

HONORING CORPORAL EUGENE COLE

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIQUIN. Mr. Speaker, yesterday, my fellow Mainers woke up to heartbreaking news: Corporal Eugene Cole, a deputy at Somerset County Sheriff's Office in Norridgewock, was shot and killed in the line of duty. This horrific act was the first killing of a police officer in Maine in almost 30 years.

Every day, Mr. Speaker, for 13 years, Eugene Cole put on his uniform and his equipment and set out to protect our families in Maine. Mr. Cole served central Maine with honor and integrity and a relentless sense of duty.

Mr. Speaker, Maine is one of the safest places in the country to live and work and raise your kids, and that is because of heroes like Eugene Cole. I am so grateful for his work and his sacrifice.

On behalf of all of my fellow Mainers, Mr. Speaker, I send our deepest sympathies to the family of Eugene Cole. I will be praying for them during this very, very difficult time.

THE NEXT VA SECRETARY

(Mr. BANKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BANKS of Indiana. Mr. Speaker, I rise today in support of our Nation's veterans.

Over the last 16 months, this Congress and President have made tremendous progress for the men and women who have served our country in uniform. Congress passed and the President signed into law the largest expansion of GI benefits since World War II: appeals reform, the Accountability and Whistleblower Protection Act, and several other important bills.

As a member of the House Veterans' Affairs Committee, I have been proud to author legislation and contribute to these initiatives on behalf of Hoosier veterans. But there is still so much more to do for our veterans and to address many of the longstanding issues within the VA, which is why it is absolutely vital that our next VA Secretary has the experience and commitment needed to build upon the progress that we have already made.

Our veterans have made tremendous sacrifices to keep our Nation free and secure, and they deserve the highest quality of people serving at the VA. Today, I urge the Trump administration to nominate a VA Secretary committed to making important reforms and serving our Nation's heroes who have served us so well.

PAKISTAN'S SUPPORT OF TERRORISTS

(Mr. POE of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Pakistan has been betraying the international community and is supporting terrorism. The Financial Action Task Force officially placed Pakistan on its grey list of countries not doing enough to counter terror finance. Not only does Pakistan provide safe haven for all stripes of terrorist groups, it also turns a blind eye to so-called Islamic charities tied to terrorist operations and other terrorist financiers. Pakistan has paid lip service to the fight against terrorism, while supporting the very criminals that kill Americans and our allies.

Mr. Speaker, I was just at the White House where the President honored many of our wounded warriors, some of them wounded in Afghanistan and Iraq. Pakistan's intelligence services have fostered working relationships with the Haqqani network, al-Qaida, and the Taliban—terrorist groups. Meanwhile, the Pakistan Government has received over \$30 billion of American aid.

Pakistan is a Benedict Arnold unfaithful ally. We need to stop paying Pakistan to betray us. They will do it for free.

And that is just the way it is.

KANSAS TEAMS REACH THE NATIONAL SCIENCE BOWL NATIONAL FINALS

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to congratulate Blue Valley West High School and Pleasant Ridge Middle School on winning their regional competitions of the National Science Bowl.

Since 1991, the Department of Energy has been using the National Science Bowl to encourage students from diverse backgrounds who excel in science and mathematics to pursue careers in those areas. For our Nation to remain the beacon of innovation and creation that it is today, we must support and inspire our youth to experiment and explore the world around them.

In January of this year, 9,000 high school students and 4,500 middle school students passionate about science and mathematics began to compete. The young people from my district worked hard and have found themselves participating in the national finals. Starting today, these two bright groups of young people will represent Kansas in the National Science Bowl's national finals.

Mr. Speaker, I call upon all of us in this body to join me in wishing Blue Valley West and Pleasant Ridge's team good luck in the National Science Bowl's national finals.

□ 1230

FAA REAUTHORIZATION ACT OF 2018

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 839 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4.

The Chair appoints the gentleman from New York (Mr. DONOVAN) to preside over the Committee of the Whole.

□ 1232

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes, with Mr. DONOVAN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in calling up H.R. 4, the FAA Reauthorization Act of 2018, this bipartisan legislation is cosponsored by every chair and ranking member of the Transportation and Infrastructure Committee.

This bill is critical to our economy, to millions of Americans who work in aviation, and to hundreds of millions of Americans who use the system every year. H.R. 4 authorizes FAA programs through FY 2023.

This is a long-term bill, something that is overdue. Too often, our aviation programs face short-term extensions, CRs, and threats of government shutdowns. We are now operating on the fifth extension from the last long-term FAA law, which was signed on February 14, 2012.

