

114TH CONGRESS
2D SESSION

H. R. 4464

To ensure that Federal research and development in support of civil aviation remains at the forefront of addressing challenges confronting the Nation's air transportation system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2016

Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. LIPINSKI, Ms. EDWARDS, Mr. GRAYSON, and Ms. ESTY) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To ensure that Federal research and development in support of civil aviation remains at the forefront of addressing challenges confronting the Nation's air transportation system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Aviation Re-
5 search and Development Reauthorization Act of 2016”.

6 **SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or a repeal of, a section or other
 2 provision, the reference shall be considered to be made to
 3 a section or other provision of title 49, United States
 4 Code.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) ADMINISTRATOR.—The term “Adminis-
 8 trator” means the Administrator of the Federal
 9 Aviation Administration.

10 (2) FAA.—The term “FAA” means the Fed-
 11 eral Aviation Administration.

12 (3) NASA.—The term “NASA” means the Na-
 13 tional Aeronautics and Space Administration.

14 (4) NEXTGEN.—The term “NextGen” means
 15 the Next Generation Air Transportation System.

16 (5) SECRETARY.—The term “Secretary” means
 17 the Secretary of Transportation.

18 **TITLE I—AUTHORIZATION OF**
 19 **APPROPRIATIONS**

20 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 48102(a) is amended—

22 (1) by striking “and” at the end of paragraph
 23 (8);

24 (2) by striking paragraph (9); and

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

1 “(9) \$428,050,000 for fiscal year 2016, of
2 which—

3 “(A) \$166,000,000 shall be for Research,
4 Engineering, and Development;

5 “(B) \$216,050,000 shall be for Facilities
6 and Equipment; and

7 “(C) \$46,000,000 shall be for Grants-in-
8 Aid for Airports;

9 “(10) \$490,200,000 for fiscal year 2017, of
10 which—

11 “(A) \$169,000,000 shall be for Research,
12 Engineering, and Development;

13 “(B) \$275,200,000 shall be for Facilities
14 and Equipment; and

15 “(C) \$46,000,000 shall be for Grants-in-
16 Aid for Airports; and

17 “(11) \$536,270,400 for fiscal year 2018, of
18 which—

19 “(A) \$173,346,000 shall be for Research,
20 Engineering, and Development;

21 “(B) \$316,832,400 shall be for Facilities
22 and Equipment; and

23 “(C) \$46,092,000 shall be for Grants-in-
24 Aid for Airports.”.

1 **TITLE II—STRATEGIC**
2 **DIRECTION FOR FAA RESEARCH**

3 **SEC. 21. DECADEAL SURVEY ON FAA’S CIVIL AVIATION RE-**
4 **SEARCH.**

5 (a) IN GENERAL.—The Secretary shall enter into an
6 arrangement with the National Academies for a com-
7 prehensive research survey and strategy for FAA’s civil
8 aviation activities, including NextGen, over the next dec-
9 ade. The survey shall encompass research activities in
10 FAA’s Research, Engineering, and Development, Facili-
11 ties and Equipment, and Grants-in-Aid for Airports ac-
12 counts, as well as any other research or emerging research
13 areas that will enhance FAA’s civil aviation activities. The
14 survey shall—

15 (1) prioritize FAA civil aviation research needs
16 and align such research needs with the mission of
17 FAA;

18 (2) examine the status of research methods and
19 tools, including modeling and simulation, data anal-
20 ysis, and technology demonstration capabilities, that
21 can contribute to FAA civil aviation research;

22 (3) examine the status of FAA-owned research
23 facilities and equipment, the extent to which their
24 availability and accessibility is coordinated across
25 FAA’s research programs, and their ability to sup-

1 port FAA civil aviation research over the next dec-
2 ade;

3 (4) identify workforce skills, workforce develop-
4 ment, and training needed to support research prior-
5 ities over the next decade;

