

AMENDMENT TO H.R. 4
OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Page 8, strike lines 19 through 22 and insert the following:

1 (b) AUTHORIZED EXPENDITURES.—Section
2 48101(c) of title 49, United States Code, is amended—

3 (1) in the subsection heading by striking “Auto-
4 mated Surface Observation System/Automated
5 Weather Observing System Upgrade” and inserting
6 “Authorized Expenditures”; and

7 (2) by striking “may be used for the implemen-
8 tation” and all that follows through the period at
9 the end and inserting the following: “may be used
10 for the following:

11 “(1) The implementation and use of upgrades
12 to the current automated surface observation sys-
13 tem/automated weather observing system, if the up-
14 grade is successfully demonstrated.

15 “(2) The acquisition and construction of remote
16 air traffic control towers (as defined in section 510
17 of the FAA Reauthorization Act of 2018).

1 “(3) The remediation and elimination of identi-
2 fied cybersecurity vulnerabilities in the air traffic
3 control system.

4 “(4) The construction of facilities dedicated to
5 improving the cybersecurity of the National Airspace
6 System.

7 “(5) Systems associated with the Data Commu-
8 nications program.

9 “(6) The infrastructure, sustainment, and the
10 elimination of the deferred maintenance backlog of
11 air navigation facilities and other facilities for which
12 the Federal Aviation Administration is responsible.

13 “(7) The modernization and digitization of the
14 Civil Aviation Registry.

15 “(8) The construction of necessary Priority 1
16 National Airspace System facilities.

17 “(9) Cost-beneficial construction, rehabilitation,
18 or retrofitting programs designed to reduce Federal
19 Aviation Administration facility operating costs.”.

Page 8, line 13, strike “\$2,920,000,000” and insert
“\$3,330,000,000”.

Page 8, line 14, strike “\$2,984,000,000” and insert
“\$3,398,000,000”.

Page 8, line 15, strike “\$3,049,000,000” and insert “\$3,469,000,000”.

Page 8, line 16, strike “\$3,118,000,000” and insert “\$3,547,000,000”.

Page 8, line 17, strike “\$3,190,000,000” and insert “\$3,624,000,000”.

Page 8, line 18, strike “\$3,263,000,000” and insert “\$3,701,000,000”.

Page 9, line 5, strike “\$10,231,000,000” and insert “\$10,247,000,000”.

Page 9, line 6, strike “\$10,434,000,000” and insert “\$10,486,000,000”.

Page 9, line 7, strike “\$10,639,000,000” and insert “\$10,732,000,000”.

Page 9, line 8, strike “\$10,861,000,000” and insert “\$11,000,000,000”.

Page 9, line 10, strike “\$11,095,000,000” and insert “\$11,269,000,000”.

Page 9, line 12, strike “\$11,329,000,000” and insert “\$11,537,000,000”.

Page 9, after line 13, insert the following:

1 (b) AUTHORIZED EXPENDITURES.—Section
2 106(k)(2) of title 49, United States Code, is amended by
3 adding at the end the following:

4 “(D) Not more than the following amounts
5 for commercial space transportation activities:

6 “(i) \$22,587,000 for fiscal year 2018.

7 “(ii) \$33,038,000 for fiscal year 2019.

8 “(iii) \$43,500,000 for fiscal year
9 2020.

10 “(iv) \$54,970,000 for fiscal year
11 2021.

12 “(v) \$64,449,000 for fiscal year 2022.

13 “(vi) \$75,938,000 for fiscal year
14 2023.”.

Page 9, line 14, strike “(b)” and insert “(e)”.

At the end of subtitle C of title I, add the following:

15 **SEC. 1____. SUPPLEMENTAL DISCRETIONARY FUNDS.**

16 Section 47115 of title 49, United States Code, is fur-
17 ther amended by adding at the end the following:

18 “(j) SUPPLEMENTAL DISCRETIONARY FUNDS.—

19 “(1) IN GENERAL.—The Secretary shall estab-
20 lish a program to provide grants, subject to the con-
21 ditions of this subsection, for any purpose for which
22 amounts are made available under section 48103

1 that the Secretary considers most appropriate to
2 carry out this subchapter.

3 “(2) TREATMENT OF GRANTS.—

4 “(A) IN GENERAL.—A grant made under
5 this subsection shall be treated as having been
6 made pursuant to the Secretary’s authority
7 under section 47104(a) and from the Sec-
8 retary’s discretionary fund under subsection (a)
9 of this section.

10 “(B) EXCEPTION.—Except as otherwise
11 provided in this subsection, grants made under
12 this subsection shall not be subject to sub-
13 section (c), section 47117(e), or any other ap-
14 portionment formula, special apportionment
15 category, or minimum percentage set forth in
16 this chapter.

17 “(3) ELIGIBILITY.—The Secretary may provide
18 grants under this subsection only for projects—

19 “(A) at a nonprimary airport that—

20 “(i) is classified as a regional, local,
21 or basic airport, as determined using the
22 Department of Transportation’s most re-
23 cently published classification; and

1 “(ii) is not located within a Metropoli-
2 tan Statistical Area (as defined by the Of-
3 fice of Management and Budget);

4 “(B) at a nonhub, small hub, or medium
5 hub airport; or

6 “(C) at an airport receiving an exemption
7 under section 47134.

8 “(4) FEDERAL SHARE.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), the Government’s share of
11 allowable project costs under this subsection is
12 80 percent.

13 “(B) SUBMISSION.—In applying for a
14 grant under this subsection, an airport sponsor
15 that proposes a lower Government share of al-
16 lowable project costs than the share specified in
17 subparagraph (A) shall receive priority com-
18 mensurate with the reduction in such share.
19 Projects shall receive equal priority consider-
20 ation if such project—

21 “(i) has a proposed Government cost
22 share of 50 percent or less; or

23 “(ii) is at an airport receiving an ex-
24 emption under section 47134.

25 “(5) AUTHORIZATION.—

1 “(A) IN GENERAL.—There is authorized to
2 be appropriated to the Secretary to carry out
3 this subsection the following amounts:

4 “(i) \$1,020,000,000 for fiscal year
5 2019.

6 “(ii) \$1,041,000,000 for fiscal year
7 2020.

8 “(iii) \$1,064,000,000 for fiscal year
9 2021.

10 “(iv) \$1,087,000,000 for fiscal year
11 2022.

12 “(v) \$1,110,000,000 for fiscal year
13 2023.

14 “(B) AVAILABILITY.—Sums authorized to
15 be appropriated under subparagraph (A) shall
16 remain available for 2 fiscal years.”.

17 **SEC. 1___ . SAFETY EQUIPMENT.**

18 Section 47102(3)(B)(ii) of title 49, United States
19 Code, is amended by striking “and emergency call boxes,”
20 and inserting “emergency call boxes, and counter-UAS
21 systems (as defined in section 40102),”.

Page 100, strike line 17 and all that follows through
page 103, line 19.

Page 112, strike lines 10 through 12.

At the end of subtitle A of title III, add the following:

1 **SEC. 3___ . FAA AND NTSB REVIEW OF GENERAL AVIATION**

2 **SAFETY.**

3 (a) **STUDY REQUIRED.**—Not later than 30 days after
4 the date of enactment of this Act, the Administrator of
5 the Federal Aviation Administration, in coordination with
6 the Chairman of the National Transportation Safety
7 Board, shall initiate a study of general aviation safety.

8 (b) **STUDY CONTENTS.**—The study required under
9 subsection (a) shall include—

10 (1) a review of all general aviation accidents
11 since 2000, including a review of—

12 (A) the number of such accidents;

13 (B) the number of injuries and fatalities,
14 including with respect to both occupants of air-
15 craft and individuals on the ground, as a result
16 of such accidents;

17 (C) the number of such accidents inves-
18 tigated by the National Transportation Safety
19 Board;

20 (D) the number of such accidents inves-
21 tigated by the Federal Aviation Administration;
22 and

1 (E) a summary of the factual findings and
2 probable cause determinations with respect to
3 such accidents;

4 (2) an assessment of the most common prob-
5 able cause determinations issued for general aviation
6 accidents since 2000;

7 (3) an assessment of the most common facts
8 analyzed by the Federal Aviation Administration and
9 the National Transportation Safety Board in the
10 course of investigations of general aviation accidents
11 since 2000, including operational details;

12 (4) a review of the safety recommendations of
13 the National Transportation Safety Board related to
14 general aviation accidents since 2000;

15 (5) an assessment of the responses of the Fed-
16 eral Aviation Administration and the general avia-
17 tion community to the safety recommendations of
18 the National Transportation Safety Board related to
19 general aviation accidents since 2000;

20 (6) an assessment of the most common general
21 aviation safety issues;

22 (7) a review of the total costs to the Federal
23 Government to conduct investigations of general
24 aviation accidents over the last 10 years; and

1 (8) other matters the Administrator or the
2 Chairman considers appropriate.

