

Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes; as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Airplane Revitalization Act of 2013”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) A healthy small aircraft industry is integral to economic growth and to maintaining an effective transportation infrastructure for communities and countries around the world.

(2) Small airplanes comprise nearly 90 percent of general aviation aircraft certified by the Federal Aviation Administration.

(3) General aviation provides for the cultivation of a workforce of engineers, manufacturing and maintenance professionals, and pilots who secure the economic success and defense of the United States.

(4) General aviation contributes to well-paying jobs in the manufacturing and technology sectors in the United States and products produced by those sectors are exported in great numbers.

(5) Technology developed and proven in general aviation aids in the success and safety of all sectors of aviation and scientific competence.

(6) The average small airplane in the United States is now 40 years old and the regulatory barriers to bringing new designs to the market are resulting in a lack of innovation and investment in small airplane design.

(7) Since 2003, the United States lost 10,000 active private pilots per year on average, partially due to a lack of cost-effective, new small airplanes.

(8) General aviation safety can be improved by modernizing and revamping the regulations relating to small airplanes to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies.

SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.

(a) IN GENERAL.—Not later than December 15, 2015, the Administrator of the Federal Aviation Administration shall issue a final rule—

(1) to advance the safety and continued development of small airplanes by reorganizing the certification requirements for such airplanes under part 23 to streamline the approval of safety advancements; and

(2) that meets the objectives described in subsection (b).

(b) OBJECTIVES DESCRIBED.—The objectives described in this subsection are based on the recommendations of the Part 23 Reorganization Aviation Rulemaking Committee:

(1) The establishment of a regulatory regime for small airplanes that will improve safety and reduce the regulatory cost burden for the Federal Aviation Administration and the aviation industry.

(2) The establishment of broad, outcome-driven safety objectives that will spur innovation and technology adoption.

(3) The replacement of current, prescriptive requirements under part 23 with performance-based regulations.

(4) The use of consensus standards accepted by the Federal Aviation Administration to clarify how the safety objectives of part 23 may be met using specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—In prescribing regulations under this section, the Administrator shall use consensus standards,

as described in section 12(d) of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 272 note), to the extent practicable while continuing traditional methods for meeting part 23.

(d) SAFETY COOPERATION.—The Administrator shall lead the effort to improve general aviation safety by working with leading aviation regulators to assist them in adopting a complementary regulatory approach for small airplanes.

(e) DEFINITIONS.—In this section:

(1) CONSENSUS STANDARDS.—

(A) IN GENERAL.—The term “consensus standards” means standards developed by an organization described in subparagraph (B) that may include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a nondiscriminatory, royalty-free, or reasonable royalty basis to all interested persons.

(B) ORGANIZATIONS DESCRIBED.—An organization described in this subparagraph is a domestic or international organization that—

(i) plans, develops, establishes, or coordinates, through a process based on consensus and using agreed-upon procedures, voluntary standards; and

(ii) operates in a transparent manner, considers a balanced set of interests with respect to such standards, and provides for due process and an appeals process with respect to such standards.

(2) PART 23.—The term “part 23” means part 23 of title 14, Code of Federal Regulations.

(3) PART 23 REORGANIZATION AVIATION RULEMAKING COMMITTEE.—The term “Part 23 Reorganization Aviation Rulemaking Committee” means the aviation rulemaking committee established by the Federal Aviation Administration in August 2011 to consider the reorganization of the regulations under part 23.

(4) SMALL AIRPLANE.—The term “small airplane” means an airplane which is certified to part 23 standards.

SMALL AIRPLANE REVITALIZATION ACT OF 2013

Mr. REID. I ask unanimous consent that the Commerce Committee be discharged from further action on H.R. 1848.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 1848) to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I further ask that the substitute amendment, which is at the desk and is the text of S. 1072, as reported by the Commerce Committee, be agreed to; the bill, as amended, be read a third time and passed; and that the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1999) was agreed to, as follows:

Strike out all after the enacting clause and insert:

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(3) The replacement of current, prescriptive requirements under part 23 with performance-based regulations.

(4) The use of consensus standards accepted by the Federal Aviation Administration to clarify how the safety objectives of part 23 may be met using specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—In prescribing regulations under this section, the Administrator shall use consensus standards, as described in section 12(d) of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 272 note), to the extent practicable while continuing traditional methods for meeting part 23.

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(1) CONSENSUS STANDARDS.—

(A) IN GENERAL.—The term “consensus standards” means standards developed by an organization described in subparagraph (B) that may include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a nondiscriminatory, royalty-free, or reasonable royalty basis to all interested persons.

(B) ORGANIZATIONS DESCRIBED.—An organization described in this subparagraph is a domestic or international organization that—

(i) plans, develops, establishes, or coordinates, through a process based on consensus and using agreed-upon procedures, voluntary standards; and

(ii) operates in a transparent manner, considers a balanced set of interests with respect to such standards, and provides for due process and an appeals process with respect to such standards.

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(4) SMALL AIRPLANE.—The term “small airplane” means an airplane which is certified to part 23 standards.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1848), as amended, was passed.

