
11 Administration, including for procedure and airspace  
12 design, infrastructure deployment, and training.

13 **SEC. 4114. WORKFORCE.**

14 (a) IN GENERAL.—Not later than 1 year after the  
15 date of the enactment of this Act, the Administrator  
16 shall—

17 (1) identify and assess barriers to attracting,  
18 developing, training, and retaining a talented work-  
19 force in the areas of systems engineering, architec-  
20 ture, systems integration, digital communications,  
21 and cybersecurity;

22 (2) develop a comprehensive plan to attract, de-  
23 velop, train, and retain talented individuals; and

24 (3) identify the resources needed to attract, de-  
25 velop, and retain this talent.

1 (b) REPORT.—The Administrator shall submit to the  
2 appropriate committees of Congress a report on the  
3 progress made toward implementing the requirements  
4 under subsection (a).

5 **SEC. 4115. ARCHITECTURAL LEADERSHIP.**

6 (a) IN GENERAL.—In order to provide an adequate  
7 technical foundation for steering NextGen’s technical gov-  
8 ernance and managing inevitable changes in technology  
9 and operations, the Administrator shall—

10 (1) develop a plan that—

11 (A) uses an architecture leadership com-  
12 munity and an effective governance approach to  
13 assure a proper balance between documents and  
14 artifacts and to provide high-level guidance;

15 (B) enables effective management and  
16 communication of dependencies;

17 (C) provides flexibility and the ability to  
18 evolve to ensure accommodation of future  
19 needs; and

20 (D) communicates changing circumstances  
21 in order to align agency and airspace user ex-  
22 pectations;

23 (2) determine the feasibility of conducting a  
24 small number of experiments among the Administra-  
25 tion’s system integration partners to prototype can-

1 didate solutions for establishing and managing a vi-  
2 brant architectural community; and

3 (3) develop a method to initiate, grow, and en-  
4 gage a capable architecture community, from both  
5 within and outside of the Administration, who will  
6 expand the breadth and depth of expertise that is  
7 steering architectural changes.

8 (b) REPORT.—Not later than 1 year after the date  
9 of the enactment of this Act, the Administrator shall sub-  
10 mit to the appropriate committees of Congress a report  
11 on the progress made toward implementing the require-  
12 ments under subsection (a).

13 **SEC. 4116. PROGRAMMATIC RISK MANAGEMENT.**

14 (a) IN GENERAL.—To better inform the Administra-  
15 tion’s decisions regarding the prioritization of efforts and  
16 allocation of resources for NextGen, the Administrator  
17 shall—

18 (1) solicit input from specialists in probability  
19 and statistics to identify and prioritize the pro-  
20 grammatic and implementation risks to NextGen;  
21 and

22 (2) develop a method to manage and mitigate  
23 the risks identified in paragraph (1).

24 (b) REPORT.—Not later than 1 year after the date  
25 of the enactment of this Act, the Administrator shall sub-

1 mit to the appropriate committees of Congress a report  
2 on the progress made toward implementing the require-  
3 ments under subsection (a).

4           **Subtitle B—Administration**  
5           **Organization and Employees**

6   **SEC. 4121. COST-SAVING INITIATIVES.**

7           (a) IN GENERAL.—To ensure that Administration  
8 initiatives are being implemented in a timely and fiscally  
9 responsible manner, the Administrator shall—

10           (1) identify and implement agencywide cost-sav-  
11 ing initiatives; and

12           (2) develop appropriate schedules and metrics  
13 to measure whether the initiatives are successful in  
14 reducing costs.

15           (b) REPORT.—Not later than 1 year after the date  
16 of the enactment of this Act, the Administrator shall sub-  
17 mit to the appropriate committees of Congress a report  
18 on the progress made toward implementing the require-  
19 ments under subsection (a).

20   **SEC. 4122. TREATMENT OF ESSENTIAL EMPLOYEES DURING**  
21           **FURLOUGHS.**

22           (a) DEFINITION OF ESSENTIAL EMPLOYEE.—In this  
23 section, the term “essential employee” means an employee  
24 of the Administration who performs work involving the

1 safety of human life or the protection of property, as de-  
2 termined by the Administrator.

