Current Statute	Chairman Shuster's Proposed Amendment	
49 U.S.C. §106(r) – CHIEF OPERATING OFFICER	49 U.S.C. §106(r) – CHIEF OPERATING OFFICER	
(1) IN GENERAL -	(A) HIRING —There shall be a Chief Operating	
(A) APPOINTMENT -There shall be a Chief	Officer for the air traffic control system to be	
Operating Officer for the air traffic control	appointed by the Secretary, after	
system to be appointed by the Administrator,	consultation with the Aerospace	
with the approval of the Air Traffic Services	Management Advisory Council. The Chief	
Committee. The Chief Operating Officer shall	Operating Officer shall report directly to the	
report directly to the Administrator and shall	Secretary and shall be subject to the	
be subject to the authority of the	authority of the Secretary.	
Administrator.	(B) MINIMUM QUALIFICATIONS — The Chief	
(B) QUALIFICATIONS -The Chief Operating	Operating Officer shall have—	
Officer shall have a demonstrated ability in	(i) at least 10 years of demonstrated	
management and knowledge of or experience	ability in organizational leadership of a large	
in aviation.	private-sector organization; and	
	(ii) knowledge of or experience in	
	aviation.	
(C) TERM -The Chief Operating Officer shall	(C) TERM -The Chief Operating Officer shall	
be appointed for a term of 5 years.	be appointed for a term of 5 years.	
(D) REMOVAL -The Chief Operating Officer	(D) REMOVAL -The Chief Operating Officer	
shall serve at the pleasure of the	shall serve at the pleasure of the Secretary,	
Administrator, except that the Administrator	except that the Secretary shall make every	
shall make every effort to ensure stability and	effort to ensure stability and continuity in	
continuity in the leadership of the air traffic	the leadership of the air traffic control	
control system.	system.	
(E) VACANCY - Any individual appointed to fill	(E) VACANCY - Any individual appointed to fil	
a vacancy in the position of Chief Operating	a vacancy in the position of Chief Operating	
Officer occurring before the expiration of the	Officer occurring before the expiration of the	
term for which the individual's predecessor	term for which the individual's predecessor	
was appointed shall be appointed for the	was appointed shall be appointed for the	
remainder of that term.	remainder of that term.	
(2) COMPENSATION -	(2) Compensation -	
(A) IN GENERAL - The Chief Operating Officer	(A) IN GENERAL -The Chief Operating Officer	
shall be paid at an annual rate of basic pay to	shall be paid at an annual rate of basic pay to	
be determined by the Administrator, with the	be determined by the Secretary, with the	
approval of the Air Traffic Services	approval of the Air Traffic Services	
Committee. The annual rate may not exceed	Committee. The annual rate may not exceed	
the annual compensation paid under section	the annual compensation paid under sectior	
102 of title 3. The Chief Operating Officer	102 of title 3. The Chief Operating Officer	
shall be subject to the post-employment	shall be subject to the post-employment	
provisions of section 207 of title 18 as if the	provisions of section 207 of title 18 as if the	
position of Chief Operating Officer were	position of Chief Operating Officer were	

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described in section 207(c)(2)(A)(i) of that	described in section 207(c)(2)(A)(i) of that
title.	title.
(B) BONUS -In addition to the annual rate of	(B) BONUS - In addition to the annual rate of
basic pay authorized by subparagraph (A), the	basic pay authorized by subparagraph (A),
Chief Operating Officer may receive a bonus	the Chief Operating Officer may receive a
for any calendar year not to exceed 30	bonus for any calendar year not to exceed 30
percent of the annual rate of basic pay, based	percent of the annual rate of basic pay,
upon the Administrator's evaluation of the	based upon the Administrator's evaluation of
Chief Operating Officer's performance in	the Chief Operating Officer's performance in
relation to the performance goals set forth in	relation to the performance goals set forth in
the performance agreement described in paragraph (3).	the performance agreement described in paragraph (3).
(3) ANNUAL PERFORMANCE AGREEMENT -The	(3) ANNUAL PERFORMANCE AGREEMENT - The
Administrator and the Chief Operating	Secretary and the Chief Operating Officer, in
Officer, in consultation with the Air Traffic	consultation with the Aerospace
Services Committee, shall enter into an	Management Advisory Council, shall enter
annual performance agreement that sets	into an annual performance agreement that
forth measurable organization and individual	sets forth measurable organization and
goals for the Chief Operating Officer in key	individual goals for the Chief Operating
operational areas. The agreement shall be	Officer in key operational areas. The
subject to review and renegotiation on an	agreement shall be subject to review and
annual basis.	renegotiation on an annual basis.
(4) ANNUAL PERFORMANCE REPORTThe Chief	(4) ANNUAL PERFORMANCE REPORTThe Chief
Operating Officer shall prepare and transmit	Operating Officer shall prepare and transmit
to the Secretary of Transportation, the	to the Secretary of Transportation, the
Committee on Transportation and	Committee on Transportation and
Infrastructure of the House of	Infrastructure of the House of
Representatives, and the Committee on	Representatives, and the Committee on
Commerce, Science, and Transportation of	Commerce, Science, and Transportation of
the Senate an annual management report	the Senate an annual management report
containing such information as may be	containing such information as may be
prescribed by the Secretary.	prescribed by the Secretary.
(5) RESPONSIBILITIESThe Secretary may	(5) RESPONSIBILITIESThe Secretary may
delegate to the Chief Operating Officer, or	delegate to the Chief Operating Officer, or
any other authority within the Administration	any other authority within the
responsibilities, including the following:	Administration responsibilities, including the
(A) Strategic plansTo implement the	following:
strategic plan of the Administration for the air	(A) Strategic plansTo implement the
traffic control system in order to further-	strategic plan of the Administration for the
(i) a mission and objectives;	air traffic control system in order to further-
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(i) a mission and objectives;



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 (ii) standards of performance relative to such mission and objectives, including safety, efficiency, and productivity; (iii) annual and long-range strategic plans; and (iv) methods of the Administration to accelerate air traffic control modernization and improvements in aviation safety related to air traffic control. (B) OPERATIONSTo oversee the day-to-day operational functions of the Administration for air traffic control, including- (i) modernization of the air traffic control system; (ii) increasing productivity or implementing cost-saving measures; (iii) training and education; and (iv) the management of cost-reimbursable contracts. (C) BUDGET -To- (i) develop a budget request of the Administration related to the air traffic control system; (ii) submit such budget request to the Administrator and the Committee; and (iii) ensure that the budget request supports the agency's annual and long-range strategic plans for air traffic control services. 	 (ii) standards of performance relative to such mission and objectives, including safety, efficiency, and productivity; (iii) annual and long-range strategic plans; and (iv) methods of the Administration to accelerate air traffic control modernization and improvements in aviation safety related to air traffic control. (B) OPERATIONSTO oversee the day-to-day operational functions of the Administration for air traffic control, including- (i) modernization of the air traffic control system; (ii) increasing productivity or implementing cost-saving measures; (iii) training and education; and (iv) the management of cost-reimbursable contracts. (C) BUDGET -To- (i) develop a budget request of the Administration related to the air traffic control system; (ii) submit such budget request to the Administration related to the air traffic control system; (ii) performance and the Committee; and (iii) ensure that the budget request supports the agency's annual and long-range strategic plans for air traffic control services.