TRUCKER SLEEP APNEA RULES

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3095, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3095) to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I further ask that the bill be read three times and passed and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3095) was ordered to a third reading, was read the third time, and passed.

RESCUE OF DANISH JEWS

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 200, S. Res. 227.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 227) to commemorate the 70th anniversary of the heroic rescue of

Danish Jews during the Second World War by the Danish people.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 17, 2013, under “Submitted Resolutions.”)

SUPPORT FOR FREE AND PEACEFUL DEMOCRACY IN VENEZUELA

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 201, S. Res. 213.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 213) expressing support for the free and peaceful exercise of representative democracy in Venezuela and condemning violence and intimidation against the country’s political opposition, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble and an amendment to the title, as follows:

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

S. RES. 213

Whereas the Constitution of the Bolivarian Republic of Venezuela guarantees its citizens full political rights, including the right to freely associate for democratic political purposes, and the right to a secret ballot through regular free, universal, direct elections and referenda;

Whereas the Preamble of the Charter of the Organization of American States affirms that “representative democracy is an indispensable condition for the stability, peace and development of the region,” and Article 1 of the Inter-American Democratic Charter recognizes that “the people of the Americas have a right to democracy and their governments have an obligation to promote and defend it”;

Whereas the National Electoral Council (CNE) of Venezuela declared Nicolas Maduro to have been elected in Venezuela’s April 14, 2013, presidential election, with 50.6 percent of votes cast;

Whereas the Senate of the Republic of Chile, the Christian Democratic Organization of the Americas, the Socialist International, the Union of Latin American parties, and other political organizations in the region issued declarations recognizing the alleged irregularities documented by the opposition in Venezuela and urged a complete audit of the election results;

Whereas the Supreme Court of Venezuela refused to hear legal cases presented by the political opposition regarding alleged violations of electoral law, and the CNE denied the opposition’s request for a full and comprehensive audit of the election results that includes the review and comparison of voter registry log books, vote tallies produced by electronic voting machines, and the paper receipts printed by electronic voting machines;

Whereas Venezuela’s Unified Democratic Platform (MUD) has formally requested the Inter-American Commission on Human Rights to conduct an impartial review of alleged violations of Venezuelans’ civic rights through electoral irregularities, voter intimidation, and other abuses in the April 2013 elections, and the Government of Venezuela subsequently announced its withdrawal from the Inter-American Court on Human Rights;

Whereas, in response to the political opposition’s decision not to recognize Nicolas Maduro as President, legislators from opposition parties in Venezuela were denied the right to speak and removed from key committees by the President of the National Assembly, were violently assaulted by members of the ruling United Socialist Party of Venezuela (PSUV), and increasingly face the prospect of politically-motivated criminal charges;

Whereas the Congress of the Republic of Peru passed a resolution rejecting the use of violence against opposition parties in the Venezuelan National Assembly and expressing solidarity with those injured by the events of April 2013, and the Department of State responded to the violence against opposition legislators in Venezuela by declaring that “violence has no place in a representative and democratic system, and is particularly inappropriate in the National Assembly”;

Whereas the Secretary General of the Organization of American States (OAS) repudiated the incident by stating that it “reflects, in a dramatic manner, the absence of a political dialogue that can bring tranquility to the citizens and to the members of the different public powers to resolve in a peaceful climate and with everybody’s participation the pending matters of the country”; and

Whereas, as a member of the Organization of American States and signatory to the Inter-American Democratic Charter, the Bolivarian Government of Venezuela has agreed to abide by the principles of constitutional, representative democracy, which include free and fair elections and adherence to its own constitution: Now, therefore, be it

Resolved, That the Senate—

(1) supports the people of Venezuela in their pursuit of the free exercise of representative democracy as guaranteed by the Constitution of the Bolivarian Republic of Venezuela;

(2) deplores the undemocratic denial of the legitimate rights of opposition parliamentarians in Venezuela, the inexcusable violence perpetrated against opposition legislators inside chambers of the National Assembly, and the growing efforts to use politically-motivated criminal charges to intimidate the country’s political opposition;

(3) commends legislators from other countries in the Americas who have declared their opposition to alleged electoral irregularities and condemned the use of violence against opposition parliamentarians in Venezuela;

(4) urges the Department of State to work in concert with other countries in the Americas to take meaningful steps to ensure the rule of law in Venezuela in accordance with the Inter-American Democratic Charter and to strengthen the ability of the Organization of American States to respond to the erosion of democratic norms and institutions in member states; and

(5) calls for the United States to work with other countries in the hemisphere to actively encourage a process of dialogue between the Government of Venezuela and the political opposition through the good offices of the Organization of American States so that the voices of all Venezuelans can be taken into account through their country’s constitutional institutions and free and fair elections.

Amend the title so as to read: “A resolution expressing support for the free and peaceful exercise of representative democracy in Venezuela, condemning violence and intimidation against the country’s political opposition, and calling for dialogue between all political actors in the country.”.