3 (b) IN GENERAL.—In implementing spending reduc-  
4 tions under Federal law, the Administrator may furlough  
5 1 or more employees of the Administration, except an es-  
6 sential employee, if the Administrator determines the fur-  
7 lough is necessary to achieve the required spending reduc-  
8 tions.

9 (c) TRANSFER OF BUDGETARY RESOURCES.—The  
10 Administrator may transfer budgetary resources within  
11 the Administration to carry out subsection (b), except that  
12 the transfer may only be made to maintain essential em-  
13 ployees.

14 **SEC. 4123. CONTROLLER CANDIDATE INTERVIEWS.**

15 (a) IN GENERAL.—Not later than 60 days after the  
16 date of the enactment of this Act, the Administrator shall  
17 require that an in-person interview be conducted with each  
18 individual applying for an air traffic control specialist po-  
19 sition before that individual may be hired to fill that posi-  
20 tion.

21 (b) GUIDANCE.—Not later than 30 days after the  
22 date of the enactment of this Act, the Administrator shall  
23 establish guidelines regarding the in-person interview  
24 process described in subsection (a).

1 **SEC. 4124. HIRING OF AIR TRAFFIC CONTROLLERS.**

2 Section 44506 is amended by adding at the end the  
3 following:

4 “(f) HIRING OF CERTAIN AIR TRAFFIC CONTROL  
5 SPECIALISTS.—Notwithstanding section 3307 of title 5,  
6 United States Code, the maximum limit of age for an  
7 original appointment to a position as an air traffic con-  
8 troller shall be 35 years of age for those with a minimum  
9 of 52 weeks experience after receipt of an air traffic cer-  
10 tification or air traffic control facility rating in a civilian  
11 or military air traffic control facility.”.

12 **TITLE V—MISCELLANEOUS**

13 **SEC. 5001. NATIONAL TRANSPORTATION SAFETY BOARD IN-**  
14 **VESTIGATIVE OFFICERS.**

15 Section 1113 is amended by striking subsection (h).

16 **SEC. 5002. PERFORMANCE-BASED NAVIGATION.**

17 Section 213(c) of the FAA Modernization and Re-  
18 form Act of 2012 (Public Law 112–95; 49 U.S.C. 40101  
19 note) is amended by adding at the end the following:

20 “(3) NOTIFICATIONS AND CONSULTATIONS.—

21 Not later than 90 days before applying a categorical  
22 exclusion under this subsection to a new procedure  
23 at an OEP airport, the Administrator shall—

24 “(A) notify and consult with the operator  
25 of the airport at which the procedure would be  
26 implemented; and

1           “(B) consider consultations or other en-  
2           gagement with the community in the which the  
3           airport is located to inform the public of the  
4           procedure.

5           “(4) REVIEW OF CERTAIN CATEGORICAL EX-  
6           CLUSIONS.—

7           “(A) IN GENERAL.—The Administrator  
8           shall review any decision of the Administrator  
9           made on or after February 14, 2012, and be-  
10          fore the date of the enactment of this para-  
11          graph to grant a categorical exclusion under  
12          this subsection with respect to a procedure to  
13          be implemented at an OEP airport that was a  
14          material change from procedures previously in  
15          effect at the airport to determine if the imple-  
16          mentation of the procedure had a significant ef-  
17          fect on the human environment in the commu-  
18          nity in which the airport is located if the oper-  
19          ator of that airport—

20                   “(i) requests such a review; and

21                   “(ii) demonstrates that there is good  
22                   cause to believe that the implementation of  
23                   the procedure had such an effect.