6 (5) examine the process and issues related to
7 translating research advances into operational use,
8 including the process required for the certification,
9 operational approval, and implementation of new
10 technologies and resulting operations into the Na-
11 tional Airspace System, and identify the best prac-
12 tices used by other United States or non-United
13 States organizations in transitioning such research
14 into operations;

15 (6) examine issues related to the dissemination
16 of relevant research to the broader aviation commu-
17 nity;

18 (7) consider the research contributions of FAA
19 Centers of Excellence, NASA, and other United
20 States Government or nongovernment entities to
21 civil aviation; and

22 (8) make prioritized recommendations on the
23 areas described in paragraphs (1) through (7).

24 (b) TRANSMITTAL.—Not later than 2 years after the
25 date of enactment of this Act, the Secretary shall transmit

1 the results of the National Academies decadal survey to
2 the Committee on Science, Space, and Technology of the
3 House of Representatives and the Committee on Com-
4 merce, Science, and Transportation of the Senate.

5 **SEC. 22. 5-YEAR STRATEGIC AND INTEGRATED RESEARCH**
6 **PLAN.**

7 (a) PLAN.—Not later than 9 months after the date
8 of transmittal of the decadal survey under section 21(b),
9 the Secretary shall transmit to the Committee on Science,
10 Space, and Technology of the House of Representatives
11 and the Committee on Commerce, Science, and Transpor-
12 tation of the Senate a Strategic and Integrated Research
13 Plan that establishes a program of research and develop-
14 ment activities that reflects the results of such decadal
15 survey. The plan shall—

16 (1) describe how FAA’s research and develop-
17 ment activities and associated projects, including
18 those related to—

- 19 (A) NextGen-associated research;
20 (B) research, engineering, and development
21 and facilities and equipment;
22 (C) grants-in-aid for airports research; and
23 (D) other research areas recommended in
24 the decadal survey,

1 will be interlinked to address common themes and
2 contribute to making progress on the priorities identified in the decadal survey transmitted under section 21(b);

5 (2) provide integrated research objectives, milestones, and timelines for achieving those priorities over the next 5 years; and

8 (3) describe research activities that will lead to
9 procedures for the certification and operational approval of new technologies for their timely and cost-effective introduction into the National Airspace
12 System.

13 (b) REVIEW.—Not later than 3 years after the transmittal of the Strategic and Integrated Research Plan
15 under subsection (a), the Secretary shall enter into an arrangement with the National Academies to review FAA’s
17 progress on implementing the Strategic and Integrated
18 Research Plan.

19 (c) TRANSMITTAL OF REVIEW.—Not later than 12
20 months after the Secretary enters into the arrangement
21 required under subsection (b), the Secretary shall transmit
22 the results of the National Academies’ review to the Committee on Science, Space, and Technology of the House
24 of Representatives and the Committee on Commerce,
25 Science, and Transportation of the Senate.

1 **SEC. 23. CYBERSECURITY RESEARCH ACTION INITIATIVE.**

2 (a) IN GENERAL.—The Secretary shall ensure that
3 FAA’s research and development on cybersecurity and its
4 application across FAA is dynamic and constantly updated
5 to reflect the evolving nature of cyber risks and threats,
6 and that cybersecurity research and development is ap-
7 proached in an integrated fashion consistent with the find-
8 ings and analyses of both the Government Accountability
9 Office and the National Academies report, “A Review of
10 the Next Generation Air Transportation System: Implica-
11 tions and Importance of a System Architecture”, which
12 states that “Cybersecurity requires a system-wide ap-
13 proach that is managed architecturally and cannot be ad-
14 dressed piecemeal by each contractor (or program) sepa-
15 rately. Nor can security be added to the system later.
16 Safety properties themselves are dependent on a resilient,
17 trustworthy, secure system, so careful integration of cy-
18 bersecurity models and processes into safety analyses will
19 become increasingly important. Finally, cybersecurity
20 itself is an ongoing challenge in many domains and the
21 subject of ongoing research; it will be important to track
22 and integrate relevant results as the field continues to
23 evolve.”. Development of an agencywide threat model will
24 facilitate FAA in taking an integrated approach to cyber-
25 security.

