



SECTION-BY-SECTION SUMMARY OF H.R. 2997, THE 21st CENTURY AVIATION, INNOVATION, REFORM, AND REAUTHORIZATION ACT OF 2017.

([TEXT AS INTRODUCED](#) ON JUNE 22, 2017 BY REP. SHUSTER)

This is version 1.1 of a work in progress. If you notice errors, please email jdavis@enotrans.org and we will incorporate them into future versions.

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TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

Sec. 101. Airport planning and development and noise compatibility planning and programs. Creates new contract authority for the Airport Improvement Program, drawn on the Airport and Airway Trust Fund (AATF), with \$3.424 billion in FY 2018 and steadily increasing to \$3.817 billion in FY 2023. Extends the AIP obligation sunset in 49 U.S.C. §47104(c) to September 30, 2023.

Sec. 102. Facilities and equipment. Authorizes an average of \$2.98 billion per year over FY 2017-2020 to be appropriated from the AATF for FAA Facilities and Equipment. No authorizations are provided from the AATF for F&E after the effective date of ATC corporatization. Authorizes an average of \$193 million per year to be appropriated from the general fund for F&E over FY 2021-2023.

Sec. 103. FAA operations. Authorizes an average of \$2.06 billion per year to be appropriated from the general fund for FAA Operations over the six-year 2018-2023 period. Authorizes the appropriation of an average of \$8.22 billion per year for Operations from the AATF over FY 2018-2020. No authorizations are provided for Operations from the AATF after the effective date of ATC corporatization.

Sec. 104. Adjustment to AIP program funding. Repeals 49 U.S.C. §48112 (the “pop-up” contract authority provision first created by the AIR-21 law).

Sec. 105. Funding for aviation programs. Extends the budget point of order in 49 U.S.C. §48114 through FY 2017 only.

Sec. 106. Applicability. Provides that the authorizations and amendments made by sections 101-105 do not apply to fiscal year 2017.

Subtitle B—Passenger Facility Charges

Sec. 111. Passenger facility charge modernization. Amends 49 U.S.C. §40117 to repeal §40114(b)(4) which allows large hub airports (those with more than 0.25 percent of annual boardings) to charge PFCs of \$4.00 or \$4.50 under circumstances and instead adds \$4.00 or \$4.50 to the list of permissible PFC levels for all airports in §40114(b)(1).

Sec. 112. Pilot program for passenger facility charge authorizations at certain airports. Amends the pilot program in 49 U.S.C. §40114(l) that under current law allows nonhub airports to charge PFCs under expedited procedures in certain circumstances and extends that program to small hub and medium hub airports as well.

Subtitle C—Airport Improvement Program Modifications

Sec. 121. Clarification of airport obligation to provide FAA airport space. Amends 49 U.S.C. §44502 to add a new (f) prohibiting the FAA from requiring airports to provide space for the FAA, except for air traffic control pursuant to a grant agreement or at below-market rates pursuant to a negotiated agreement, without adequate compensation. (The annual DOT appropriations bills have carried a similar provision for several years.)

Sec. 122. Mothers’ rooms at airports. Adds a new provision to 49 U.S.C. §47102 to define “lactation area” and amends 49 U.S.C. §47107(a) to require AIP grants to medium and large hub airports to require the airport to maintain a lactation area in each passenger terminal (starting 2 fiscal years after the date of enactment). Amends 49 U.S.C. §47119(a) to make terminal development projects to install lactation areas eligible for federal funding.

Sec. 123. Extension of competitive access reports. Amends 49 U.S.C. §47107 to extend the expiration date of the “Competition Disclosure Requirement” through the end of FY 2023.

Sec. 124. Grant assurances. Amends 49 U.S.C. §47107 to add a new (u) allowing airport facilities used for the construction of recreational aircraft to be eligible for federal airport development assistance and to add a new (v) to allow airports to enter into agreements with local government for the use of airport property for an interim compatible recreational purpose.

Sec. 125. Government share of project costs. Amends 49 U.S.C. §47109 to extend the 75 percent federal share rule for AIP projects which currently applies only to mega-hubs with at least 0.25 percent of boardings and instead extend the rule to all medium and large hub airports. Increases the federal cost share from 90 to 95 percent for an unnamed airport that got a grant agreement in 2011 and which is in a successive phase of a multi-phase construction project.

Sec. 126. Updated veterans’ preference. Amends 49 U.S.C. §47112(c) to add veterans of Operation Inherent Resolve and Operation Freedom’s Sentinel to the existing veterans hiring preference.

Sec. 127. Special rule. Amends 49 U.S.C. §47114(d) to make a specific but unnamed airport that got AIP formula money in FY 2013 to keep getting formula money through 2020 despite no longer being eligible under the normal rules.

Sec. 128. Marshall Islands, Micronesia, and Palau. Amends 49 U.S.C. §47115 to extend AIP eligibility for airports in the Marshall Islands, Micronesia and Palau through FY 2023 and to repeal the requirement in §47114(i) to consider non-federal resources.

Sec. 129. Nondiscrimination. Amends 49 U.S.C. §47123 to add a new (b) relating to preferential hiring for Indians living on reservations near airports.

Sec. 130. State block grant program expansion. Amends 49 U.S.C. §47128 to increase the limit on the number of states that can elect to receive AIP block grants from 10 to 20.

Sec. 131. Midway Island Airport. Amends sec. 186 of VISION-100 to extend the special rule for funding for Midway Island Airport through the end of FY 2023.

Sec. 132. Property conveyance releases. Amends sec. 817 of the 2012 FAA law to extend the Secretary's authority to release recipients of airports given them by the federal government from restrictions on the deeds to include land conveyed under 49 U.S.C. §47125.

Sec. 133. Minority and disadvantaged business participation. Declares the findings of Congress relating to the disadvantaged business program at airports.

Sec. 134. Contract tower program. Amends 49 U.S.C. §47124(b)(1)(B) to extend the special rule for the contract towers whose benefit-to-cost ratio dips below 1.0 from an 18-month grace period to a standard 1-year grace period plus a second 1-year period of the airport appeals the determination. Amends 49 U.S.C. §47124(b)(3)(E) to strike the \$10.35 million per year ceiling on funding for the contract tower program for FY 2012 through 2015. Amends 49 U.S.C. §47124(b)(4) to make remote ATC equipment certified by the FAA eligible and to make conforming changes in §47124(b)(5)(B) and (c) to make allowances for the contract tower program to continue after ATC services are spun off to the new corporation. Amends 49 U.S.C. §47124(b)(4) to strike (C) limiting the federal share and adds a new cost-benefit ratio calculation requirement to (b)(3). Adds a new §47124(d) to establish rules and procedures for the benefit-cost calculation for contract tower airports, including appeals procedures.

Sec. 135. Airport access roads in remote locations. Provides that in FY 2017-2020, notwithstanding 49 U.S.C. §47102, certain airport access roads in Alaska and Hawaii be considered part of airport terminal development.

Subtitle D—Airport Noise and Environmental Streamlining

Sec. 151. Recycling plans for airports. Amends 49 U.S.C. §47106(a) to clarify that the master plan in (a)(6) has to include the project.

Sec. 152. Pilot program sunset. Repeals 49 U.S.C. §47140 (“Airport ground support equipment emissions retrofit pilot program”) and renumbers §47140a as §47140.

Sec. 153. Extension of grant authority for compatible land use planning and projects by State and local governments. Amends 49 U.S.C. §47141 to extend the expiration date for the compatible land use planning and project program from 2017 to the end of FY 2023.