24           “(B) CONTENT OF REVIEW.—If, in con-  
25           ducting a review under subparagraph (A) with

1           respect to a procedure implemented at an OEP  
2           airport, the Administrator, in consultation with  
3           the operator of the airport, determines that im-  
4           plementing the procedure had a significant ef-  
5           fect on the human environment in the commu-  
6           nity in which the airport is located, the Admin-  
7           istrator shall—

8                   “(i) consult with the operator of the  
9                   airport to identify measures to mitigate the  
10                  effect of the procedure on the human envi-  
11                  ronment; and

12                  “(ii) in conducting such consultations,  
13                  consider the use of alternative flight paths  
14                  that do not substantially degrade the effi-  
15                  ciencies achieved by the implementation of  
16                  the procedure being reviewed.

17                  “(C) HUMAN ENVIRONMENT DEFINED.—

18           In this paragraph, the term ‘human environ-  
19           ment’ has the meaning given such term in sec-  
20           tion 1508.14 of title 40, Code of Federal Regu-  
21           lations (as in effect on the day before the date  
22           of the enactment of this paragraph).”.

23 **SEC. 5003. OVERFLIGHTS OF NATIONAL PARKS.**

24           Section 40128 is amended—



1           (1) in subsection (a)(3), by striking “the” be-  
2           fore “title 14”; and

3           (2) by amending subsection (f) to read as fol-  
4           lows:

5           “(f) TRANSPORTATION ROUTES.—

6           “(1) IN GENERAL.—This section shall not apply  
7           to any air tour operator while flying over or near  
8           any Federal land managed by the Director of the  
9           National Park Service, including Lake Mead Na-  
10          tional Recreation Area, solely as a transportation  
11          route, to conduct an air tour over the Grand Canyon  
12          National Park.

13          “(2) EN ROUTE.—For purposes of this sub-  
14          section, an air tour operator flying over the Hoover  
15          Dam in the Lake Mead National Recreation Area en  
16          route to the Grand Canyon National Park shall be  
17          deemed to be flying solely as a transportation  
18          route.”.

19   **SEC. 5004. NAVIGABLE AIRSPACE ANALYSIS FOR COMMER-**  
20                           **CIAL SPACE LAUNCH SITE RUNWAYS.**

21          (a) IN GENERAL.—Section 44718(b)(1) is amended—

22                  (1) by striking “air navigation facilities and  
23                  equipment” and inserting “air or space navigation  
24                  facilities and equipment”;

1           (2) in subparagraph (D), by striking “; and”  
2           and inserting a semicolon;

3           (3) in subparagraph (E), by striking the period  
4           at the end and inserting “; and”; and

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

6                   “(F) the impact on launch and reentry for  
7           launch and reentry vehicles arriving or depart-  
8           ing from a launch site or reentry site licensed  
9           by the Secretary.”.

10          (b) RULEMAKING.—Not later than 18 months after  
11 the date of enactment of this Act, the Administrator of  
12 the Federal Aviation Administration shall initiate a rule-  
13 making to implement the amendments made by subsection  
14 (a).

15 **SEC. 5005. SURVEY AND REPORT ON SPACEPORT DEVELOP-**  
16 **MENT.**

17          Not later than 1 year after the date of enactment  
18 of this Act, the Comptroller General of the United States  
19 shall submit to the appropriate committees of Congress  
20 a report on the existing system of spaceports licensed by  
21 the Federal Aviation Administration that includes rec-  
22 ommendations regarding—

23           (1) the extent to which, and the manner in  
24           which, the Federal Government could participate in

1 the construction, improvement, development, or  
2 maintenance of such spaceports; and

3 (2) potential funding sources.

4 **SEC. 5006. AVIATION FUEL.**

5 (a) USE OF UNLEADED AVIATION GASOLINE.—The  
6 Administrator of the Federal Aviation Administration  
7 shall allow the use of an unleaded aviation gasoline in an  
8 aircraft as a replacement for a leaded gasoline if the Ad-  
9 ministrator—

10 (1) determines that the unleaded aviation gaso-  
11 line qualifies as a replacement for an approved lead-  
12 ed gasoline;

13 (2) identifies the aircraft and engines that are  
14 eligible to use the qualified replacement unleaded  
15 gasoline; and

16 (3) adopts a process (other than the traditional  
17 means of certification) to allow eligible aircraft and  
18 engines to operate using qualified replacement un-  
19 leaded gasoline in a manner that ensures safety.