3 (c) RECOMMENDATIONS AND ACTIONS TO ADDRESS
4 GENERAL AVIATION SAFETY.—Based on the results of the
5 study required under subsection (a), the Administrator, in
6 consultation with the Chairman, shall make such rec-
7 ommendations, including with respect to regulations and
8 enforcement activities, as the Administrator considers nec-
9 essary to—

10 (1) address general aviation safety issues identi-
11 fied under the study;

12 (2) protect persons and property on the ground;
13 and

14 (3) improve the safety of general aviation oper-
15 ators in the United States.

16 (d) AUTHORITY.—Notwithstanding any other provi-
17 sion of law, the Administrator shall have the authority to
18 undertake actions to address the recommendations made
19 under subsection (c).

20 (e) REPORT.—Not later than 1 year after the date
21 of enactment of this Act, the Administrator shall submit
22 to the Committee on Transportation and Infrastructure
23 of the House of Representatives and the Committee on
24 Commerce, Science, and Transportation of the Senate a
25 report on the results of the study required under sub-

1 section (a), including the recommendations described in
2 subsection (c).

3 (f) GENERAL AVIATION DEFINED.—In this section,
4 the term “general aviation” means aircraft operation for
5 personal, recreational, or other noncommercial purposes.

6 **SEC. 3 ____. CALL TO ACTION AIRLINE ENGINE SAFETY RE-**
7 **VIEW.**

8 (a) CALL TO ACTION AIRLINE ENGINE SAFETY RE-
9 VIEW.—Not later than 90 days after the date of enact-
10 ment of this Act, the Administrator of the Federal Avia-
11 tion Administration shall initiate a Call to Action safety
12 review on airline engine safety in order to bring stake-
13 holders together to share best practices and implement ac-
14 tions to address airline engine safety.

15 (b) CONTENTS.—The Call to Action safety review re-
16 quired pursuant to subsection (a) shall include—

17 (1) a review of Administration regulations,
18 guidance, and directives related to airline engines
19 during design and production, including the over-
20 sight of those processes;

21 (2) a review of Administration regulations,
22 guidance, and directives related to airline engine op-
23 eration and maintenance and the oversight of those
24 processes;

1 **“§ 44737. Special rule for certain aircraft operations**

2 “(a) IN GENERAL.—The operator of an aircraft with
3 a special airworthiness certificate in the experimental cat-
4 egory may—

5 “(1) operate the aircraft for the purpose of con-
6 ducting a commercial space transportation support
7 flight; and

8 “(2) conduct such flight under such certificate
9 carrying persons or property for compensation or
10 hire notwithstanding any rule or term of a certificate
11 issued by the Administrator of the Federal Aviation
12 Administration that would prohibit flight for com-
13 pensation or hire.

14 “(b) LIMITED APPLICABILITY.—Subsection (a) shall
15 apply only to a commercial space transportation support
16 flight that satisfies each of the following:

17 “(1) The aircraft conducting the commercial
18 space transportation support flight—

19 “(A) takes flight and lands at a single site
20 that is licensed for operation under chapter 509
21 of title 51; and

22 “(B) is used only to simulate space flight
23 conditions in support of—

24 “(i) training for potential space flight
25 participants or crew (as those terms are
26 defined in chapter 509 of title 51); or

1 “(ii) the testing of hardware to be
2 used in space flight.

3 “(2) The operator of the commercial space
4 transportation support flight—

5 “(A) informs, in writing, any individual
6 serving as crew of the aircraft that the United
7 States Government has not certified the aircraft
8 as safe for carrying crew or passengers prior to
9 executing any contract or other arrangement to
10 employ that individual (or, in the case of an in-
11 dividual already employed as of the date of en-
12 actment of this section, prior to any commercial
13 space transportation support flight in which the
14 individual will participate as crew);

15 “(B) prior to receiving any compensation
16 for carrying any passengers on the aircraft—

17 “(i) informs, in writing, the pas-
18 sengers about the risks of the aircraft and
19 commercial space transportation support
20 flight, including the safety record for the
21 operator’s fleet of similar vehicle types and
22 information sufficient to adequately de-
23 scribe the safety record for the vehicle type
24 regardless of operator; and

1 “(ii) informs, in writing, any pas-
2 senger that the United States Government
3 has not certified the aircraft as safe for
4 carrying crew or passengers;

5 “(C) provides any passenger an oppor-
6 tunity to ask questions orally to acquire a bet-
7 ter understanding of the safety record of the
8 aircraft and commercial space transportation
9 support flight; and

10 “(D) obtains written informed consent
11 from any individual serving as crew and all pas-
12 sengers of the commercial space transportation
13 support flight that—

14 “(i) identifies the specific aircraft the
15 consent covers;

16 “(ii) states that the individual under-
17 stands the risk and that the presence of
18 the individual on board the aircraft is vol-
19 untary; and

20 “(iii) is signed and dated by the indi-
21 vidual.

22 “(3) When the aircraft is also a launch vehicle,
23 reentry vehicle, or component of a launch or reentry
24 vehicle, the operator of the aircraft holds a license

1 or permit issued under chapter 509 of title 51 for
2 that vehicle or vehicle component.

3 “(4) Any other requirements that the Adminis-
4 trator may prescribe to permit a commercial space
5 transportation support flight under this section.

6 “(c) RULES OF CONSTRUCTION.—

7 “(1) Section 44711(a)(1) shall not apply to a
8 person conducting a commercial space transpor-
9 tation support flight under this section only to the
10 extent that a term of the experimental certificate
11 under which the person is operating the aircraft pro-
12 hibits the carriage of persons or property for com-
13 pensation or hire.

14 “(2) Nothing in this section shall be construed
15 to limit the authority of the Administrator to exempt
16 a person from a regulatory prohibition on the car-
17 riage of persons or property for compensation or
18 hire subject to terms and conditions other than
19 those described in this section.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 447 of title 49, United States Code, as amended by
22 this Act, is further amended by adding at the end the fol-
23 lowing:

“44737. Special rule for certain aircraft operations.”.

At the end of subtitle B of title III, add the following:

1 **SEC. 3___ . DEFINITIONS.**

2 Section 40102(a) of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(48) ‘counter-UAS system’ means a system or
5 device capable of lawfully and safely disabling, dis-
6 rupting, or seizing control of an unmanned aircraft
7 or unmanned aircraft system.

8 “(49) ‘public unmanned aircraft system’ means
9 an unmanned aircraft system that meets the quali-
10 fications and conditions required for operation of a
11 public aircraft.

12 “(50) ‘small unmanned aircraft’ means an un-
13 manned aircraft weighing less than 55 pounds, in-
14 cluding everything that is on board or otherwise at-
15 tached to the aircraft.

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

19 “(52) ‘unmanned aircraft system’ means an un-
20 manned aircraft and associated elements (including
21 communication links and the components that con-
22 trol the unmanned aircraft) that are required for the

1 pilot in command to operate safely and efficiently in
2 the national airspace system.

3 “(53) ‘UTM’ means an unmanned aircraft traf-
4 fic management system or service.”.

Page 176, strike line 9 (and redesignate accord-
ingly).

Page 176, after line 12, insert the following:

5 (3) 3 representatives, to be appointed by the
6 Secretary, to represent the various segments of the
7 air ambulance industry.

At the end of subtitle A of title IV, insert the fol-
lowing:

8 **SEC. 4 ____ . ENHANCED TRAINING OF FLIGHT ATTENDANTS.**

9 Section 44734(a) of title 49, United States Code, is
10 amended—

11 (1) in paragraph (3) by striking “and” at the
12 end;

13 (2) in paragraph (4) by striking the period at
14 the end and inserting “; and”; and

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

16 “(5) dealing with allegations of sexual mis-
17 conduct.”.