Sec. 154. Updating airport noise exposure maps. Amends 49 U.S.C. §47503 requiring airports to revise their noise maps if a change in airport operations would

establish a substantial nor noncompatible use or would reduce noises over existing noncompatible uses.

Sec. 155. Stage 3 aircraft study. Requires GAO to study the costs and benefits of a phaseout of stage 3 aircraft. The study is to be completed within 18 months of enactment.

Sec. 156. Addressing community noise concerns. Directs the FAA Administrator to consider the feasibility of dispersal headings for airport procedures under certain circumstances.

Sec. 157. Study on potential health impacts of overflight noise. Requires the FAA to contract with a university to study the health impacts of noise from aircraft flights in the Boston, Chicago, New York, Northern California Bay Area, and Phoenix areas.

Sec. 158. Environmental mitigation pilot program. Directs the Secretary to carry out a pilot program at up to 6 airports to use AIP apportionments for environmental mitigation projects relating to noise, air quality, or water quality within 5 miles of the airport.

Sec. 159. Aircraft noise exposure. Requires the Administrator to conduct a review of the relationship between aircraft noise exposure and its effects on communities around airports. Requires the Administrator to submit a Congressional report no later than three years after enactment of bill. Outlines preliminary recommendations for this report.

Sec. 160. Community involvement in FAA NextGen projects located in metroplexes. Requires the Administrator, no later than 180 days after enactment of bill, to complete a review of the FAA's community involvement practices for NextGen projects located in metroplexes identified by the Administration. States minimum requirement for this review. Requires Administrator to submit a Congressional report no later than 60 days after the review's completion. Outlines content for Congressional report.

Sec. 161. Critical habitat on or near airport property. Requires the Secretary to work with other Federal agencies or States to ensure that designations of critical habitat under ESA sec. 3 on or near airports do not interfere with aviation.

TITLE III—American Air Navigation Services Corporation

This is the heart of the bill: spinning-off ATC provision from the FAA and into a non-profit independent corporation, the "American Air Navigation Services Corporation". The proposed corporation would be run by stakeholders and would be funded by unspecified user fees levied on commercial passenger and cargo air carriers. The FAA would maintain its role as the safety regulator. This model is similar to what was established in Canada in 1996, a system that chairman Shuster has repeatedly lauded and cited as inspiration for his "transformational" reform.

Sec. 201. Purposes. Establishes that the purpose of the title is to transfer ATC from the FAA in a not-for-profit corporate entity to provide for more efficient operation and improvement of air traffic services.

Subtitle A—Establishment of Air Traffic Services Provider

Sec. 211. ATC Corporation. Amends Title 49 of the United States Code by adding Subtitle XI – American Air Navigation Services Corporation at its end. A summary of these amendments follows.

Chapter 901 – General Provisions

§ 90101. Definitions. Provides a number of definitions, like FAA Administrator or CEO. Includes the date of transfer: October 1, 2020.

Chapter 903 – Establishment of Corporation; transfer of air traffic services

§ 90301. Establishment of Corporation. The “American Air Navigation Services Corporation” shall be a federally chartered, not-for-profit corporation, incorporated in any jurisdiction. The corporation can change its name after being incorporated.

§ 90302. Transfer of air traffic services. All air traffic services will be transferred to the new corporation at the date of transfer, ensuring continuity of safety. The corporation will have the exclusivity of ATC provision in the U.S. or other areas delegated to the U.S., except for the Department of Defense or contracted out services.

§ 90303. Role of Secretary in transferring air traffic services to Corporation. The Secretary is responsible for the transfer of responsibilities and cannot delegate to the FAA Administrator.

§ 90304. Status and applicable laws. The Corporation would not be a department or agency of the U.S. government, and would not be subject to title 31, essentially removing it from the budget process. Due to this, the U.S. government would not be liable for any actions or debt of the corporation.

§ 90305. Nominating Membership. Establishes the organization that will nominate board members for the corporation:

- Passenger carriers with more than 30 million annual enplanements;
- Cargo airlines with more than 1 million tons of annual cargo;
- Three largest regional carriers;
- General aviation;
- Business aviation;
- Air traffic controllers union;
- Airports;
- Commercial pilots union.

Before the date of transfer the Secretary shall determine these organizations, a role the Board of Directors will take over once the Corporation is established.

Terms limits are at the discretion of the principal organization that nominate the members. Members must be U.S. citizens, not work for the Corporation, a member of Congress or an elected official of any level of government, or an employee of any level of government.

§ 90306. Board of Directors. The board of directors will have the following structure:

- The CEO;
- Two directors appointed by the Secretary of Transportation;
- One directors nominated by the large passenger airlines;
- One director nominated by cargo airlines;
- One director nominated by regional airlines;
- One director nominated by general aviation;
- One director nominated by business aviation;
- One director nominated by the air traffic controllers union;
- One director nominated by airports;
- One director nominated by the pilots union;
- Two directors nominated and selected by the other directors by a two-thirds vote.

The first directors' term will end two years after the date of transfer. Afterwards, they will be elected for five-year terms.

§ 90307. Fiduciary duties and qualifications of Directors. The directors' fiduciary duty would be for the corporation and they shall be removed from the corporation if they break that duty. They cannot work for the corporation, or any of its customers, bargaining agents, or suppliers. No members of Congress or an elected official of any level of government.

§ 90308. Bylaws and duties. Mandates the establishment of bylaws for the corporation and the duties of the board members (annual budget, strategic plan, issue debt, hiring the CEO, etc.).

§ 90309. Committees of Board; independent auditors. At least a Safety Committee, a Compensation Committee, and a Technology Committee must be established by the board; other committees can be established as well. Annual independent audits of financial statements and internal controls must also take place.

§ 90310. Advisory Board. An advisory board must be created to conduct activities as the board of directors deems appropriate and to study, report, and make recommendations on any areas related to the corporation's provision of air traffic services and associated safety considerations.

The board of advisors would have no more than 15 members and its members will represent the interests of:

- Air carriers;
- General aviation;
- Business aviation;
- Commercial airports;
- Operators and manufacturers of commercial unmanned aircraft systems;
- Appropriate labor organizations;
- Department of Defense;
- Small communities.

The membership, structure, and term duration, will be established by the board of directors according to the corporations's bylaws.

§ 90311. Officers and theirs responsibilities. Establishes the general responsibilities and needed qualifications for the CEO.

§ 90312. Authority of Corporation. Establishes the general authorities of the corporation, including the right to have a seal, sue and sued, by liable under civil and criminal law, etc. It also prohibits the corporation to issue or sell equity shares in the corporation.

§ 90313. Charges and fees for air traffic services. Creates a funding mechanism for the corporation, which will be able to charge user fees to the users of the airspace since the day of transfer. The board of directors will propose the, which will be approved by the Secretary after public review.

User fees will be set according to International Civil Aviation Organization (ICAO, the United Nations agency for civil aviation) standards, on its publication *Charges for Air Navigation Services*, Ninth Edition, 2012.

A few categories of users are excluded from having to pay fees, including armed forces and other public aircraft (firefighting aircraft, e.g.), part 91 (GA and business), part 133 (helicopters), part 135 (air taxis), part 136 (air tours), and part 137 (agricultural). This basically leaves commercial passenger and cargo airlines as the only one paying user fees.

§ 90314. Preemption of authority over air traffic services. Prohibits the States (including territories and the District of Columbia) to enact or enforce any laws or regulations related to air traffic services.