Before the bill was signed into law, Congress passed 23 short-term extensions. This is an incredible amount of uncertainty for programs that rely on long-term stability. That uncertainty was one of the reasons I initially pushed for air traffic control reform, to separate the modernization of our system from the unreliable Federal budget process.

In that regard, this bill only maintains the status quo. I still strongly believe Congress must soon pass real air traffic control reform for the U.S. to finally develop the most modern, advanced aviation system in the world, and right now, we cannot claim that. The more we delay, the more we risk losing our position in the world as a leader in aviation.

So, while H.R. 4 does not contain all the reforms our system needs, it does contain other important reforms that must be implemented. For example, this bill cuts red tape in the certification process so our manufacturers can get products to market on time, stay competitive, and continue providing millions of American jobs.

It streamlines the regulatory process to encourage innovation and new technologies, like unmanned aircraft systems.

It provides critical funding for the AIP program and airport infrastructure across America.

It strengthens protections for passengers, and it addresses safety issues that have arisen in recent years.

The bill contains many good provisions, and I plan to offer a manager's amendment that provides additional improvements. That includes an additional safety provision in light of the April 17 Southwest flight 1380 engine failure.

I want to commend pilot Tammie Jo Shults for her absolute heroic performance after a catastrophic engine failure at over 30,000 feet. This was a prolonged emergency—not over in just a minute or two. For the next 15 to 20 minutes, with a hole in the cabin and believing that a passenger may have been completely sucked out, she calmly and expertly guided the plane to an emergency landing.

Tragically, one person died in the incident, but 148 people are alive today because of Captain Shults and her crew. She prevented what could have been a large tragedy. In my opinion, this is one of the most heroic performances by a pilot and crew in recent memory.

Strengthening our aviation system is only one of the reasons we need to pass today's legislation. H.R. 4 also includes the Disaster Recovery Reform Act, a measure that passed the House in December with overwhelming support, but it was not taken up in the Senate.

These provisions strengthen FAA's focus on predisaster mitigation, preparing our communities to better withstand the next hurricane, wildfire, flood, or other disasters. Building better and building smarter will save lives and lower the growing cost of disaster recovery. Investing more in mitigating disasters before they strike makes common sense.

This bill is a result of the hard work of the Transportation and Infrastructure Committee, the bill sponsors, and many others. I want to thank Ranking Member DEFAZIO, Chairman LOBIONDO, Ranking Member LARSEN, Chairman

BARLETTA, Ranking Member TITUS, and the many other Members who worked on this legislation. I look forward to a good debate today and to moving this bill to the Senate.

Mr. Chairman, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

HOUSE OF REPRESENTATIVES,

Washington, DC, April 17, 2018.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On April 13, 2018, the Committee on Transportation and Infrastructure introduced H.R. 4, the FAA Reauthorization Act of 2018. The bill was referred primarily to the Committee on Transportation and Infrastructure, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Committee on Ways and Means to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
April 17, 2018.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I am writing with respect to H.R. 4, the FAA Reauthorization Act of 2018, on which the Committee on Ways and Means was granted a referral.

As a result of your having consulted with us on provisions in H.R. 4 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 4.

Sincerely,

KEVIN BRADY,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, April 23, 2018.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR MR. CHAIRMAN: On April 13, 2018, the Committee on Transportation and Infrastructure introduced H.R. 4, the FAA Reauthorization Act of 2018. The bill was referred primarily to the Committee on Transportation and Infrastructure, with an additional referral to the Committee on Financial Services.

I ask that you allow the Committee on Financial Services to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Financial Services represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 23, 2018.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for writing regarding H.R. 4, the FAA Reauthorization Act of 2018.

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on the bill so that it may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 4 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward. I appreciate your support for Committee on Financial Services representation on a related conference committee, should one be necessary.

Thank you in advance for a response to this letter confirming this understanding with respect to H.R. 4. I also appreciate your willingness to insert a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Sincerely,

JEB HENSARLING,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, April 17, 2018.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: On April 13, 2018, the Committee on Transportation and Infrastructure introduced H.R. 4, the FAA Reauthorization Act of 2018. The bill was referred primarily to the Committee on Transportation and Infrastructure, with an additional referral to the Committee on Natural Resources.

I ask that you allow the Committee on Natural Resources to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Natural Resources represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, April 18, 2018.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I have received your letter regarding H.R. 4, the FAA Reauthorization Act of 2018, which was additionally referred to the Committee on Natural Resources.