1 **SEC. 4___.** **ADDRESSING SEXUAL MISCONDUCT ON**
2 **FLIGHTS.**

3 (a) **ESTABLISHMENT OF WORKING GROUP.**—The
4 Secretary of Transportation shall establish a sexual mis-
5 conduct incident working group composed of aviation in-
6 dustry stakeholders, relevant Federal agencies, national
7 organizations that specialize in providing services to vic-
8 tims of sexual misconduct, labor organizations that rep-
9 resent relevant aviation employees, and State and local law
10 enforcement agencies.

11 (b) **PURPOSE OF WORKING GROUP.**—The purpose of
12 the working group shall be to develop best practices for—

- 13 (1) addressing sexual misconduct on flights;
14 (2) airline employee training; and
15 (3) protocols for law enforcement notification.

16 (c) **REPORT.**—Not later than 1 year after the date
17 of enactment of this Act, the working group shall submit
18 a report describing the best practices developed pursuant
19 to subsection (b) to the Secretary, the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives, and the Committee on Commerce, Science,
22 and Transportation of the Senate.

23 (d) **SUNSET.**—The working group established pursu-
24 ant to subsection (a) shall terminate 60 days after the
25 submission of the report pursuant to subsection (c).

At the end of subtitle B of title IV, insert the following:

1 **SEC. 4 ____ . AIRLINE PASSENGERS WITH DISABILITIES BILL**
2 **OF RIGHTS.**

3 (a) IN GENERAL.—Chapter 423 of title 49, United
4 States Code, as amended by this Act, is further amended
5 by adding at the end the following:

6 **“§ 42305. Airline Passengers With Disabilities Bill of**
7 **Rights**

8 “(a) IN GENERAL.—The Secretary of Transportation
9 shall develop a document, to be known as the ‘Airline Pas-
10 sengers With Disabilities Bill of Rights’, that describes in
11 plain language—

12 “(1) the basic responsibilities of covered car-
13 riers, including their employees and contractors,
14 under section 41705; and

15 “(2) the protections of air passengers with dis-
16 abilities under section 41705.

17 “(b) CONTENT.—In developing the Bill of Rights, the
18 Secretary shall include, at a minimum, plain language de-
19 scriptions of responsibilities and protections provided in
20 law related to—

21 “(1) the right of passengers with disabilities to
22 be treated with dignity and respect;

1 “(2) the right of passengers with disabilities to
2 receive timely assistance, if requested, from properly
3 trained personnel of covered carriers and their con-
4 tractors;

5 “(3) the right of passengers with disabilities to
6 travel with and stow wheelchairs, mobility aids, and
7 other assistive devices, including necessary medica-
8 tions and medical supplies;

9 “(4) the right of passengers with disabilities to
10 receive seating accommodations, if requested, to ac-
11 commodate a disability;

12 “(5) the right of passengers with disabilities to
13 speak with a complaint resolution officer or to file
14 a complaint with a covered carrier or the Depart-
15 ment of Transportation; and

16 “(6) the right of passengers with disabilities to
17 communications in an accessible format as required
18 under Federal regulations.

19 “(c) **RULE OF CONSTRUCTION.**—The development of
20 the Bill of Rights may not be construed as expanding or
21 restricting the rights available to passengers with disabil-
22 ities on the day before the date of enactment of this sec-
23 tion pursuant to any statute or regulation.

24 “(d) **CONSULTATIONS.**—In developing the Bill of
25 Rights, the Secretary shall consult with appropriate stake-

1 holders, including disability organizations and covered car-
2 riers.

3 “(e) DISPLAY.—Each covered carrier shall include
4 the Bill of Rights—

5 “(1) on a publicly available internet website of
6 the covered carrier; and

7 “(2) in any pre-flight notification or commu-
8 nication provided to a passenger who alerts the cov-
9 ered carrier in advance of the need for accommoda-
10 tions relating to a disability.

11 “(f) TRAINING.—Covered carriers shall submit to the
12 Secretary plans to ensure that their employees and con-
13 tractors receive training on the responsibilities and protec-
14 tions described in the Bill of Rights. The Secretary shall
15 review such plans to ensure the plans address the matters
16 described in subsection (b).

17 “(g) DEFINITIONS.—In this section, the following
18 definitions apply:

19 “(1) BILL OF RIGHTS.—The term ‘Bill of
20 Rights’ means the ‘Airline Passengers With Disabil-
21 ities Bill of Rights’ developed under subsection (a).

22 “(2) COVERED CARRIER.—The term ‘covered
23 carrier’ means an air carrier or foreign air carrier,
24 as those terms are defined in section 40102(a).”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 423 of title 49, United States Code, as amended by
3 this Act, is further amended by adding at the end the fol-
4 lowing:

“42305. Airline Passengers With Disabilities Bill of Rights.”.

5 **SEC. 4 ____ . CIVIL PENALTIES RELATING TO HARM TO PAS-**
6 **SENGERS WITH DISABILITIES.**

7 Section 46301(a) of title 49, United States Code, is
8 further amended by adding at the end the following:

9 “(7) PENALTIES RELATING TO HARM TO PAS-
10 SENGENS WITH DISABILITIES.—

11 “(A) PENALTY FOR BODILY HARM OR DAMAGE
12 TO WHEELCHAIR OR OTHER MOBILITY AID.—The
13 amount of a civil penalty assessed under this section
14 for a violation of section 41705 may be increased
15 above the otherwise applicable maximum amount
16 under this section to an amount not to exceed 3
17 times the maximum civil penalty otherwise allowed if
18 the violation involves—

19 “(i) injury to a passenger with a disability;

20 or

21 “(ii) damage to the passenger’s wheelchair
22 or other mobility aid.

23 “(B) SEPARATE OFFENCES.—Notwithstanding
24 paragraph (2), a separate violation of section 41705

1 occurs for each act of discrimination prohibited by
2 that section.”.

3 **SEC. 4 ____ . HARMONIZATION OF SERVICE ANIMAL STAND-**
4 **ARDS.**

5 (a) RULEMAKING.—The Secretary of Transportation
6 shall conduct a rulemaking proceeding—

7 (1) to define the term “service animal” for pur-
8 poses of air transportation; and

9 (2) to develop minimum standards for what is
10 required for service and emotional support animals
11 carried in aircraft cabins.

12 (b) CONSIDERATIONS.—In conducting the rule-
13 making under subsection (a), the Secretary shall consider,
14 at a minimum—

15 (1) whether to align the definition of “service
16 animal” with the definition of that term in regula-
17 tions of the Department of Justice implementing the
18 Americans with Disabilities Act of 1990 (Public Law
19 101–336);

20 (2) reasonable measures to ensure pets are not
21 claimed as service animals, such as—

22 (A) whether to require photo identification
23 for a service animal identifying the type of ani-
24 mal, the breed of animal, and the service the
25 animal provides to the passenger;

1 (B) whether to require documentation indi-
2 cating whether or not a service animal was
3 trained by the owner or an approved training
4 organization;

5 (C) whether to require, from a licensed
6 physician, documentation indicating the miti-
7 gating task or tasks a service animal provides
8 to its owner; and

9 (D) whether to allow a passenger to be ac-
10 companied by more than 1 service animal;

11 (3) reasonable measures to ensure the safety of
12 all passengers, such as—

13 (A) whether to require health and vaccina-
14 tion records for a service animal; and

15 (B) whether to require third-party proof of
16 behavioral training for a service animal;

17 (4) the impact additional requirements on serv-
18 ice animals could have on access to air transpor-
19 tation for passengers with disabilities; and

20 (5) if impacts on access to air transportation
21 for passengers with disabilities are found, ways to
22 eliminate or mitigate those impacts.

23 (c) FINAL RULE.—Not later than 18 months after
24 the date of enactment of this Act, the Secretary shall issue

1 a final rule pursuant to the rulemaking conducted under
2 this section.

Page 188, strike lines 1 through 15.