§ 90315. Actions by and against Corporation. Establishes that U.S. district courts have jurisdiction over all actions brought by or against the Corporation, not state courts. It also establishes that employees must seek permission by the corporation to provide expert opinion or testimony in civil litigation related to the corporation.

§ 90316. Transfer of Federal personnel to Corporation. Establishes the process to transfer employees between the FAA and the Corporation:

- The Secretary, the CEO, and the labor representatives will meet to discuss which employees or category of employees shall be transferred to the Corporation, either before or after the date of transfer;
- After the date of transfer, during a period of 180 days, the Secretary can transfer employees back to the FAA, if appropriate. Those employees will be entitled to reemployment, and keep their rights and benefits;
- The Corporation must establish a compensation and benefits program;
- Corporation employees will have the right to collective bargaining;
- Employees will not have to join a union.

§ 90317. Transfer of facilities to Corporation. Requires that one year before the date of transfer, the Secretary must identify the licenses, patents, software rights, and real and personal property, including air navigation facilities, that should be transferred to the corporation. All these facilities will be transferred free of charge.

If the corporation decides to sell any of these facilities, it must use the proceeds to improve air navigation facilities or other capital assets. Equipment in remote locations that is critical for safety cannot be sold. If the corporation intends to realign or consolidate any facilities, it shall establish a process to do so, in consultation with labor, 180 days before the day of transfer.

§ 90318. Approval of transferred air navigation facilities and other equipment. Establishes that on the date of transfer, the corporation is authorized to operate all air navigation facilities and other equipment without additional approval or certification by the Secretary.

§ 90319. Use of spectrum systems and data. Establishes that the corporation shall be able to use in its operations any spectrum system, including data from such systems, that the FAA had been previously using.

§ 90320. Transition plan. Mandates the establishment of a transition team 180 days after this act is enacted. The team will have 12 members:

- FAA's Deputy Administrator;
- Director of the FAA Mike Monroney Aeronautical Center;
- Director of the FAA William J. Hughes Technical Center;
- Two representatives from the Office of Management and Budget;
- One representative from the air traffic controllers union;
- One representative from the airway transportation systems specialists union;
- Five representatives appointed by the CEO.

Forty-days after being nominated the transition team has to create a transition plan.

Chapter 905 – Regulation of Air Traffic Services.

§ 90501. Safety oversight and regulation of Corporation. Establishes that the Secretary must prescribe performance-based regulations and minimum safety standards for the operation of air traffic services. This section also mandates that the corporation must use a safety management system, based on FAA's current system, which can be adapted after the date of transfer.

There will be a process where the corporation or any other interested parties can propose changes to air traffic management procedures, assignments, and classifications of airspace. The Secretary will have 45 days to approve, disapprove, or modify such proposals. This decision might be subject to judicial review.

§ 90502. Resolution of disputes concerning air traffic charges and fees. This section gives airspace users the right to complain to the Secretary, which has 90 days to reply, about any user fees or charges that are established or increased. It also directs the Secretary to establish the procedures for those complaints. Any complaint will not allow the airspace users to not pay the corporation until their case is resolved, they will have to pay under protest and be refunded if their case is accepted.

§ 90503. International agreements and activities. Establishes the international obligations of the corporation to provide air traffic services consistent to any

treaties, conventions, or agreements that may be in force. It also prohibits the corporation to negotiate on behalf of or otherwise represent the U.S. before any foreign government or international organization.

§ 90504. Availability of safety information. Mandates that the corporation must make publicly available all safety information that the FAA made available before the transfer, as well as any additional information needed to the safe operation of the system.

§ 90505. Reporting of safety violations to FAA. Establishes that a number of instances of safety incidents or violations must be reported to the FAA, and that the corporation must assist in any enforcement that is taken as a result of those reports.

§ 90503. Insurance requirements. The Corporation would have to be maintain adequate liability insurance policies and coverage to the amounts determined by the Secretary.

Chapter 907 – General rights of access to airspace, airports, and air traffic services vital for ensuring safe operations for all users.

§ 90701. Access to airspace. Mandates the Secretary to ensure that no user is denied access to airspace or air traffic services on the basis that the user is exempt from user fees under § 90313.

§ 90702. Access to airports. The impacts of any proposed changes by the corporation must take into account if it would reduce access to any public-use airport.

§ 90703. Contract tower service after date of transfer. Mandates that the corporation assumes all contracts related to contract towers at the time of transfer. Outlines the procedure for the corporation to request and for the Secretary to review any changes to any contract tower, including its closing.

§ 90704. Availability of safety information to general aviation operators. All information outlined in § 90504 must be made available to general aviation operators as well.

§ 90705. Special rules and appeals process for air traffic management procedures, assignments, and classifications of airspace. Allows for public comment for any proposed changes that might lead to loss or reduction of access to a public-use airport or adjacent airspace.

§ 90706. Definitions. Provides the definition of “material reduction [of access]” and “rural airport”.

Chapter 909 – General rights of access to airspace, airports, and air traffic services vital for ensuring safe operations for all users.

§ 90901. Continuity of air traffic services provided by Department of Defense. Allows for DoD to continue to provide air traffic services after the date of transfer.

§ 90902. Military and other public aircraft exempt from user fees. Exempts military and public aircraft from user fees.

§ 90903. Air traffic services for Federal agencies. To ensure that the corporation continues to provide support for all U.S. Government activities after the date of transfer.

§ 90904. Emergency powers of Armed Forces.

§ 90905. Adherence to international agreements related to operations of Armed Forces.

§ 90906. Primacy of Armed Forces in times of war.

These three sections ensure that DoD can take over the system at any time and their authority is not diminished by the transfer.

§ 90907. Cooperation with Department of Defense and other Federal agencies after date of transfer. To create an agreement between DoD, FAA, and the corporation to cooperate.

Chapter 911 – Employee Management.

§ 91101. Definitions. Provides a number of definitions, including air traffic controller.

§ 91102. Employee management and benefits election. Establishes the right of the CEO to fix the compensation and benefits of the Corporation’s employees. It also establishes that the Corporation shall negotiate with exclusive representatives.

This section also allows previous FAA employees that have moved to the corporation to either keep their retirement benefits in the civil service system, or transfer them to the Corporation. It also establishes a number of other protections for employees, namely in health and disability benefits, transfer of leave, and whistleblower protection.

§ 91103. Labor and employment policy. Provides, among other rights, the right for collective bargaining and the right to not join a union.

§ 91104. Bargaining units. Establishes that the Federal Labor Relations Authority has the right to decide which collective bargaining units are appropriate in each case to conduct collective bargaining talks with the corporation.

§ 91105. Recognition of labor organizations. Establishes the procedures to the recognition and certification of labor organizations.

§ 91106. Collective-bargaining agreements. Stipulates regulations for collective-bargaining agreements, including a minimum duration of two years.

§ 91107. Collective-bargaining dispute resolution. Establishes the procedures to mediate and resolve any collective-bargaining disputes.

§ 91108. Potential and pending grievances, arbitrations, and settlements. Establishes that the corporation is deemed to be the employer referred to in any agreement or supplement for the purpose of any arbitration proceeding or arbitration award.

§ 91109. Prohibition on striking and other activities. Employees cannot strike, picket, etc. and their employment shall be terminated if they participate in such activities.

§ 91110. Legal action. Allows for legal action to be brought to any district court of U.S. regarding labor and corporation disputes.

Chapter 913 – Other Matters.