In the interest of permitting you to proceed expeditiously to floor consideration of this very important bill, I will agree to discharge the Natural Resources Committee from further consideration of the bill. I do so with the understanding that the Natural Resources Committee does not waive any future jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction. I also appreciate your support to name members of the Natural Resources Committee to any conference committee to consider such provisions and for inserting our exchange of letters on H.R. 4 into the Congressional Record during consideration of the measure on the House floor.

Thank you once again for the very cooperative spirit in which you and your staff have worked regarding this matter and many others between our respective committees.

Sincerely,

ROB BISHOP,
Chairman.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 2018.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR MR. CHAIRMAN: On April 13, 2018, the Committee on Transportation and Infrastructure introduced H.R. 4, the FAA Reauthorization Act of 2018. The bill was referred primarily to the Committee on Transportation and Infrastructure, with an additional referral to the Committee on Science, Space, and Technology.

I ask that you allow the Committee on Science, Space, and Technology to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,
Washington, DC, April 19, 2018.

Hon. BILL SHUSTER,

Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4, the "FAA Reauthorization Act of 2018."

H.R. 4 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and request that you include a copy of this letter and your response in the Congressional Record during floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. DEFAZIO. Mr. Chairman, I rise in support of H.R. 4, the FAA Reauthorization Act of 2018.

I am pleased to be here today with the chairman of the full committee, Mr. SHUSTER; the chairman of the subcommittee, Mr. LOBIONDO; and the gentleman from Washington (Mr. LARSEN), the ranking member.

This bill also includes important provisions of the Disaster Recovery Reform Act, something that previously passed the House and somehow escaped the attention of the Senate. We are sending it to them again in the hope they might notice if it is part of this package.

Last week was tragic: the first death on a U.S.-flagged passenger aircraft since 2009, and that just followed an alarming news story by "60 Minutes" a few days before about an FAA oversight of a low-cost carrier.

As a result, Ranking Member LARSEN and I have sent a letter to the Secretary of Transportation demanding information on the oversight of the industry. We want to make sure that the FAA is being the watchdog that they need to be.

It was many years ago, after the horrible ValuJet tragedy, the committee had already rejected my amendment to say to strip away the promotional duty of the FAA. Then, after the horrible ValuJet crash, when it turned out it was an incompetent subcontractor to a maintenance station, a totally preventable accident, they suddenly decided to change their mind and decided to in-

clude my amendment and remove the promotional authority.

The FAA's principal duty is to protect the safety of the flying public, so we have got to be sure they are doing everything needed to do that.

There is an important provision in the bill, long overdue, to give flight attendants a 10-hour minimum rest. Think of the schedule now—8 hours: Oh, well, the plane landed. You have got to get off the plane. You have got to get out of the airport. You have got to get in a cab or a van. You have got to go to the hotel. You get to return, reverse all that around, and do that.

How much sleep are you going to get?

So, finally, we are going to get the 10-hour requirement—again, long overdue. Flight attendants are critical safety personnel on the airplane. They cannot be fatigued, just like a pilot can't be fatigued.

I have another concern that we are using computer simulations to meet the FAA standard for evacuation of a plane mandated in 90 seconds. As they jam more and more and more seats into these planes, I wonder if we have reached a point where we can no longer meet that standard, and we are going to have that. We are going to have the inspector general look at that topic and see whether or not we need to revisit it.

You know, it is critical that we be able to get people off as quickly as possible. The U.K. Civil Aviation Authority led this many years ago after the Manchester accident, with the spacing for the over-wing exit, something that took me 7 years to get done here. But they have also dropped in more strictures on hand baggage and other things and made that part of the briefing, which we don't get because we don't want to scare people. Well, we need to be letting people know that they can't take stuff with them if they have to evacuate quickly.

The FAA certification process, we have known for years, it needs reform, and this bill answers that call. It mandates a top-to-bottom reform of the process by which the FAA certifies new airplane engine and component designs. This will help our manufacturers become much more competitive in the world market and introduce their products more quickly to stay ahead of the market, but they will still be certified safe.

The bill also contains the text of the Flags of Convenience Don't Fly Here Act. There are some who would turn the airline industry into the cruise line industry, where planes would be crewed by the cheapest labor you can find somewhere in the world. It is being done already with contract crews out of Asia for a so-called European airline, Norwegian Air, and they are circumventing the process that the EU is bound to under our Open Skies Agreement.