Page 188, beginning on line 21, strike “inserting” and all that follows through the period at the end and insert “inserting ‘\$155,000,000 for fiscal year 2018, \$158,000,000 for fiscal year 2019, \$161,000,000 for fiscal year 2020, \$165,000,000 for fiscal year 2021, \$168,000,000 for fiscal year 2022, and \$172,000,000 for fiscal year 2023’.”.

Page 197, line 3, strike “Section” and insert the following:

3 (a) PURPOSE AND INPUT.—Section

Page 197, after line 17, insert the following:

4 (b) MILITARY OPERATIONS EXCLUSION.—Section
5 804 of the FAA Modernization and Reform Act of 2012
6 (49 U.S.C. 44501 note) is amended—

7 (1) by redesignating subsection (e) as sub-
8 section (f); and

9 (2) by inserting after subsection (d) the fol-
10 lowing:

11 “(e) MILITARY OPERATIONS EXCLUSION.—

1 “(1) IN GENERAL.—The Administrator may not
2 realign or consolidate a combined TRACON and
3 tower with radar facility of the FAA under this sec-
4 tion if, in 2015, the total annual military operations
5 at the facility comprised at least 40 percent of the
6 total annual TRACON operations at the facility.

7 “(2) TRACON DEFINED.—In this subsection,
8 the term ‘TRACON’ means terminal radar approach
9 control.”.

Page 230, strike lines 12 and 13 and insert the fol-
lowing: “United States Code, is amended by striking
‘and’ and all that follows through ‘administrative’ and in-
serting ‘and administrative’.”.

Page 243, line 20, strike “(48)” and insert “(54)”.

Page 244, line 6, strike “44737” and insert
“44738”.

Page 244, in the matter following line 18, strike
“44737” and insert “44738”.

At the end of title V, add the following:

10 **SEC. 5___ . FAA EMPLOYEES IN GUAM.**

11 (a) IN GENERAL.—The Secretary of Transportation
12 shall enter into an agreement with the Secretary of De-
13 fense—

1 (1) to allow Federal Aviation Administration
2 employees assigned to Guam, their spouses, and
3 their dependent children access to Department of
4 Defense hospitals located in Guam on a space avail-
5 able basis; and

6 (2) to provide for payments by the Federal
7 Aviation Administration to the Department of De-
8 fense for the administrative costs associated with—

9 (A) enrolling Federal Aviation Administra-
10 tion employees assigned to Guam, their spouses,
11 and their dependent children in any Depart-
12 ment of Defense system necessary to allow ac-
13 cess pursuant to paragraph (1); and

14 (B) billing an insurance company for any
15 medical costs incurred as a result of Federal
16 Aviation Administration employees, their
17 spouses, or their dependent children accessing
18 and receiving medical treatment or services at
19 a Department of Defense hospital located in
20 Guam.

21 (b) FUNDS SUBJECT TO APPROPRIATIONS.—Funds
22 for payments by the Federal Aviation Administration de-
23 scribed in subsection (a)(2) are subject to the availability
24 of amounts specifically provided in advance for that pur-
25 pose in appropriations Acts.

1 **SEC. 5___ . CLARIFICATION OF REQUIREMENTS FOR LIVING**
2 **HISTORY FLIGHTS.**

3 (a) IN GENERAL.—Notwithstanding any other law or
4 regulation, in administering sections 61.113(c), 91.9,
5 91.315, 91.319(a)(1), 91.319(a)(2), 119.5(g), and
6 119.21(a) of title 14, Code of Federal Regulations (or any
7 successor regulations), the Administrator of the Federal
8 Aviation Administration shall allow an aircraft owner or
9 operator to accept monetary or in-kind donations for a
10 flight operated by a living history flight experience pro-
11 vider, if the aircraft owner or operator has—

12 (1) volunteered to provide such transportation;

13 and

14 (2) notified any individual that will be on the
15 flight, at the time of inquiry about the flight, that
16 the flight operation is for charitable purposes and is
17 not subject to the same requirements as a commer-
18 cial flight.

19 (b) CONDITIONS TO ENSURE PUBLIC SAFETY.—The
20 Administrator, consistent with current standards of the
21 Administration for such operations, shall impose minimum
22 standards with respect to training and flight hours for op-
23 erations conducted by an owner or operator of an aircraft
24 providing living history flight experience operations, in-
25 cluding mandating that the pilot in command of such air-
26 craft hold a commercial pilot certificate with instrument

1 rating and be current and qualified with respect to all rat-
2 ings or authorizations applicable to the specific aircraft
3 being flown to ensure the safety of flight operations de-
4 scribed in subsection (a).

5 (c) LIVING HISTORY FLIGHT EXPERIENCE PRO-
6 VIDER DEFINED.—In this section, the term “living history
7 flight experience provider” means an aircraft owner, air-
8 craft operator, or organization that provides, arranges, or
9 otherwise fosters living history flight experiences for the
10 purpose of fulfilling its mission.

11 **SEC. 5___ . FAA ORGANIZATIONAL REFORM.**

12 (a) AEROSPACE MANAGEMENT ADVISORY COUN-
13 CIL.—

14 (1) IN GENERAL.—Section 106(p) of title 49,
15 United States Code, is amended to read as follows:

16 “(p) AEROSPACE MANAGEMENT ADVISORY COUN-
17 CIL.—

18 “(1) IN GENERAL.—Not later than 60 days
19 after the date of enactment of the FAA Reauthoriza-
20 tion Act of 2018, the Secretary shall establish an
21 Aerospace Management Advisory Council (in this
22 section referred to as the ‘Advisory Council’).

23 “(2) FUNCTIONS.—The Advisory Council—

1 “(A) shall recommend to the Secretary
2 candidates to serve as the Chief Operating Offi-
3 cer;

4 “(B) shall provide advice to the Secretary
5 and the Chief Operating Officer on issues that
6 affect or are affected by the operation of the air
7 traffic control system and the provision of air
8 navigation services;

9 “(C) shall function as the primary advisory
10 resource for management, policy, spending, and
11 regulatory matters under the jurisdiction of the
12 Chief Operating Officer; and

13 “(D) may review and issue recommenda-
14 tions on—

15 “(i) the rulemaking and procurement
16 benefit-cost analysis process;

17 “(ii) any rulemaking or procurement
18 benefit-cost analysis associated with the air
19 traffic control system as the Advisory
20 Council, the Secretary, or the Chief Oper-
21 ating Officer may decide;

22 “(iii) the process by which the Admin-
23 istration determines whether to use advi-
24 sory circulars and service bulletins; and

1 “(iv) the performance of the Chief
2 Operating Officer with respect to the re-
3 sponsibilities of the Chief Operating Offi-
4 cer.

5 “(3) MEMBERSHIP.—

6 “(A) IN GENERAL.—The Advisory Council
7 shall consist of 13 members, who shall consist
8 of—

9 “(i) a designee of the Secretary of
10 Transportation;

11 “(ii) a designee of the Secretary of
12 Defense;

13 “(iii) 1 member appointed by the Sec-
14 retary of Transportation from among the
15 individuals who are the national officers of
16 the exclusive bargaining representative, as
17 certified under section 7111 of title 5, of
18 air traffic controllers; and

19 “(iv) 10 members appointed by the
20 Secretary of Transportation to represent
21 the interests of the aviation industry, in-
22 cluding—

23 “(I) passenger air carriers;

24 “(II) cargo air carriers;

25 “(III) regional air carriers;

1 “(IV) general aviation;
2 “(V) airports;
3 “(VI) commercial pilots; and
4 “(VII) new entrants to the aero-
5 space industry.

6 “(B) CHAIR; VICE CHAIR.—The Advisory
7 Council shall elect a chair and a vice chair from
8 among the members appointed under subpara-
9 graph (A)(iv), each of whom shall serve for a
10 term of 1 year. The vice chair shall perform the
11 duties of the chair in the absence of the chair.

12 “(C) QUALIFICATIONS.—No officer or em-
13 ployee of the United States Government may be
14 appointed to the Advisory Council under sub-
15 paragraph (A)(iv).

16 “(D) TERMS.—

17 “(i) SECRETARIAL DESIGNEES.—The
18 members of the Advisory Council des-
19 ignated under subparagraphs (A)(i) and
20 (A)(ii) shall serve at the pleasure of the
21 Secretary that appointed the member.