20 (b) TIMING.—The Administrator shall adopt the  
21 process described in subsection (a)(3) not later than 180  
22 days after the later of—

23 (1) the date on which the Administration com-  
24 pletes the Piston Aviation Fuels Initiative; or

1           (2) the date on which the American Society for  
2       Testing and Materials publishes a production speci-  
3       fication for an unleaded aviation gasoline.

4       **SEC. 5007. COMPREHENSIVE AVIATION PREPAREDNESS**  
5                               **PLAN.**

6       (a) **IN GENERAL.**—No later than 1 year after the  
7       date of enactment of this Act, the Secretary of Transpor-  
8       tation and the Secretary of Health and Human Services,  
9       in coordination with the Secretary of Homeland Security,  
10      the Secretary of Labor, the Secretary of State, the Sec-  
11      retary of Defense, and representatives of other Federal de-  
12      partments and agencies, as necessary, shall develop a com-  
13      prehensive national aviation communicable disease pre-  
14      paredness plan.

15      (b) **MINIMUM COMPONENTS.**—The plan developed  
16      under subsection (a) shall—

17           (1) be developed in consultation with other rel-  
18      evant stakeholders, including State, local, tribal, and  
19      territorial governments, air carriers, first respond-  
20      ers, and the general public;

21           (2) provide for the development of a commu-  
22      nications system or protocols for providing com-  
23      prehensive, appropriate, and up to date information  
24      regarding communicable disease threats and pre-  
25      paredness between all relevant stakeholders;

1           (3) document the roles and responsibilities of  
2 relevant Federal department and agencies, including  
3 coordination requirements;

4           (4) provide guidance to air carriers, airports,  
5 and other appropriate aviation stakeholders on how  
6 to develop comprehensive communicable disease pre-  
7 paredness plans for their respective organizations, in  
8 accordance with the plan to be developed under sub-  
9 section (a);

10          (5) be scalable and adaptable so that the plan  
11 can be used to address the full range of commu-  
12 nicable disease threats and incidents;

13          (6) provide information on communicable  
14 threats and response training resources for all rel-  
15 evant stakeholders, including Federal, State, local,  
16 tribal, and territorial government employees, airport  
17 officials, aviation industry employees and contrac-  
18 tors, first responders, and health officials;

19          (7) develop protocols for the dissemination of  
20 comprehensive, up to date, and appropriate informa-  
21 tion to the traveling public concerning communicable  
22 disease threats and preparedness;

23          (8) be updated periodically to incorporate les-  
24 sons learned with supplemental information; and

1           (9) be provided in writing, electronically, and  
2           accessible via the Internet.

3           (c) INTERAGENCY FRAMEWORK.—The plan devel-  
4           oped under subsection (a) shall—

5           (1) be conducted under the existing interagency  
6           framework for national level all hazards emergency  
7           preparedness planning or another appropriate frame-  
8           work; and

9           (2) be consistent with the obligations of the  
10          United States under international agreements.

11 **SEC. 5008. ADVANCED MATERIALS CENTER OF EXCEL-**  
12 **LENCE.**

13          (a) IN GENERAL.—Chapter 445 is amended by add-  
14          ing at the end the following:

15 **“§ 44518. Advanced Materials Center of Excellence**

16          “(a) IN GENERAL.—The Administrator of the Fed-  
17          eral Aviation Administration shall develop an Advanced  
18          Materials Center of Excellence (referred to in this section  
19          as the ‘Center’), which shall focus on applied research and  
20          training on the durability and maintainability of advanced  
21          materials in transport airframe structures.

22          “(b) RESPONSIBILITIES.—The Center shall—

23                  “(1) promote and facilitate collaboration among  
24                  academia, the Transportation Division of the Fed-  
25                  eral Aviation Administration, and the commercial

1 aircraft industry, including manufacturers, commer-  
2 cial air carriers, and suppliers; and

3 “(2) establish goals set to advance technology,  
4 improve engineering practices, and facilitate con-  
5 tinuing education in relevant areas of study.

