

**Changes to the COO in the Shuster Manager’s Amendment**



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

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

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