22 “(ii) AIR TRAFFIC CONTROL SYSTEM
23 MEMBER.—The member of the Advisory
24 Council appointed under subparagraph
25 (A)(iii) shall serve for a term of 4 years,

1 except that the term of such individual
2 shall end whenever the individual no longer
3 meets the requirements of such subpara-
4 graph.

5 “(iii) INDUSTRY MEMBERS.—Except
6 as provided in clause (iv) of this subpara-
7 graph, the term of each member of the Ad-
8 visory Council appointed under subpara-
9 graph (A)(iv) shall serve for a term of 4
10 years.

11 “(iv) STAGGERING OF INITIAL
12 TERMS.—Upon establishment of the Advi-
13 sory Council, the Secretary shall stagger
14 the initial terms of the members appointed
15 under subparagraph (A)(iv) to promote the
16 stability of the Advisory Council.

17 “(v) VACANCIES.—Any vacancy on the
18 Advisory Council shall be filled in the same
19 manner as the original appointment or des-
20 ignation. Any member appointed to fill a
21 vacancy occurring before the expiration of
22 the term for which the member’s prede-
23 cessor was appointed shall be appointed for
24 the remainder of that term.

25 “(vi) TERM LIMITS.—

1 “(I) IN GENERAL.—No member
2 appointed to the Advisory Council
3 under subparagraph (A)(iii) or (A)(iv)
4 may serve more than 1 consecutive
5 term.

6 “(II) PARTIAL TERMS.—A partial
7 term for which a member is appointed
8 under the conditions described in
9 clause (v) shall not be considered a
10 term for purposes of subclause (I) of
11 this clause.

12 “(III) REMOVAL BY SECRETARY
13 OF TRANSPORTATION.—Except as
14 provided in subclause (IV), any mem-
15 ber of the Advisory Council may be
16 removed for cause by the Secretary of
17 Transportation.

18 “(IV) REMOVAL BY SECRETARY
19 OF DEFENSE.—Only the Secretary of
20 Defense may remove the individual
21 designated under subparagraph
22 (A)(ii).

23 “(E) MEETINGS.—The Advisory Council
24 shall meet—

1 “(i) at a minimum, on a quarterly
2 basis;

3 “(ii) in-person at least twice a year;
4 and

5 “(iii) upon the call of the chair or the
6 Secretary.

7 “(4) ADMINISTRATIVE MATTERS.—

8 “(A) APPLICATION OF FEDERAL ADVISORY
9 COMMITTEE ACT.—The Federal Advisory Com-
10 mittee Act (5 U.S.C. App.) does not apply to
11 the Advisory Council or such aviation rule-
12 making committees as the Secretary or Admin-
13 istrator shall designate.

14 “(B) ACCESS TO DOCUMENTS AND
15 STAFF.—The Secretary and the Administrator
16 shall provide to the Advisory Council appro-
17 priate access to relevant documents and per-
18 sonnel of the Administration. The Secretary
19 and the Administrator shall make available,
20 consistent with the authority to withhold com-
21 mercial and other proprietary information
22 under section 552 of title 5, cost data associ-
23 ated with the acquisition and operation of air
24 traffic service systems. Any member of the Ad-
25 visory Council who receives commercial or other

1 proprietary data from the Secretary or the Ad-
2 ministrator shall be subject to the provisions of
3 section 1905 of title 18, pertaining to unauthor-
4 ized disclosure of such information.

5 “(C) TRAVEL AND PER DIEM.—Each mem-
6 ber of the Advisory Council shall be paid actual
7 travel expenses, and per diem in lieu of subsist-
8 ence expenses when away from his or her usual
9 place of residence, in accordance with section
10 5703 of title 5.

11 “(D) DETAIL OF PERSONNEL FROM THE
12 ADMINISTRATION.—The Administrator shall
13 make available to the Advisory Council such
14 staff, information, and administrative services
15 and assistance as may reasonably be required to
16 enable the Council to carry out its responsibil-
17 ities under this subsection.”.

18 (2) TERMINATION OF MANAGEMENT ADVISORY
19 COUNCIL AND AIR TRAFFIC SERVICES COMMITTEE.—
20 The Management Advisory Council and the Air
21 Traffic Services Committee referred to in section
22 106(p) of title 49, United States Code (as in effect
23 on the day before the date of enactment of this Act)
24 shall terminate on the date of enactment of this Act.

1 (3) REGULATION REFORM.—Section 106(p) of
2 title 49, United States Code, as amended by this
3 section, is further amended in paragraph (4)(A) by
4 inserting “or aerospace” after “aviation”.

5 (b) CHIEF OPERATING OFFICER.—Section 106(r) of
6 title 49, United States Code, is amended—

7 (1) in paragraph (1)—

8 (A) by striking subparagraphs (A) and (B)
9 and inserting the following:

10 “(A) HIRING.—There shall be a Chief Op-
11 erating Officer for the air traffic control system
12 to be appointed by the Secretary, after con-
13 sultation with the Aerospace Management Advi-
14 sory Council. The Chief Operating Officer shall
15 report directly to the Secretary and shall be
16 subject to the authority of the Secretary.

17 “(B) MINIMUM QUALIFICATIONS.—The
18 Chief Operating Officer shall have—

19 “(i) at least 10 years of demonstrated
20 ability in organizational leadership of a
21 large private-sector organization; and

22 “(ii) knowledge of or experience in
23 aviation.”; and

1 (B) in subparagraph (D) by striking “Ad-
2 ministrator” each place it appears and inserting
3 “Secretary”;

4 (2) in paragraph (2)—

5 (A) in subparagraph (A) by striking “Ad-
6 ministrator” and inserting “Secretary”; and

7 (B) in subparagraph (B) by striking “Ad-
8 ministrator’s” and inserting “Secretary’s”;

9 (3) in paragraph (3) by striking “The Adminis-
10 trator and the Chief Operating Officer, in consulta-
11 tion with the Air Traffic Services Committee,” and
12 inserting “The Secretary and the Chief Operating
13 Officer, in consultation with the Aerospace Manage-
14 ment Advisory Council,”; and

15 (4) in paragraph (5) by striking “Adminis-
16 trator” each place it appears and inserting “Sec-
17 retary”.

18 (c) CHIEF TECHNOLOGY OFFICER.—

19 (1) IN GENERAL.—Section 106(s) of title 49,
20 United States Code, is amended to read as follows:
21 “(s) CHIEF TECHNOLOGY OFFICER.—

22 “(1) IN GENERAL.—

23 “(A) APPOINTMENT.—There shall be a
24 Chief Technology Officer appointed by the
25 Chief Operating Officer, with the approval of

1 the Secretary. The Chief Technology Officer
2 shall report directly to the Chief Operating Of-
3 ficer and shall be subject to the authority of the
4 Chief Operating Officer.

5 “(B) MINIMUM QUALIFICATIONS.—The
6 Chief Technology Officer shall have—

7 “(i) at least 10 years experience in en-
8 gineering management or another relevant
9 technical management field; and

10 “(ii) knowledge of or experience in the
11 aviation industry.

12 “(C) REMOVAL.—The Chief Technology
13 Officer shall serve at the pleasure of the Chief
14 Operating Officer.

15 “(D) RESTRICTION.—The Chief Tech-
16 nology Officer may not also be the Deputy Ad-
17 ministrator.

18 “(2) RESPONSIBILITIES.—The responsibilities
19 of the Chief Technology Officer shall include—

20 “(A) ensuring the proper operation, main-
21 tenance, and cybersecurity of technology sys-
22 tems relating to the air traffic control system
23 across all program offices of the Administra-
24 tion;

1 “(B) coordinating the implementation, op-
2 eration, maintenance, and cybersecurity of tech-
3 nology programs relating to the air traffic con-
4 trol system with the aerospace industry and
5 other Federal agencies;

6 “(C) reviewing and providing advice to the
7 Secretary, the Administrator, and the Chief Op-
8 erating Officer on the Administration’s budget,
9 cost accounting system, and benefit-cost anal-
10 yses with respect to technology programs relat-
11 ing to the air traffic control system;

12 “(D) consulting with the Administrator on
13 the Capital Investment Plan of the Administra-
14 tion prior to its submission to Congress;

15 “(E) developing an annual air traffic con-
16 trol system technology operation and mainte-
17 nance plan that is consistent with the annual
18 performance targets established under para-
19 graph (4); and

20 “(F) ensuring that the air traffic control
21 system architecture remains, to the maximum
22 extent practicable, flexible enough to incor-
23 porate future technological advances developed
24 and directly procured by aircraft operators.