1 (b) THREAT MODEL DEVELOPMENT.—The Secretary
2 shall develop an agencywide threat model to strengthen
3 cybersecurity defense across FAA. The threat model
4 shall—

5 (1) be continuously updated;

6 (2) be capable of describing the landscape of se-
7 curity risks to FAA’s operational systems, including
8 those potentially caused by manned and unmanned
9 aircraft operation in the National Airspace System;
10 and

11 (3) enable FAA to—

12 (A) identify known threats, including in-
13 sider threats;

14 (B) align cybersecurity efforts and re-
15 sponses commensurate with the identified
16 threats; and

17 (C) implement any additional actions need-
18 ed to respond to threats and security weak-
19 nesses that have not been addressed.

20 (c) TRANSMITTAL.—Not later than 6 months after
21 the date of enactment of this Act, the Secretary shall
22 transmit a classified threat model and an unclassified ex-
23 ecutive summary to the Committee on Science, Space, and
24 Technology of the House of Representatives and the Com-

1 mittee on Commerce, Science and Transportation of the
2 Senate.

3 **TITLE III—MAINTAINING SAFETY**
4 **AND ENVIRONMENTAL RE-**
5 **SPONSIBILITY IN A CHANG-**
6 **ING AVIATION ENVIRONMENT**

7 **SEC. 31. REVIEW OF RESEARCH SYNERGY OF UNMANNED**
8 **AIRCRAFT SYSTEMS TEST SITES AND CENTER**
9 **OF EXCELLENCE.**

10 (a) REVIEW.—Not later than 3 months after the date
11 of enactment of this Act, the Comptroller General shall
12 initiate a review of the effectiveness of the 6 FAA un-
13 manned aircraft system test sites and the opportunities
14 for coordinating and integrating the research conducted
15 at the test sites with that conducted by the Center of Ex-
16 cellence on Unmanned Aircraft Systems. The review shall
17 include input from stakeholders and users of the test sites
18 and participants of the Center of Excellence.

19 (b) ISSUES.—The review shall address—

20 (1) FAA’s plans for the utilization of research
21 carried out at the test sites and the Center of Excel-
22 lence on Unmanned Aircraft Systems and any rela-
23 tionship of such research to the plan required under
24 section 22(a);

1 (2) the coordination of the research carried out
2 at the test sites and the Center of Excellence; and

3 (3) the mechanism by which FAA will exchange
4 information and communications with both the test
5 sites and the Center of Excellence on potential op-
6 portunities for them to address FAA's research and
7 development needs and on potential opportunities for
8 FAA to facilitate potential partnerships within and
9 among the test sites, the Center of Excellence, and
10 other relevant entities to help address FAA's re-
11 search and development needs.

12 (c) TRANSMITTAL.—The Comptroller General shall
13 transmit the review under this section to the Committee
14 on Science, Space, and Technology of the House of Rep-
15 resentatives and the Committee on Commerce, Science,
16 and Transportation of the Senate not later than 12
17 months after the date of enactment of this Act.

18 **SEC. 32. RESEARCH AND DEVELOPMENT STRATEGY IN SUP-**
19 **PORT OF THE SAFE INTEGRATION OF UN-**
20 **MANNED AIRCRAFT SYSTEMS INTO THE NA-**
21 **TIONAL AIRSPACE SYSTEM.**

22 (a) IN GENERAL.—The Secretary shall develop a re-
23 search and development strategy to provide the research
24 basis for informing any potential regulatory action regard-

1 ing the safe integration of evolving unmanned aircraft sys-
2 tems into the National Airspace System.