§ 91301. Termination of Government functions. Establishes that all functions that used to be governmental and are transferred to the corporation stop being governmental.

§ 91302. Savings provisions. Determines that completed and pending administrative actions are not affected by the bill.

Chapter 915 – Congressional oversight of air traffic services provider.

§ 91501. Inspector General reports to Congress on transition. Mandates the DOT Inspector General to submit regular reports to Congress on the status of the transition, prior to the date of transfer.

§ 91502. State of air traffic services. Starting two years after the transfer, and then every two years, the corporation has to submit a report to Congress on its status, including on access to airport, service to all users, fees, safety, cooperation with DoD and FAA, etc.

§ 91503. Submission of annual financial report. Mandates that the corporation has to submit a public financial report every year.

§ 91504. Submission of strategic plan. The strategic plan mandated by § 90308(c) has to be publicly released.

Subtitle B—Amendments to Federal Aviation Laws

Sec. 221. Definitions. Defines “American Air Navigation Services Corporation” as being the American Air Navigation Services Corporation referred in the rest of the bill.

Sec. 222. Sunset of FAA air traffic entities and officers. Terminates, at the date of transfer, the Air Traffic Services Committee, the Air Traffic Advisory Role, the Aircraft Noise Ombudsman, the Chief Operating Officer, and the Chief NextGen Officer.

Sec. 223. Role of Administrator. Amends 49 U.S.C. § 40103(b) to change the role of the FAA Administrator in view of the creation of the Corporation.

Sec. 224. Emergency powers. Adds language related to the corporation in 49 U.S.C. § 40106(a).

Sec. 225. Presidential transfers in time of war. By amending 49 U.S.C. § 40107(b) determines that the President can temporarily transfer to the Department of Defense all duty, power, facility, activities, or employees of the corporation.

Sec. 226. Airway capital investment plan before date of transfer. Amends 49 U.S.C. § 44501 (b) in issues related to airway capital investment.

Sec. 227. Aviation facilities before date of transfer. Amends 49 U.S.C. § 44502(a) related to aviation facilities.

Sec. 228. Judicial review. Amends 49 U.S.C. § 46110(a).

Sec. 229. Civil penalties. Amends 49 U.S.C. § 46301(a)(1)(A).

Subtitle C—Other Matters

Sec. 241. Use of federal technical facilities. Establishes that the FAA Administrator must make FAA technical facilities available for the corporation’s ATC research and development projects for a period of not less than five years.

Sec. 242. Ensuring progress of NextGen priorities before date of transfer. Mandates that the FAA, in consultation with the NextGen Advisory Committee, must prioritize the deployment of multiple runway operations, performance-based navigation, surface operations and data sharing, and data communications. Performance goals must be established and reported on.

Sec. 243. Severability. Establishes that if a provision of this title or its application to any person or circumstance is held invalid, neither the remainder of this title nor the application of the provision to other persons or circumstances shall be affected.

Title III- FAA Safety Certification Reform

Subtitle A- General Provisions

Sec. 301. Definitions: Defines terms relevant to Title III.

Sec. 302. Safety and Oversight and Certification Advisory Committee: Directs the Secretary to establish a Safety Oversight and Certification Advisory Committee, whose primary aim will be to advise the Secretary on policy issues related to FAA safety certification and oversight programs and activities. The committee will be comprised of the FAA Administrator and industry stakeholders. The committee will be terminated on the last day of a six-year period.

Subtitle B- Aircraft Certification Reform

Sec. 311. Aircraft Certification Performance Objectives and Metrics: Within 120 of the establishment of the Advisory Committee, the FAA administrator is directed to establish performance objectives and track metrics for FAA and the aviation industry relating to aircraft certification. Performance objectives with seek to define progress within eliminating certification delays and improving cycle times, among other aims. Data generated as a result of these metrics will be used to measure progress toward the achievement of national goals; this data will be made publicly available.

Sec. 312. Organization Designation Authorizations: Amends chapter 447 of title 49 USC to add “Sec. 44736. Organization designation authorizations.” Sec. 44736 directs the FAA to require an ODA manual that defines procedures and limitations regarding the functions of an ODA holder, delegating fully the defined functions. In addition, Sec. 44736 establishes an ODA office within the FAA Office of Aviation Safety. The ODA office will be directed to oversee and ensure the consistency of the FAA’s audit functions under the ODA program.

Sec. 313. ODA Review: Establishes a multidisciplinary expert review panel to conduct a survey of ODA holders and ODA program applicants to assess FAA certification and oversight activities. Based on the survey, the panel will make recommendations concerning FAA's ODA and define best practices.

Sec. 314. Type Certification Resolution Process: Amends Sec. 44704(a) of title 49 USC by adding a provision that directs the Administrator to establish a milestone-based resolution process for type certification activities. Also directs the Administrator to establish and implement a risk-based policy that streamlines the installation of safety enhancing equipment and systems for general aviation airplanes.

Sec. 315. Safety Enhancing Equipment and Systems for Small General Aviation Airplanes. Directs the Administrator to establish and begin implementation of a risk-based policy that streamlines the installation of safety enhancing equipment and systems for small GA airplanes to reduce regulatory delays and improve safety.

Sec. 316. Review of Certification Process for Small General Aviation Airplanes. Mandates U.S. DOT's Inspector General to conduct, within one year, a review of "Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes" (81 Fed. Reg. 96572).

Subtitle C- Flight Standards Reform

Sec. 331. Flight Standards Performance Objectives and Metrics. Directs the Safety Oversight and Certification Advisory Committee to establish performance objectives and track metrics for flight standards activities. Performance objectives are directed to be aimed at eliminating delays and increasing accountability of the FAA and the industry, among other things. Data collected will be made publicly available.

Sec. 332. FAA Task Force on Flight Standards Reform. Directs the FAA to establish a FAA Task Force on Flight Standards Reform. The task force will be comprised of 20 industry experts and stakeholders. Its goal will be to identify best practices and to provide recommendations for simplifying and streamlining flight standards regulatory process, among other things. The task force will convene for up to 18 months.

Sec. 333. Centralized Safety Guidance Database. Directs the FAA to establish a centralized safety guidance database that will include all of the FAA's regulatory guidance and links to relevant Code of Federal Regulations provisions.

Sec. 334. Regulatory Consistency Communications Board. Directs the FAA to establish a Regulatory Consistency Communications board to consult and collaborate with appropriate stakeholders to establish processes by which FAA personnel and regulated entities may submit anonymous regulatory interpretation questions and receive feedback, among other directives.

Subtitle D- Safety Workforce

Sec. 341. Safety Workforce Training Strategy. Directs the FAA to establish a safety workforce training strategy that allows employees who are engaged with the

ODA program to receive training, capitalizes on knowledge sharing activities, and functions within budgetary limitations.

Sec. 342. Workforce Review. Directs the Comptroller General of the U.S. to conduct a review that assesses the workforce and training needs of the FAA Office of Aviation Safety in the anticipated budgetary environment.

Subtitle E- International Aviation

Sec. 351. Promotion of United States Aerospace Standards, Products, and Services Abroad. Amends 49 U.S.C. § 40104 to add a provision that directs the Administration to take appropriate actions to promote U.S. aerospace standards abroad and to facilitate and defend U.S. approval processes.

Sec. 352. Bilateral Exchanges of Safety Oversight Responsibilities. Amends 49 U.S.C. § 44701(e) to add a provision that directs the FAA Administrator to accept airworthiness directives issued by an aeronautical safety authority of a foreign country and leverage their regulatory process, if that process fits within defined parameters.