25 “(3) COMPENSATION.—

1 “(A) IN GENERAL.—The Chief Technology
2 Officer shall be paid at an annual rate of basic
3 pay to be determined by the Secretary, in con-
4 sultation with the Chief Operating Officer. The
5 annual rate may not exceed the annual com-
6 pensation paid under section 102 of title 3. The
7 Chief Technology Officer shall be subject to the
8 postemployment provisions of section 207 of
9 title 18 as if the position of Chief Technology
10 Officer were described in section
11 207(c)(2)(A)(i) of that title.

12 “(B) BONUS.—In addition to the annual
13 rate of basic pay authorized by subparagraph
14 (A), the Chief Technology Officer may receive a
15 bonus for any calendar year not to exceed 30
16 percent of the annual rate of basic pay, based
17 upon the Secretary’s evaluation of the Chief
18 Technology Officer’s performance in relation to
19 the performance targets established under para-
20 graph (4).

21 “(4) ANNUAL PERFORMANCE TARGETS.—

22 “(A) IN GENERAL.—The Secretary and the
23 Chief Operating Officer, in consultation with
24 the Chief Technology Officer and the Aerospace
25 Management Advisory Council, shall establish

1 measurable annual performance targets for the
2 Chief Technology Officer in key operational
3 areas.

4 “(B) REPORT.—The Secretary shall trans-
5 mit to the Committee on Transportation and
6 Infrastructure of the House of Representatives
7 and the Committee on Commerce, Science, and
8 Transportation of the Senate a report describ-
9 ing the annual performance targets established
10 under subparagraph (A). Such report shall in-
11 clude any recommended targets submitted to
12 the Secretary and the Chief Operating Officer
13 by the Aerospace Management Advisory Council
14 or the Chief Technology Officer.

15 “(5) ANNUAL PERFORMANCE REPORT.—The
16 Chief Technology Officer shall prepare and transmit
17 to the Secretary of Transportation, the Committee
18 on Transportation and Infrastructure of the House
19 of Representatives, and the Committee on Com-
20 merce, Science, and Transportation of the Senate an
21 annual report containing—

22 “(A) detailed descriptions and metrics of
23 how successful the Chief Technology Officer
24 was in meeting the annual performance targets
25 established under paragraph (4); and

1 “(B) other information as may be re-
2 quested by the Secretary and the Chief Oper-
3 ating Officer.”.

4 (2) CONFORMING AMENDMENTS.—

5 (A) Section 709(a)(3)(L) of the Vision
6 100–Century of Aviation Reauthorization Act
7 (49 U.S.C. 40101 note) is amended by striking
8 “Chief NextGen Officer” and inserting “Chief
9 Technology Officer”.

10 (B) Section 804(a)(4)(A) of the FAA Mod-
11 ernization and Reform Act of 2012 (49 U.S.C.
12 44501 note) is amended by striking “Chief
13 NextGen Officer” and inserting “Chief Tech-
14 nology Officer”.

15 **SEC. 5 ____ . INTRA-AGENCY COORDINATION.**

16 Not later than 120 days after the date of enactment
17 of this Act, the Secretary of Transportation shall direct
18 the Administrator of the Federal Aviation Administration
19 and the Chief Operating Officer of the Air Traffic Organi-
20 zation to implement policies that—

21 (1) designate the Associate Administrator for
22 Commercial Space Transportation as the primary li-
23 aison between the commercial space transportation
24 industry and the Administration;

1 (2) recognize the necessity of, and set forth
2 processes for, launch license and permit holder co-
3 ordination with the Air Traffic Organization on mat-
4 ters including—

5 (A) the use of air navigation facilities;

6 (B) airspace safety; and

7 (C) planning of commercial space launch
8 and launch support activities;

9 (3) designate a single point of contact within
10 the Air Traffic Organization who is responsible
11 for—

12 (A) maintaining letters of agreement be-
13 tween a launch license or permit holder and a
14 Federal Aviation Administration facility;

15 (B) making such letters of agreement
16 available to the Associate Administrator for
17 Commercial Space Transportation;

18 (C) ensuring that a facility that has en-
19 tered into such a letter of agreement is aware
20 of and fulfills its responsibilities under the let-
21 ter; and

22 (D) liaising between the Air Traffic Orga-
23 nization and the Associate Administrator for
24 Commercial Space Transportation on any mat-
25 ter relating to such a letter of agreement; and

1 (4) require the Associate Administrator for
2 Commercial Space Transportation to facilitate, upon
3 the request of a launch license or permit holder—

4 (A) coordination between a launch license
5 and permit holder and the Air Traffic Organi-
6 zation; and

7 (B) the negotiation of letters of agreement
8 between a launch license or permit holder and
9 a Federal Aviation Administration facility or
10 the Air Traffic Organization.

11 **SEC. 5___ . FAA CIVIL AVIATION REGISTRY UPGRADE.**

12 (a) **IN GENERAL.**—Not later than 3 years after the
13 date of enactment of this Act, the Administrator of the
14 Federal Aviation Administration shall complete covered
15 upgrades of the Administration’s Civil Aviation Registry
16 (in this section referred to as the “Registry”).

17 (b) **COVERED UPGRADE DEFINED.**—In this section,
18 the term “covered upgrades” means—

19 (1) the digitization of nondigital Registry infor-
20 mation, including paper documents, microfilm im-
21 ages, and photographs, from an analog or nondigital
22 format to a digital format;

23 (2) the digitalization of Registry manual and
24 paper-based processes, business operations, and

1 functions by leveraging digital technologies and a
2 broader use of digitized data;

3 (3) the implementation of systems allowing a
4 member of the public to submit any information or
5 form to the Registry and conduct any transaction
6 with the Registry by electronic or other remote
7 means; and

8 (4) allowing more efficient, broader, and remote
9 access to the Registry.

10 (c) APPLICABILITY.—The requirements of subsection
11 (a) shall apply to the entire Civil Aviation Registry, includ-
12 ing the Aircraft Registration Branch and the Airmen Cer-
13 tification Branch.

14 (d) MANUAL SURCHARGE.—Chapter 453 of title 49,
15 United States Code, is amended by adding at the end the
16 following:

17 **“§ 45306. Manual surcharge**

18 “(a) IN GENERAL.—Not later 6 months after the
19 date of enactment of the FAA Reauthorization Act of
20 2018, the Administrator shall impose and collect a sur-
21 charge on a Civil Aviation Registry transaction that—

22 “(1) is conducted in person at the Civil Avia-
23 tion Registry;

1 “(2) could be conducted, as determined by the
2 Administrator, with the same or greater level of effi-
3 ciency by electronic or other remote means; and

4 “(3) is not related to research or other non-
5 commercial activities.

6 “(b) MAXIMUM SURCHARGE.—A surcharge imposed
7 and collected under subsection (a) shall not exceed twice
8 the maximum fee the Administrator is authorized to
9 charge for the registration of an aircraft, not used to pro-
10 vide air transportation, after the transfer of ownership
11 under section 45302(b)(2).

12 “(c) CREDIT TO ACCOUNT AND AVAILABILITY.—
13 Monies collected from a surcharge imposed under sub-
14 section (a) shall be treated as monies collected under sec-
15 tion 45302 and subject to the terms and conditions set
16 forth in section 45302(d).”.

17 “(e) REPORT.—Not later than 1 year after date of en-
18 actment of this Act, and annually thereafter until the cov-
19 ered upgrades required under subsection (a) are complete,
20 the Administrator shall submit a report to the Committee
21 on Transportation and Infrastructure of the House of
22 Representatives, and the Committee on Commerce,
23 Science, and Transportation of the Senate describing—

24 (1) the schedule for the covered upgrades to the
25 Registry;

1 (2) the office responsible for the implementa-
2 tion of the such covered upgrades;

3 (3) the metrics being used to measure progress
4 in implementing the covered upgrades; and

5 (4) the status of the covered upgrades as of the
6 date of the report.