6 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
7 is authorized to be appropriated to the Administrator  
8 \$500,000 for each of the fiscal years 2016 to 2017 to  
9 carry out this section.”.

10 (b) TABLE OF CONTENTS.—The table of contents for  
11 chapter 445 is amended by adding at the end the fol-  
12 lowing:

“44518. Advanced Materials Center of Excellence.”.

13 **SEC. 5009. INTERFERENCE WITH AIRLINE EMPLOYEES.**

14 (a) IN GENERAL.—Not later than 1 year after the  
15 date of enactment of this Act, the Comptroller General  
16 of the United States shall—

17 (1) complete a study of crimes of violence (as  
18 defined in section 16 of title 18, United States  
19 Code) committed against airline customer service  
20 representatives while they are performing their du-  
21 ties and on airport property; and

22 (2) submit the findings of the study, including  
23 any recommendations, to Congress.

24 (b) GAP ANALYSIS.—The study shall include a gap  
25 analysis to determine if State and local laws and resources

1 are adequate to deter or otherwise address the crimes of  
2 violence described in subsection (a) and recommendations  
3 on how to address any identified gaps.

4 **SEC. 5010. TECHNICAL AND CONFORMING AMENDMENTS.**

5 (a) AIRPORT CAPACITY ENHANCEMENT PROJECTS  
6 AT CONGESTED AIRPORTS.—Section 40104(c) is amended  
7 by striking “47176” and inserting “47175”.

8 (b) CONSULTATION ON CARRIER RESPONSE NOT  
9 COVERED BY PLAN.—Section 41313(c)(16) is amended by  
10 striking “the foreign air carrier will consult” and inserting  
11 “will consult”.

12 (c) WEIGHING MAIL.—Section 41907 is amended by  
13 striking “and –administrative” and inserting “and admin-  
14 istrative”.

15 (d) FLIGHT ATTENDANT CERTIFICATION.—Section  
16 44728 is amended—

17 (1) in subsection (e), by striking “chapter” and  
18 inserting “title”; and

19 (2) in subsection (d)(3), by striking “is” and  
20 inserting “be”.

21 (e) SCHEDULE OF FEES.—Section 45301(a)(1) is  
22 amended by striking “United States government” and in-  
23 serting “United States Government”.



1 (f) CLASSIFIED EVIDENCE.—Section 46111(g)(2)(A)  
2 is amended by striking “(18 U.S.C. App.)” and inserting  
3 “(18 U.S.C. App.)”.

4 (g) ALLOWABLE COST STANDARDS.—Section  
5 47110(b)(2) is amended—

6 (1) in subparagraph (B), by striking  
7 “compatability” and inserting “compatibility”; and

8 (2) in subparagraph (D)(i), by striking “cli-  
9 mactic” and inserting “climatic”.

10 (h) DEFINITION OF QUALIFIED HUBZONE SMALL  
11 BUSINESS CONCERN.—Section 47113(a)(3) is amended  
12 by striking “(15 U.S.C. 632(o))” and inserting “(15  
13 U.S.C. 632(p))”.

14 (i) DISCRETIONARY FUND.—Section 47115 is  
15 amended—

16 (1) by striking subsection (i); and

17 (2) by redesignating subsection (j) as sub-  
18 section (i).

19 (j) SPECIAL APPORTIONMENT CATEGORIES.—Section  
20 47117(e)(1)(B) is amended by striking “at least” and in-  
21 serting “At least”.

22 (k) SOLICITATION AND CONSIDERATION OF COM-  
23 MENTS.—Section 47171(l) is amended by striking “4371”  
24 and inserting “4321”.

1           (l) OPERATIONS AND MAINTENANCE.—Section  
2 48104 is amended by striking “(a) AUTHORIZATION OF  
3 APPROPRIATIONS.—the” and inserting “The”.

4           (m) EXPENDITURES FROM AIRPORT AND AIRWAY  
5 TRUST FUND.—Section 9502(d)(2) of the Internal Rev-  
6 enue Code of 1986 is amended by striking “farms” and  
7 inserting “farms)”.