Sec. 353. FAA Leadership Abroad. Directs the FAA Administrator to attain a greater expertise in issues related to dispute resolution, IP, and export control laws to better support FAA certification abroad. It also directs the Administrator to engage in a number of other actions with the aim to reduce redundant regulator activity and facilitate the acceptance of FAA design and production approvals abroad. Directs the Administrator to submit a report to T&I and Commerce that describes the FAA's strategic plan for international engagement, among other relevant issues.

Sec. 354. Registration, Certification, and Related Fees. Amends 49 U.S.C. § Sec. 45305 to insert a section allowing the Administrator to establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided.

TITLE IV—SAFETY

Subtitle A – General Provisions

Sec. 401. FAA technical training. Requires the Administrator, no later than 90 days after enactment of bill, to collaborate with the exclusive bargaining representatives of covered FAA personnel to establish an e-learning training pilot program. Outlines requirements for curriculum. States that the pilot program will terminate 1 year after date of establishment. Requires the Administrator to establish an e-learning training program, incorporating lessons learned from the terminated pilot program. Define the terms “FAA covered personnel” and “e-learning training.”

Sec. 402. Safety critical staffing. Requires the Inspector General of USDOT, no later than 270 days after enactment of the bill, to conduct and complete an audit of the staffing model used by the FAA to determine the number of aviation safety inspectors that are needed to fulfill the mission of the FAA and adequately ensure aviation safety. Outlines contents of the audit. Requires the Inspector General to

submit a Congressional report no later than 60 days after the completion of the audit.

Sec. 403. International efforts regarding tracking of civil aircraft. Requires the Administrator to exercise leadership on creating a global approach to improving aircraft tracking. Lists entities for collaboration.

Sec. 404. Aircraft data access and retrieval systems. Requires the Administrator, no later than 90 days after enactment of bill, to initiate an assessment of aircraft data access and retrieval systems for part 121 air carrier aircraft that are used in extended overwater operations. Lists scope for assessment. Lists systems to be examined under this section. Requires the Administrator to submit a Congressional report no later than one year after the date of initiation of the assessment. Defines the term “part 121 air carrier” for this section.

Sec. 405. Advanced cockpit displays. Requires the Administrator, no later than six months after enactment of the bill, to initiate a review of heads-up display systems (HUD systems), synthetic vision systems (SVS), and enhanced vision systems (EVS). Outlines contents of this review. Specifies additional entities for consultation. Requires the Administrator to submit a Congressional report no later than one year after enactment of bill.

Sec. 406. Marking of towers. Amends section 2110 of the 2016 FAA extension law to add structures in railroad rights-of-way and railyards to the exclusion list in 2110(d)(1)(A)(ii).

Sec. 407. Cabin evacuation. Requires the Administrator to review evacuation certification of transport-category aircraft, and recent accidents and incidents where passengers evacuated such aircraft. Specifies details of this review. Lists entities that the Administrator shall consult for conducting this review. Requires the Administrator to submit a Congressional report no later than one year after enactment of the bill.

Sec. 408. ODA staffing and oversight. Requires the Administrator, no later than 270 days after enactment, to submit a Congressional report about ODA staffing and oversight. Lists scope of this report. Defines the term “ODA.”

Sec. 409. Funding for additional safety needs. Amends 49 U.S.C. §44704 to allow the FAA to accept funds from manufacturers to hire additional staff or hire consultants to facilitate the timely processing, review and issuance of certificates. Receipts are to be treated as offsetting collections for budget purposes.

Sec. 410. Funding for additional FAA licensing needs. Adds a new 51 U.S.C. §50924 allowing the Secretary to accept private payments from persons applying for licenses or permits for commercial space transportation to hire additional staff or consultants to review the applications. Receipts are to be treated as offsetting collections for budget purposes.

Sec. 411. Emergency medical equipment on passenger aircraft. Directs the FAA Administrator to evaluate the part 121 regulations regarding emergency medical equipment on airplanes to consider whether the minimum standard should include appropriate medications and equipment to meet the emergency needs of children.

Sec. 412. HIMS program. Requires the Administrator, no later than 180 days after enactment of bill, to conduct a human intervention motivation (HIM) study program for flight crewmembers employed by commercial air carriers operating in the United States airspace.

Sec. 413. Acceptance of voluntarily provided safety information. States the presumption that an individual's voluntary disclosure of an operational or maintenance issue related to aviation safety under an aviation safety action program meets the criteria for acceptance as a valid disclosure under this program. Lists required disclaimers for any dissemination of such disclosure that has been submitted and accepted, but has not undergone review by an event review committee. Specifies reasons for rejecting a disclosure from an aviation safety action program. Defines the term "aviation safety action program."

Sec. 414. Flight attendant duty period limitations and rest requirements. Requires the Secretary to modify federal regulations to ensure that any flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours which cannot be reduced under any circumstances. Requires all part 121 carriers to submit fatigue risk management plans to the FAA for acceptance. Airlines must comply with approved plans or else face civil penalties.

Subtitle B—Unmanned Aircraft Systems

Sec. 431. Definitions. States that the definitions in §45501 of title 49, U.S. Code apply to this subtitle.

Sec. 432. Codification of existing law; additional provisions.

Dates listed in this section are intended for restating current law without retroactively reversing deadlines that have been met (or not).

Amends subtitle VII of title 49, U.S. Code. Inserts new chapter 453, "Unmanned aircraft systems," with the following new sections of code:

§45501 "Definitions." Defines the following terms: aerial data collection, Arctic, certificate of waiver; certificate of authorization, model aircraft, permanent areas, public unmanned aircraft system, sense-and-avoid capability, small unmanned aircraft, unmanned aircraft, unmanned aircraft system, and UTM.

§45502 "Integration of civil unmanned aircraft systems into national airspace system." Requires the Secretary, no later than November 10, 2012, to develop a comprehensive plan, alongside listed entities, to safely accelerate the integration of civil unmanned aircraft systems into the national airspace system. Lists contents of this plan. States deadline for this plan as no later than September 30, 2015. States the deadline of the Congressional report as February 14, 2013. Requires the Secretary to approve and make available in print and online no later than February 14, 2013. Requires the Secretary to publish in the *Federal Register* no later than 18 months after the comprehensive plan has been submitted to Congress. Lists final rules and notices of proposed rulemaking for *Federal Register*. Requires the Secretary, no later than August 12, 2012, to develop a plan and initiate a process, alongside relevant entities, to designate permanent areas in the Arctic where small

unmanned aircraft may operate 24 hours per day for research and commercial purposes. Lists scope of this plan. Allows the Secretary to enter an agreement with relevant national and international communities. Requires the Secretary, no later than 1 year after entering agreement under this subsection, to work with the relevant entities to establish and implement a process, or apply an applicable process already established, for approving the use of unmanned aircraft in the designated permanent areas in the Arctic.