7 **SEC. 5___ . REGULATORY STREAMLINING.**

8 Not later than 1 year after the date of enactment
9 of this Act, the Administrator of the Federal Aviation Ad-
10 ministration shall issue a final regulation revising section
11 121.333(c)(3) of title 14, Code of Federal Regulations, to
12 apply only to flight altitudes above flight level 410.

13 **SEC. 5___ . ADMINISTRATIVE SERVICES FRANCHISE FUND.**

14 (a) IN GENERAL.—Not later than 30 days after the
15 date of enactment of this section, the inspector general
16 of the Department of Transportation shall initiate an
17 audit of the Administrative Services Franchise Fund of
18 the FAA (in this section referred to as the “Franchise
19 Fund”).

20 (b) CONSIDERATIONS.—In conducting the audit pur-
21 suant to subsection (a), the inspector general shall—

22 (1) review the history, intended purpose, and
23 objectives of the Franchise Fund;

1 (2) describe and assess each program, service,
2 or activity that uses the Franchise Fund, includ-
3 ing—

4 (A) the agencies or government bodies that
5 use each program, service, or activity;

6 (B) the number of employees, including
7 full-time equivalents and contractors, associated
8 with each program, service, or activity;

9 (C) the costs associated with the employees
10 described in subparagraph (B) and the extent
11 to which such costs are covered by Federal ap-
12 propriations or Franchise Fund revenue;

13 (D) the revenue, expenses, and profits or
14 losses associated with each program, service, or
15 activity;

16 (E) overhead rates associated with each
17 program, service, or activity; and

18 (F) a breakdown of the revenue collected
19 from services provided to the FAA, Department
20 of Transportation, other Federal entities, and
21 non-Federal entities;

22 (3) assess the FAA's governance and oversight
23 of the Franchise Fund and the programs, service,
24 and activities that use the Franchise Fund, includ-

1 House of Representatives and the Committee on Com-
2 merce, Science, and Transportation of the Senate a report
3 describing the multiyear effort of the Administration to
4 modernize the air transportation system (in this section
5 referred to as the “modernization effort”), including—

6 (1) the number of years that the modernization
7 effort has been underway as of the date of the re-
8 port;

9 (2) the total amount of money expended on the
10 modernization effort as of the date of the report (in-
11 cluding a description of how that amount was cal-
12 culated);

13 (3) the net present value of the benefits re-
14 ported from aircraft operators resulting from the
15 money expended on the modernization effort as of
16 the date of the report;

17 (4) a definition for the Next Generation Air
18 Transportation System (in this section referred to as
19 “NextGen”), including a description of any changes
20 to that definition that occurred between 2003 and
21 the date of the report;

22 (5) the net present value of the money ex-
23 pended on NextGen as of the date of the report if
24 such money had been deposited into a Government
25 trust fund instead of being expended on NextGen;

1 (6) a description of the benefits promised and
2 benefits delivered with respect to NextGen as of the
3 date of the report;

4 (7) any changes to the benefits promised with
5 respect to NextGen between the date on which
6 NextGen began and the date of the report;

7 (8) a description of each program or project
8 that comprises NextGen, including—

9 (A) when the program or project was initi-
10 ated;

11 (B) the total budget for the program or
12 project;

13 (C) the initial budget for the program or
14 project;

15 (D) the acquisition program baseline for
16 the program or project;

17 (E) whether the program or project has
18 ever breached the acquisition program baseline
19 and, if so, a description of when, why, and how
20 the breach was resolved;

21 (F) whether the program or project has
22 been re-baselined or divided into smaller seg-
23 ments and, if so, a description of when, why,
24 and the impact to the cost of the program or
25 project;

1 (G) the initial schedule for the program or
2 project;

3 (H) whether the program or project was
4 delayed and, if so, a description of how long,
5 why, and the impact to the cost of the program
6 or project;

7 (I) whether the Administration changed
8 any contract term or deliverable for the pro-
9 gram or project and, if so, a description of the
10 change, why it happened, and the impact to the
11 cost of the program or project;

12 (J) benefits promised with respect to the
13 program or project at initiation;

14 (K) benefits delivered with respect to the
15 program or project as of the date of the report;

16 (L) whether the program or project was
17 cancelled and, if so, a description of why and
18 when;

19 (M) for cancelled programs or projects,
20 whether there were any costs associated with
21 the decision to cancel and, if so, a description
22 of the amount of the costs (including for both
23 the Administration and the private sector);

24 (N) the metrics, milestones, and deadlines
25 set for the program or project and how the Ad-

1 ministration tracked and ensured compliance
2 with those metrics, milestones, and deadlines;

3 (O) how the Administration conducted
4 oversight of the program or project and any re-
5 lated stakeholder collaboration efforts; and

6 (P) the status of the program or project as
7 of the date of the report;

8 (9) the date upon which, or milestone by which,
9 the Administration anticipates NextGen will be com-
10 plete; and

11 (10) any lessons learned during the NextGen
12 effort, and whether, how, and to what effect those
13 lessons have been applied.

14 (b) INSPECTOR GENERAL REPORT.—Not later than
15 270 days after the date on which the report required
16 under subsection (a) is submitted, the inspector general
17 of the Department of Transportation shall review the re-
18 port and submit to the Committee on Transportation and
19 Infrastructure of the House of Representatives and the
20 Committee on Commerce, Science, and Transportation of
21 the Senate a statement of the inspector general that—

22 (1) determines the accuracy of the information
23 reported;

24 (2) describes any concerns with the accuracy of
25 the information reported;

1 (3) summarizes concerns raised by the inspector
2 general, the Government Accountability Office, and
3 other sources with respect to the Administration's
4 implementation and oversight of NextGen since the
5 date on which NextGen began;

6 (4) describes—

7 (A) any pertinent recommendations made
8 by the inspector general related to the Adminis-
9 tration's implementation and oversight of
10 NextGen since the date on which NextGen
11 began; and

12 (B) whether and how the Administration
13 addressed the recommendations; and

14 (5) provides any other information that the in-
15 specter general determines is appropriate.

16 **SEC. 5___ . AUTOMATIC DEPENDENT SURVEILLANCE-**
17 **BROADCAST.**

18 Section 211(b) of the FAA Modernization and Re-
19 form Act (49 U.S.C. 40101 note) is repealed. The Admin-
20 istrator of the Federal Aviation Administration shall en-
21 sure that any regulation issued pursuant to such sub-
22 section has no force or effect.

1 **SEC. 5 ____ . YOUTH ACCESS TO AMERICAN JOBS IN AVIA-**
2 **TION TASK FORCE.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall establish a Youth
6 Access to American Jobs in Aviation Task Force (in this
7 section referred to as the “Task Force”).

8 (b) DUTIES.—Not later than 12 months after its es-
9 tablishment under subsection (a), the Task Force shall de-
10 velop and submit to the Administrator recommendations
11 and strategies for the Administration to—

12 (1) facilitate and encourage high school stu-
13 dents in the United States, beginning in their junior
14 year, to enroll in and complete career and technical
15 education courses, including STEM, that would pre-
16 pare them to enroll in a course of study related to
17 an aviation career at an institution of higher edu-
18 cation, including a community college or trade
19 school;

20 (2) facilitate and encourage the students de-
21 scribed in paragraph (1) to enroll in a course of
22 study related to an aviation career, including avia-
23 tion manufacturing, engineering and maintenance,
24 at an institution of higher education, including a
25 community college or trade school; and

1 (3) identify and develop pathways for students
2 who complete a course of study described in para-
3 graph (2) to secure registered apprenticeships, work-
4 force development programs, or careers in the avia-
5 tion industry of the United States.

6 (c) CONSIDERATIONS.—When developing rec-
7 ommendations and strategies under subsection (b), the
8 Task Force shall—

9 (1) identify industry trends that encourage or
10 discourage youth in the United States from pursuing
11 careers in aviation;

12 (2) consider how the Administration; air car-
13 riers; aircraft, powerplant, and avionics manufactur-
14 ers; aircraft repair stations; and other aviation
15 stakeholders can coordinate efforts to support youth
16 in pursuing careers in aviation;

17 (3) identify methods of enhancing aviation ap-
18 prenticeships, job skills training, mentorship, edu-
19 cation, and outreach programs that are exclusive to
20 youth in the United States; and

21 (4) identify potential sources of government and
22 private sector funding, including grants and scholar-
23 ships, that may be used to carry out the rec-
24 ommendations and strategies described in subsection

1 (b) and to support youth in pursuing careers in avia-
2 tion.