3 (b) STRATEGY.—Not later than 9 months after the
4 date of enactment of this Act, the Secretary shall transmit
5 a research and development strategy for the integration
6 of unmanned aircraft systems into the National Airspace
7 System.

8 (c) ISSUES.—The strategy shall address the research
9 needed to ensure—

10 (1) the safe integration of unmanned aircraft
11 systems of all sizes and categories, operating alti-
12 tudes, and degree of autonomy of operation; and

13 (2) the utilization of other relevant Federal and
14 federally sponsored research and development activi-
15 ties on the safe integration of unmanned aircraft
16 systems into the National Airspace System.

17 **SEC. 33. GENERAL AVIATION SAFETY.**

18 (a) WORKSHOPS.—The Secretary shall hold at least
19 one workshop to discuss the status of research and devel-
20 opment focused on enhancing general aviation safety. The
21 workshop or workshops shall—

22 (1) identify research and development that has
23 had a measurable impact on enhancing general avia-
24 tion safety, and the extent to which those research

1 results are disseminated to the general aviation com-
2 munity;

3 (2) identify what further research is needed to
4 address factors affecting general aviation safety; and

5 (3) include a broad range of experts from the
6 Federal Government, the National Transportation
7 Safety Board, not-for-profit organizations, industry,
8 academia, and the general aviation user community.

9 (b) PLAN.—Using the results of the workshop or
10 workshops held under subsection (a), the Secretary shall
11 develop a plan that includes future research goals and ob-
12 jectives and a roadmap for achieving them.

13 (c) TRANSMITTAL.—Not later than 18 months after
14 the date of enactment of this Act, the Secretary shall
15 transmit the plan required under subsection (b) to the
16 Committee on Science, Space, and Technology of the
17 House of Representatives and the Committee on Com-
18 merce, Science, and Transportation of the Senate.

19 **SEC. 34. REVIEW OF AIRCRAFT NOISE RESEARCH AND ITS**
20 **USE IN SUPPORTING STANDARDS.**

21 (a) IN GENERAL.—The Comptroller General shall
22 carry out a review of Federal Government research pro-
23 grams on aircraft noise levels and the use of such research
24 to inform the Department of Transportation’s noise eval-
25 uation processes, adjustments to noise metrics, and devel-

1 opment of noise abatement procedures. The review shall
2 include the research and development activities of other
3 Federal agencies and international bodies and shall iden-
4 tify any barriers to the application of the research to up-
5 dating noise evaluation processes and metrics.

6 (b) TRANSMITTAL.—Not later than 1 year after the
7 date of enactment of this Act, the Comptroller General
8 shall transmit the review required under subsection (a) to
9 the Committee on Science, Space, and Technology of the
10 House of Representatives and the Committee on Com-
11 merce, Science, and Transportation of the Senate.

12 **SEC. 35. RESEARCH TO ENHANCE AIRPORT SAFETY-RE-**
13 **LATED DESIGN STANDARDS.**

14 (a) PLAN AND PROCESS.—The Secretary shall de-
15 velop a plan for research on safety risk assessment meth-
16 ods related to the development of airport design stand-
17 ards. The plan shall also establish a process for applying
18 risk assessment methods to the development of standards.

19 (b) REVIEW.—The Secretary shall enter into an ar-
20 rangement with the Transportation Research Board of the
21 National Academies to carry out a review of the plan.

22 (c) TRANSMITTAL.—Not later than 18 months after
23 the date of enactment of the Act, the Secretary shall
24 transmit the results of the National Academies' review to
25 the Committee on Science, Space, and Technology of the

1 House of Representatives and the Committee on Com-
2 merce, Science, and Transportation of the Senate.

3 **SEC. 36. RESEARCH COORDINATION TO INFORM POTEN-**
4 **TIAL AVIATION REGULATIONS ON GREEN-**
5 **HOUSE GAS EMISSIONS.**

6 (a) RESEARCH COORDINATION.—The Director of the
7 Office of Science and Technology Policy, in cooperation
8 with the Secretary and other relevant Federal agencies,
9 shall coordinate research that can inform the development
10 of potential regulations on limiting greenhouse gas emis-
11 sions from aircraft.