§45503 “Risk-based permitting of unmanned aircraft systems.” Requires the Administrator, no later than 120 days after enactment of this section, to establish procedures for issuing permits under this section with respect to certain unmanned aircraft systems and operations thereof. Requires the Administrator, upon the submission of application in accordance with subsection (d), to issue a permit with respect to the proposed operation of an unmanned aircraft system. Lists stipulations for issuing such a permit. Lists safety criteria that the Administrator must consider when determining whether a proposed operation meets the standards in subsection (b). Requires that an application under this section include evidence that the unmanned aircraft system and its proposed operation meet the standards and criteria described. Outlines scope of permit issued. Requires the Administrator, no later than 120 days after receiving an application, to provide the applicant written notice of approval, disapproval or request to modify application. Requires the Administrator to issue a permit under this section without regard to subsections (b) through (d) of §553 of title 5 and chapter 35 of title 44, U.S. Code if the Administrator determines that the operation permitted will not occur near a congested area. Allows the Administrator to exempt applicants to the extent consistent with aviation safety under this section from paragraphs(1) through (3) of §44711(a). Allows the Administrator to modify or withdraw a permit at any time. States that this section shall not apply to small unmanned aircraft systems and operations addressed by the proposed rule on small unmanned aircraft systems issued pursuant to §45502(b)(1) or any final rule based on such proposed rule. Requires the Administrator to review and act upon applications under this section on an expedited basis for unmanned aircraft systems used primarily in or in direct support of emergency preparedness, response, or disaster recover.

§45504 “Public unmanned aircraft systems.” Requires the Secretary, no later than November 10, 2012, to issue guidance regarding the operation of public unmanned aircraft systems. Lists intentions for this guidance. Requires the Administrator, no later than December 31, 2015, to develop and implement operational and certification requirements for the operation of public unmanned aircraft systems in the national airspace system. Requires the Secretary, no later than May 14, 2012, to enter agreements with appropriate government agencies to simplify the process for issuing certificates of waiver or authorization with respect to applications seeking authorization to operate unmanned aircraft systems. Lists contents of agreement.

§45505 “Special rules for certain unmanned aircraft systems.” Requires the Secretary, no later than August 12, 2012, (notwithstanding any other requirement of this subtitle) to determine if certain unmanned aircraft systems may operate safely

in the national airspace system before completion of the plan and rulemaking required by §45502 or guidance under §45504. Lists minimum considerations for Secretary when making this determination. Requires the Secretary to establish requirements for the safe operation of such aircraft systems if it has been determined that certain unmanned aircraft systems may operate safely.

§45506, “Certification of new air navigation facilities for unmanned aircraft and other aircraft.” Requires the FAA, no later than 18 months after enactment, to initiate a rulemaking to establish procedures to issue air navigation facility certificates to operators of UTM and low-altitude CNS for UAS activity at 400 feet and below and below. Establishes certification standards and criteria for consideration.

§45507, “Special rules for certain UTM and low-altitude CNS.” Requires the Secretary, within 120 days of enactment, to determine if certain UTM and low-altitude CNS may operate safely in the national airspace on an interim basis before the rulemaking required by §45506 is completed.

§45508, “Operation of small unmanned aircraft.” Requires the Administrator, no later than 270 days after enactment of this section, to establish a procedure for granting an exemption and issuing a certificate of waiver or authorization for the operation of a small unmanned aircraft system. Lists requirements for such an exemption. Lists under which provisions a certificate of waiver or authorization issue shall allow the operation of small unmanned aircraft. Requires the operator of a small unmanned aircraft, prior to operating pursuant to a certification of waiver or authorization, to provide written notice to the Administrator that contains information and assurances as determined necessary by the Administrator in the interest of aviation safety. Allows the holder of a certificate of waiver or authorization granted under this section to operate a small unmanned aircraft under terms, conditions, and limitations of such certificate. Includes procedure clause, whereby requiring an exemption or certificate of waiver to be made without regard to §553 of title 5 or chapter 35 of title 44. Includes statutory construction clause. States that an exemption or certificate of waiver shall no longer be valid on the effective date of a final rule on small unmanned aircraft systems issued under §45502(b)(1). States requirements of applicability.

§45509 “Special rules for model aircraft.” Prohibits the Administrator from promulgating any rule or regulation regarding a model aircraft or aircraft being developed as a model aircraft flown strictly for recreational use and meeting certain safety guidelines. Lists stipulations regarding these rules or regulations. Requires a flight of an unmanned aircraft to be treated as a model aircraft under listed stipulations. Includes statutory construction clause. Defines the term “eligible not-for-profit organization.”

§45510, “Carriage of property for compensation or hire.” Directs the Secretary, within 1 year of enactment, to issue a final rule authorizing small UAS operators to carry property for compensation or hire. Directs the FAA to establish a new certification process for small UAS air cargo carriers. Sets guidelines for a streamlined, simple, performance-based, risk-based certification process.

Includes conforming amendments.

Sec. 433. Unmanned aircraft test ranges. Amends §332(c)(1) of the FAA Modernization and Reform Act of 2012 by striking “September 30, 2019” and inserting “6 years after the date of enactment of the 21st Century AIRR Act.” Requires the Administrator (to the extent consistent with aviation safety) to permit and encourage flights of unmanned aircraft systems equipped with sense-and-avoid and beyond-line-of-sight technologies at the six test ranges designated under §332(c) of the FAA Modernization and Reform Act of 2012. Allows the Administrator to waive requirements of §44711 of title 49, U.S. Code to the extent consistent with aviation safety. Defines the term “test range.”

Sec. 434. Sense of Congress regarding unmanned aircraft safety. States the sense of Congress that unauthorized operation of unmanned aircraft near airports is a serious hazard to aviation safety; that pilots are reporting near misses with unmanned aircraft with increasing regularity; that a collision between an unmanned aircraft and a conventional aircraft in flight could jeopardize the passengers’ safety; that Federal aviation regulations prohibit unauthorized operation of an aircraft in controlled airspace near an airport and the operation of an aircraft in a careless or reckless manner; that the Administrator should pursue all available civil and administrative remedies with respect to those operating unmanned aircraft in an unauthorized manner; that the Administrator should prioritize continuing measures to educate the public on the dangers of operating unmanned aircraft near airports; and that the manufacturers and retail sellers of small unmanned aircraft systems should educate consumers about safe and lawful operation.

Sec. 435. UAS privacy review. Requires the Secretary, alongside listed agencies and entities, to carry out a review to identify any potential reduction of privacy specifically caused by the integration of unmanned aircraft systems into the national airspace system. Lists requirements of consultation with the National Telecommunications and Information Administration of the Department of Commerce. Requires the Secretary to submit a Congressional report no later than 180 days after enactment of bill.

Sec. 436. Public UAS operations by tribal governments. Amends 49 U.S.C. §40102(a)(41) to add language to the definition of “public aircraft” to include UAS owned and operated (or exclusively leased) by an Indian tribe. Includes a conforming amendment.

Sec. 437. Evaluation of aircraft registration for small unmanned aircraft. Requires the FAA Administrator to develop and track metrics to assess compliance with and effectiveness of the FAA’s UAS registration system adopted in December 2015. Requires the DOT Inspector General to evaluate the implementation of the metrics and then report to Congress.

Sec 438. Study on roles of governments relating to low-altitude operation of small unmanned aircraft. Requires the DOT Inspector General to study the appropriate roles of various levels of government in regulating and overseeing low-altitude UAS use.

Sec. 439. Study on financing unmanned aircraft services. Requires a GAO study of appropriate fee mechanisms to recover the cost of UAS regulation, air traffic control, and safety oversight.

Sec. 440. Update of FAA comprehensive plan. Requires the Secretary to update the comprehensive plan required by section 332 of the 2012 FAA law to “develop a concept of operations for the integration of [UAS] into the [NAS].” Requires the update be completed within 270 days of enactment.

Sec. 441. Cooperation related to certain counter-UAS technology. Directs the Secretary to consult with the Defense Department in matters related to mitigating threats posed by errant or hostile UAS.