3 (d) REPORT.—Not later than 30 days after submis-
4 sion of the recommendations and strategies under sub-
5 section (b), the Task Force shall submit to the Committee
6 on Transportation and Infrastructure in the House of
7 Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a report out-
9 lining such recommendations and strategies.

10 (e) COMPOSITION OF TASK FORCE.—The Adminis-
11 trator shall appoint members of the Task Force, including
12 representatives from the following:

13 (1) Air carriers.

14 (2) Aircraft, powerplant, and avionics manufac-
15 turers.

16 (3) Aircraft repair stations.

17 (4) Local educational agencies or high schools.

18 (5) Institutions of higher education, including
19 community colleges and aviation trade schools.

20 (6) Such other aviation and educational stake-
21 holders and experts as the Administrator considers
22 appropriate.

23 (f) PERIOD OF APPOINTMENT.—Members shall be
24 appointed to the Task Force for the duration of the exist-
25 ence of the Task Force.

1 (g) COMPENSATION.—Task Force members shall
2 serve without compensation.

3 (h) SUNSET.—The Task Force shall terminate upon
4 the submittal of the report pursuant to subsection (d).

5 (i) DEFINITION OF STEM.—The term “STEM”
6 means—

7 (1) science, technology, engineering, and mathe-
8 matics; and

9 (2) other career and technical education sub-
10 jects that build on the subjects described in para-
11 graph (1).

12 **SEC. 5___. AIRPORT INVESTMENT PARTNERSHIP PRO-**
13 **GRAM.**

14 (a) IN GENERAL.—Section 47134 of title 49, United
15 States Code, is amended—

16 (1) by striking the section heading and insert-
17 ing “**Airport investment partnership pro-**
18 **gram**”;

19 (2) in subsection (b), by striking “, with respect
20 to not more than 10 airports,”;

21 (3) in subsection (b)(2), by striking “The Sec-
22 retary may grant an exemption to a sponsor” and
23 inserting “If the Secretary grants an exemption to
24 a sponsor pursuant to paragraph (1), the Secretary
25 shall grant an exemption to the sponsor”;

1 (4) in subsection (b)(3), by striking “The Sec-
2 retary may grant an exemption to a purchaser or
3 lessee” and inserting “If the Secretary grants an ex-
4 emption to a sponsor pursuant to paragraph (1), the
5 Secretary shall grant an exemption to the cor-
6 responding purchaser or lessee”;

7 (5) by striking subsection (d) and inserting the
8 following:

9 “(d) PROGRAM PARTICIPATION.—

10 “(1) MULTIPLE AIRPORTS.—The Secretary may
11 consider applications under this section submitted by
12 a public airport sponsor for multiple airports under
13 the control of the sponsor.

14 “(2) PARTIAL PRIVATIZATION.—A purchaser or
15 lessee may be an entity in which a sponsor has an
16 interest.”; and

17 (6) by striking subsections (l) and (m) and in-
18 serting the following:

19 “(l) PREDEVELOPMENT LIMITATION.—A grant to an
20 airport sponsor under this subchapter for predevelopment
21 planning costs relating to the preparation of an applica-
22 tion or proposed application under this section may not
23 exceed \$750,000 per application or proposed application.”.

1 (b) AIRPORT DEVELOPMENT.—Section 47102(3) of
2 title 49, United States Code, is amended by adding at the
3 end the following:

4 “(P) predevelopment planning, including
5 financial, legal, or procurement consulting serv-
6 ices, related to an application or proposed appli-
7 cation for an exemption under section 47134.”.

8 (c) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 471 of title 49, United States Code, is amended by
10 striking the item relating to section 47134 and inserting
11 the following:

“47134. Airport investment partnership program.”.

12 **SEC. 5 ____ . REVIEW AND REFORM OF FAA PERFORMANCE**
13 **MANAGEMENT SYSTEM.**

14 (a) ESTABLISHMENT OF ADVISORY PANEL.—Not
15 later than 90 days after the date of enactment of this sec-
16 tion, the Secretary of Transportation shall establish an ad-
17 visory panel comprising no more than 7 independent, non-
18 governmental experts in budget, finance, or personnel
19 management to review and evaluate the effectiveness of
20 the FAA’s personnel management system and perform-
21 ance management program for employees not covered by
22 collective bargaining agreements.

23 (b) REVIEW, EVALUATION, AND RECOMMENDA-
24 TIONS.—The advisory panel shall, at a minimum—

1 (1) review all appropriate FAA orders, policies,
2 procedures, guidance, and the Human Resources
3 Policy Manual;

4 (2) review any applicable reports regarding
5 FAA's personnel management system, including re-
6 ports of the Department of Transportation Office of
7 Inspector General, Government Accountability Of-
8 fice, and National Academy of Public Administra-
9 tion, and determine the status of recommendations
10 made in those reports;

11 (3) review the personnel management system of
12 any other agency or governmental entity with a simi-
13 lar system to the FAA for best practices with regard
14 to personnel management;

15 (4) assess the unique personnel authorities
16 granted to the FAA, determine whether the FAA
17 has taken full advantage of those authorities, and
18 identify those authorities the FAA has not fully
19 taken advantage of;

20 (5) review and determine the overall effective-
21 ness of the FAA's compensation, bonus pay, per-
22 formance metrics, and evaluation processes for em-
23 ployees not covered by collective bargaining agree-
24 ments;

1 (6) review whether existing performance metrics
2 and bonus pay practices align with the FAA's mis-
3 sion and significantly improve the FAA's provision
4 of air traffic services, implementation of air traffic
5 control modernization initiatives, and accomplish-
6 ment of other FAA operational objectives;

7 (7) identify the highest, lowest, and average
8 complete compensation for each position of employ-
9 ees not covered by collective bargaining agreements;

10 (8) survey interested parties and stakeholders,
11 including representatives of the aviation industry,
12 for their views and recommendations regarding im-
13 provements to the FAA's personnel management
14 system and performance management program;

15 (9) develop recommendations to address the
16 findings of the work done pursuant to paragraphs
17 (1) through (7), and to address views and rec-
18 ommendations raised by interested parties pursuant
19 to paragraph (8); and

20 (10) develop recommendations to improve the
21 FAA's personnel management system and perform-
22 ance management program, including the compensa-
23 tion, bonus pay, performance metrics, and evaluation
24 processes, for employees not covered by collective
25 bargaining agreements.

1 (c) REPORT.—Not later than 1 year after initiating
2 the review and evaluation pursuant to subsection (a), the
3 advisory panel shall submit a report on the results of the
4 review and evaluation and its recommendations to the Sec-
5 retary, the Administrator, the Committee on Transpor-
6 tation and Infrastructure of the House of Representatives,
7 and the Committee on Commerce, Science, and Transpor-
8 tation of the Senate.

9 (d) REPORT TO CONGRESS.—Not later than 3
10 months after submittal of the report pursuant to sub-
11 section (c), the Administrator shall transmit to the Com-
12 mittee on Transportation and Infrastructure of the House
13 of Representatives and the Committee on Commerce,
14 Science, and Transportation of the Senate a report sum-
15 marizing the findings of the advisory panel that—

16 (1) contains an explanation of how the Admin-
17 istrator will implement the recommendations of the
18 advisory panel and measure the effectiveness of the
19 recommendations; and

20 (2) specifies any recommendations that the Ad-
21 ministrator will not implement and the reasons for
22 not implementing such recommendations.

23 (e) AUTHORITY.—Notwithstanding any other provi-
24 sion of law, the Administrator has the authority to put
25 in place any recommendations of the advisory panel.

1 (f) SUNSET.—The advisory panel shall terminate on
2 the date that is 60 days after the transmittal of the report
3 pursuant to subsection (d).

4 (g) DEFINITION.—In this section, the term “FAA”
5 means the Federal Aviation Administration.