12 (b) RESEARCH TO INFORM POTENTIAL REGULA-
13 TIONS.—The Director shall ensure that the research co-
14 ordinated under subsection (a) is provided to the relevant
15 Federal agencies and international bodies to help inform
16 the development of international standards and potential
17 United States regulations that would seek to reduce green-
18 house gas emissions from aircraft.

19 **SEC. 37. RESEARCH TO INFORM THE ESTABLISHMENT OF**
20 **CONTAMINANT STANDARDS FOR AIRCRAFT**
21 **CABIN AIR CONTAMINANTS.**

22 (a) IN GENERAL.—Taking into consideration the rec-
23 ommendations from the report to Congress submitted
24 under section 917 of the FAA Modernization and Reform

1 Act of 2012 (42 U.S.C. 44504 note), the Secretary shall,
2 in collaboration with relevant stakeholders—

3 (1) develop a plan, and timeline for any nec-
4 essary research and development leading to the im-
5 plementation of contaminant standards for aircraft
6 cabin air contaminants; and

7 (2) facilitate commercial development and im-
8 plementation of advanced contaminant detection and
9 cleaning technologies.

10 (b) PLAN.—Not later than 6 months after the date
11 of enactment of this Act, the Secretary shall transmit a
12 copy of the plan and timeline developed under subsection
13 (a)(1) to the Committee on Science, Space, and Tech-
14 nology of the House of Representatives and the Committee
15 on Commerce, Science, and Transportation of the Senate.

16 **SEC. 38. REVIEW OF THE RESEARCH, ENGINEERING, AND**
17 **DEVELOPMENT ADVISORY COMMITTEE.**

18 (a) REVIEW.—The Comptroller General shall carry
19 out a review of—

20 (1) the role of FAA’s Research, Engineering,
21 and Development Advisory Committee in advising
22 FAA on the effectiveness of the organization, man-
23 agement, and budgetary structure of research and
24 development programs across FAA and on both
25 near-term budget planning and long-term strategic

1 planning for the comprehensive FAA research and
2 development portfolio, including research included in
3 the Research, Engineering, and Development; Facili-
4 ties and Equipment; and Grants-in-Aid for Airports
5 budget accounts; and

6 (2) FAA's implementation of the advice and
7 recommendations provided by the Research, Engi-
8 neering, and Development Advisory Committee.

9 (b) BEST PRACTICES.—The review shall consider
10 best practices of Federal agency research and development
11 advisory committees and make any recommendations that
12 would strengthen the Research, Engineering, and Develop-
13 ment Advisory Committee in its advisory role to FAA.

14 (c) TRANSMITTAL.—Not later than 1 year after the
15 date of enactment of this Act, the Comptroller General
16 shall transmit the review, including recommendations, to
17 the Committee on Science, Space, and Technology of the
18 House of Representatives and the Committee on Com-
19 merce, Science, and Transportation of the Senate.

20 **SEC. 39. RESEARCH ON NONGOVERNMENT AIR TRAFFIC**
21 **CONTROL OPERATIONS.**

22 (a) INDEPENDENT STUDY.—The Secretary shall
23 enter into an arrangement for an independent external
24 study to identify the implications that a potential non-
25 government United States air traffic control system could

1 have on FAA's research and development activities as well
2 as what organizational changes would be required under
3 a nongovernmental air traffic control system for over-
4 seeing such research and development activities.

5 (b) REPORT.—Not later than 12 months after the
6 date of enactment of this Act, the Secretary shall transmit
7 the results of the study to the Committee on Science,
8 Space, and Technology of the House of Representatives
9 and the Committee on Commerce, Science, and Transpor-
10 tation of the Senate.

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