TITLE V—AIR SERVICE IMPROVEMENTS

Subtitle A—Passenger air service improvements

Sec. 501. Reliable air service in American Samoa. Amends §40109 of title 49, U.S. Code by adding exceptions related to providing minimum service in American Samoa.

Sec. 502. Cell phone voice communication ban. Amends subchapter I of chapter 417 of title 49, U.S. Code by adding new section 41725 “Prohibition on certain cell phone voice communications.” Requires the Secretary to issue regulations prohibiting individuals from engaging in voice communications using a mobile communications device during a flight. Lists exemptions from this regulation. Defines the terms “flight” and “mobile communications device.” Includes a clerical amendment.

Sec. 503. Advisory Committee for Aviation Consumer Protection. Amends §411 of title 49, U.S. Code. Adds one representative from “independent distributors of travel” to advisory committee. Extends annual reporting requirements to continue for 6 calendar after enactment of act. Sets termination date of advisory committee as September 30, 2023.

Sec. 504. Improved notification of insecticide use. Amends §42303(b) of title 49, U.S. Code. Requires air carriers or ticket agents selling a ticket in the United States for foreign travel to specific countries disclose that the passenger cabin may be treated with insecticide while passengers are aboard and to refer the purchaser of the flight ticket to the website established under subsection(a).

Sec. 505. Advertisements and disclosure of fees for passenger air transportation. Amends §41712 of title 49, U.S. Code. Adds language that entities may advertise base airfares as long as they clearly disclose fees and taxes and the total cost. Specifies that internet or mobile app advertisements may be disclosed via a link or pop-up. Defines “base airfare” and “covered entity.” Requires the Secretary, no later than 120 days after the enactment of bill, to issue final regulations on this section with an effective date that is 180 after enactment.

Sec. 506. Involuntarily bumping passengers after aircraft boarded. Amends §41712 of title 49, U.S. Code. Adds new paragraph that removing a confirmed,

checked-in passenger who has already boarded an aircraft is an unfair or deceptive practice under federal law.

Sec. 507. Availability of consumer rights information. Amends §42302(b) of title 49, U.S. Code. Specifies that required information be included “ in a prominent place on the homepage of the primary” and for required information to include the air carrier’s customer service plan.

Sec. 508. Consumer complaints hotline. Amends §42302 of title 49, U.S. Code. Requires the Secretary to periodically evaluate options for means of passenger complaints such as mobile apps or other widespread technologies.

Sec. 509. Widespread disruptions. Adds a §42302 to Chapter 423 of title 49. In the even of a widespread disruption, requires air carriers to provide information prominently online whether they will 1) provide hotel accommodations; 2) arrange for ground transportation; 3) provide meal vouchers; 4) arrange alternative air transportation; and 5) provide sleeping facilities at the airport. Defines “widespread disruption” and “covered air carrier.”

Sec. 510. Involuntarily denied boarding compensation. Requires the Secretary, at least 60 days after enactment of bill, to issue a final rule revising part 250 of title 14 CFR to clarify that due to an oversold flight: 1) there is no maximum compensation for a passenger involuntarily denied boarding; 2) compensation levels set forth are minimums; 3) an air carrier must proactively offer compensation.

Subtitle B — Aviation Consumers with Disabilities

Sec. 541. Select subcommittee. Further amends §42301 of title 49, U.S. Code by inserting a subsection requiring the secretary to establish a temporary subcommittee of the advisory committee to advise on travel needs of passengers with disabilities. Outlines specific duties and composition of the new subcommittee. Requires subcommittee to submit assessment and recommendations report to advisory committee no more that 1 year after establishment of subcommittee, and to congress no more than 60 days subsequent.

Sec. 542. Aviation consumers with disabilities study. Requires the Comptroller General, no later than 180 after enactment of bill, to conduct a study on best practices and current air carrier and airport training policies for peoples with disabilities. No later than 1 year after enactment of bill the Comptroller must submit a report to the Secretary, the Transportation and Infrastructure Committee, and the Commerce, Science, and Transportation Committee.

Sec. 543. Feasibility study on in-cabin wheelchair restraint systems. Requires the secretary, no later than 2 years after the enactment of bill, to conduct and report on a 1-year feasibility study on in-cabin wheelchair restrains and accommodation for persons with significant disabilities and power wheelchairs.

Subtitle C—Small Community Air Service

Sec. 551. Essential air service reform. Amends §41732(a)(2) of title 49, U.S. Code. Authorizes appropriation of amounts for fiscal years 2018 through 2023, as follows: \$178,000,000 for FY2018, \$182,000,000 for FY2019, \$185,000,000 for FY2020, \$327,000,000 for FY 2021, \$337,000,000 for FY2022, and \$347,000,000 for FY 2023. (The increase in the discretionary authorizations is necessary since the FAA will no longer be in the business of charging the overflight fees that pay for the mandatory side of the program once the ATC spinoff occurs.)

Sec. 552. Extension of final order establishing mileage adjustment eligibility. Amends §409(d) of Vision 100—Century of Aviation Reauthorization Act (49 U.S.C 41731 note). Changes termination date of final order (issued under subsection(c)) from “September 30, 2017” to “September 30, 2023.”

Sec. 553. Study on essential air service reform. Requires the Comptroller General of the United States to conduct a study on the effects of §6 of the Airport and Airway Extension Act of 2011, Part IV (Public Law 112-27), §421 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) and other relevant Federal laws enacted after 2010 on the Essential Air Service program. Outlines scope of study. Requires the Comptroller General, no later than 180 days after enactment of bill, to submit a Congressional report.

Sec. 554. Small community air service. Amends §41743(c) of title 49, U.S. Code. Amends language regarding size criteria for participation. Inserts new language under priorities to include assistance to help restore scheduled passenger air service that has been terminated. Authorizes to be appropriated to the Secretary \$6,000,000 for each fiscal year 2018 through 2023 to carry out this section. Requires the secretary to establish a regional air transportation pilot program to provide assistance to air carriers to provide service to communities with insufficient air carrier service. Requires the Secretary to provide grants, outlines requirements for public entity applications, and gives criteria for participation. Gives priorities for grant awards to be followed by the Secretary, requires minimum 50 percent non-federal match funding, and sets a subsection sunset date of October 1, 2023.

Sec. 555. Air transportation to noneligible places. Amends §41731(a)(1)(A)(ii) of title 49, U.S. Code. Updates location of definition of “eligible place.” Sets deadlines for proposals in subsection (a).

TITLE VI—MISCELLANEOUS

Sec. 601. Review of FAA strategic cybersecurity plan. Requires the Administrator of the FAA, no later than 120 days after the hiring of the interim Chief Executive Officer, to initiate a review of the FAA strategic cybersecurity plan. Outlines elements to be included in the review. Requires the Administrator to submit a report to congress no more than 120 days after initiating review.

Sec. 602. Consolidation and realignment of FAA services and facilities. Amends §804(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note). Removes subsection (A) of paragraph (2). Amends language in paragraph (4).

Requires the Secretary to continue to carry out consolidation or realignment projects commenced under §804 of the FAA Modernization and Reform Act of 2012.

Sec. 603. FAA review and reform. Requires the Administrator of the Federal Aviation Administration, no later than 60 days after enactment of bill, to submit to congress a detailed analysis of actions taken to address findings and recommendation in report required under 812(d) of the FAA Modernization and Reform Act of 2012. Outlines requirements for reporting. Requires Administrator to conduct addition review no later than 1 year after date of transfer and provides requirements for review content and actions following review that should take place no later than 60 days after completion of review. Requires the Administrator to submit a report to congress no later than 120 days after completion of review.

Sec. 604. Aviation fuel. Requires the Administrator to allow for the use of an unleaded aviation gasoline in an aircraft as a replacement for a leaded gasoline. Lists considerations for the Administrator. Requires the Administrator to adopt the process no later than 180 after the later of either: the date of completion of the Piston Aviation Fuels Initiative, or the publication date of an American Society for Testing and Materials Production Specification for an unleaded aviation gasoline.

Sec. 605. Right to privacy when using air traffic control system. Requires the Administrator of the FAA, upon request of private aircraft owners or operators, to block the registration number of the aircraft of the owner or operator from any public dissemination or display upon request of a private aircraft owner or operator. Makes an exception for data available to a Government agency.

Sec. 606. Air shows. Requires the Administrator, on an annual basis, to work with listed entities affiliated with Administration-approved air shows to identify and resolve scheduling conflicts between air shows, and large outdoor events and venues. Lists considerations.

Sec. 607. Part 91 review, reform, and streamlining. Requires the Administrator, no later than 90 days after the enactment of bill, to establish a task force comprised of representatives of the general aviation industry who regularly perform part 91 operations, labor unions, manufacturers, and the Government. Lists scope of task force. Lists content for task force's assessment. Requires the Administrator, no later than one year after enactment of bill, to submit a Congressional report on the results of the task force's assessment. Lists contents of Congressional report. Requires the Administrator, no later than 18 months after enactment of bill, to implement the recommendations made under this section. Defines the terms "FAA," part 91," "applicable law," and "sunset."

Sec. 608. Aircraft registration. Requires the Administrator, no later than 180 days after the enactment of bill, to initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 10 years.

Sec. 609. Air transportation of lithium cells and batteries. Requires the Secretary, in coordination with appropriate Federal agencies, to carry out "cooperative efforts" to ensure that shippers who offer lithium ion and lithium metal batteries for air transport to/from the U.S. to comply with the U.S. Hazardous

Materials Regulations and ICAO Technical Instructions. Lists scope of cooperative efforts. Requires the Secretary to submit a Congressional report no later than 120 days after the enactment of bill and annually thereafter for two years. Requires the Secretary, no later than 60 days after enactment of bill, to establish a lithium ion and lithium metal battery air safety advisory committee (“Committee”). Lists duties of Committee. Lists membership of Committee. Requires the Committee to submit a report to the Secretary and Congress no later than 180 days after enactment of bill. Outlines contents of this report. Includes provision for each Committee member the opportunity to submit an independent statement of review with the report submitted. Requires the Secretary to convene a meeting of the Committee before each meeting of the ICAO, and in general, at least twice a year. Terminates the Committee on the date 6 years after the date of establishment. Terminates the Future of Aviation Advisory Committee on the same date as the lithium ion battery air safety advisory committee is established. Requires the Secretary to issue limited exceptions to restrictions on transportation of lithium ion and lithium metal batteries, including specifics regarding batteries for medical devices. Requires the Secretary, no later than 180 days after enactment of bill and in consultation with interested stakeholders, to submit a Congressional report evaluating current practices for the packaging of lithium ion batteries and cells, including any recommendations to improve the packaging. Requires DOT to support participation of industry in ICAO or other international tests or standards discussions or events considering proposals in safety or transportation of lithium ion and lithium metal batteries in which the US participates. Requires the Secretary, not later than 30 days after enactment of bill, to conform US regulations on air transportation of lithium cells and batteries with the requirements in the 2015-2016 edition of the ICAO Technical Instructions. Defines the terms “medical device,” “ICAO Technical Instructions,” “U.S. Hazardous Materials Regulations.”

Sec. 610. Remote tower pilot program for rural or small communities. Requires the Secretary, no later than 180 days after enactment of bill, to establish a pilot program to install and operate a remote air traffic control tower in order to assess the operational benefits of these towers (upon approval of an application submitted by an operator of a public-use airport). Requires an interested operator of an airport to submit an application for approval. Lists selection criteria. Requires the Secretary to give priority to applicants that can best demonstrate the capabilities and potential of remote air traffic control towers. Allows the Secretary to reallocate the distribution of airport sites if there are an insufficient number of applications. Requires that a remote air traffic control tower installed with Government funds to be considered as an air navigation facility. Requires the Secretary to convene a safety risk management panel prior to the operational use of a remote air traffic control tower in order to address any safety issues. Requires the safety risk management panels to be created and utilized to take into account best practices that have been developed and operational data from remote air traffic control towers. Defines the terms “air navigation facility” and “remote air traffic control tower.” Sunsets the pilot program on the day before the date of transfer.

Sec. 611. Ensuring FAA readiness to provide seamless oceanic operations.

Requires DOT, by September 30, 2018, to make a final investment decision for the implementation of a reduced oceanic separation capability that can function at least equivalent to that offered in neighboring airspace.

Sec. 612. Sense of Congress regarding women in aviation. Expresses the sense of Congress that all sectors of the aviation industry should encourage female students and aviators to pursue a career in aviation.

Sec. 613. Obstruction evaluation aeronautical studies. Requires DOT to undertake a full-scale rulemaking with comment period before it implements the one engine inoperative procedures published in the *Federal Register* on April 28, 2014.

Sec. 614. Aircraft leasing. Amends 49 U.S.C. §44112 (“Limitation of liability”) to clarify that liability follows operational control of an aircraft and to strike the “on land or water” limitation on property loss.

Sec. 615. Report on obsolete test equipment. Requires the FAA to report to Congress within 180 days of enactment on the National Test Equipment Program.

Sec. 616. Retired military controllers. Amends 49 U.S.C. §44506(f) to allow the FAA to establish a program to provide original appointments as controllers for retired military controllers.

Sec. 617. Pilots sharing flight expenses with passengers. Directs the FAA, within 90 days of enactment, to make public some clear and concise guidance on how a pilot may share flight expenses with passengers.

Sec. 618. Aviation rulemaking committee for part 135 pilot rest and duty rules. Directs the FAA, within 180 days of enactment, to convene an aviation rulemaking committee to review the pilot rest and duty rules under part 135. Requires that a NPRM be issued to implement any consensus findings of the rulemaking committee.

Sec. 619. Metropolitan Washington Airports Authority. States findings from Congress that the Metropolitan Washington Airports Authority (MWAA) has routinely performed poorly on audits conducted by the Inspector General of the USDOT; that the responsible stewardship of taxpayer-owned assets by MWAA is of great concern; that a March 20, 2015 audit by the Inspector General found that MWAA’s quality assurance and improvement program did not conform with the standards of the Institute of Internal Auditors; and that the Inspector General’s audit made seven recommendations to strengthen MWAA governance, its Office of Audit, and its quality assurance and improvement program. Requires the Inspector General of the USDOT to conduct a study on MWAA’s progress in implementing the audit’s recommendations. Requires the Inspector General to submit a Congressional report on the study.

Sec. 620. Terminal Aerodrome Forecast. Directs the FAA to permit covered carriers to operate under VFR in Alaska and Hawaii without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report under certain circumstances.



Sec. 621. Federal Aviation Administration employees stationed on Guam.

Expresses the sense of Congress that the FAA and the Pentagon should find a way to give FAA employees on Guam access to DoD facilities like hospitals, commissaries, and the PX.

Sec. 622. Technical corrections. Makes technical corrections to 13 aviation statutes and US Code sections.