The bill, unfortunately, lets stand something that Congress adopted in 2012, over my objections, which is to

say we cannot have a higher standard than the International Civil Aviation Authority on lithium batteries.

Lithium batteries are incredibly, incredibly dangerous on aircraft. We have already lost two 747s, and I will discuss this more when we get to my amendment.

It is time to remove the prohibition and let the FAA regulate as they see fit regarding lithium batteries and not bind ourselves to an international group that is captive of other special interests. Just eight lithium batteries can take down an aircraft in a thermal runaway. So that, we will discuss later.

This bill also, unfortunately, does not increase the cap on passenger facility charge. I would observe, flying a lot, that there are more and more and more tarmac delays because: I am sorry, your gate is occupied. Oh, the alley to the gate is full of planes. Oh, this, that.

A lot of airports are bonded out. We haven't allowed them, since 2000, to increase the passenger facility charge, and so we are going to continue to have those delays. Until they can build larger terminals and they can build more gates, that is going to continue.

We are also putting in some new mandates on the airports, which I support in this bill, having to do with pets and changing rooms and those sorts of things; but, again, we are not allowing them to get any increase in revenues to meet these new Federal mandates. I haven't given that up, but, obviously, we are not going to get it in this bill.

You know, NextGen will be all for naught. NextGen is progressing well, despite what some say, but if we don't have enough terminals and gates at those terminals, as the former Administrator Randy Babbitt said:

We can land them with closer spacing, we can do everything in the world, but at the end of the day at La Guardia Airport when it is a one-runway operation, you can still only land them once every 54 seconds.

There are physical limits on the ground all around the country. Even if we enhance air traffic movement, avoiding weather and all that, we are going to be constrained at the airports unless the airports have what they need to make these investments.

There are a number of amendments that will improve safety and efficiency, and I look forward to discussing those here on the floor.

□ 1245

There is one amendment which is cropping up in this bill that relates to trucking. The gentleman from California (Mr. DENHAM) will offer it. It has been offered before in the House. It has never gone anywhere in the Senate. I predict the same thing will happen here.

The bottom line is there is an issue from a court case that could be solved with a rifle shot, so to speak, regarding interstate commerce. Instead, despite what the proponents have told Representative DENHAM and others, this

language would preempt every single State wage and hour law that pertains to trucking in the United States of America. The only strictures would be the Federal hours of service and the Federal minimum wage. The rest would be wiped out by this amendment because of the unfortunate language. There is a real underlying problem, and it could be solved much more discretely.

But beyond that, this is a great bill.

I again thank the chairmen of the full committee and subcommittee, the ranking member, and other members of the committee.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, it is my great privilege to yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), the former chair of the Transportation and Infrastructure Committee.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I want to thank the chairman, Mr. SHUSTER, and the ranking member, Mr. DEFAZIO, for bringing a bipartisan bill to the floor.

This is a piece of legislation that is long overdue. I think we have had—how many extensions?—five extensions. This bill is needed for air traffic.

As everybody knows in this room, if you take Alaska, which is 2½ times the size of Texas, we don't have any roads; we have air travel. Everybody travels in Alaska, probably more than you travel in your car, by airplane. So this bill handles a lot of the problems in Alaska that we have been addressing through the FAA, which plays a major role.

Number one is Essential Air Service. Many people don't understand the history of Essential Air Service.

When we deregulated the airlines, Alaska was left out. Senator Stevens and I kept regulated airlines for 2 extra years until we got the commitment from Essential Air Service so we can serve our communities, and this committee has always seen to it that that did occur.

Now, it has been used in other rural areas of America. I understand that need.

There will be an amendment to do away with Essential Air Service. I hope all of you will vote against that. It is crucially important to my State.

We have another small issue that has come up—and I want to thank the chairman again—which is lithium batteries. These were talked about, and it was just talked about by the ranking member.

In my State, again, we don't have highways, we can't truck things, so an air carrier that has no passengers can transport lithium batteries. They were not allowed to do that under the toxic transportation clause in our law that says they can't do it.

I will tell you, again, that it takes care of the Alaskan Part 121 pilots,

who are subject to burdensome Terminal Aerodrome Forecasting regulations. This will allow pilots to use area forecasting for weather, et cetera, for flying our airplanes.

This is a good bill. I am really proud of what Congressman SHUSTER has been able to do. I believe this will be Congressman LOBIONDO's last bill working on something of this significance for the United States of America.

We do have a great air system. I will say that it has worked, it is working, and I am quite proud of the people who work for the airlines.

I will only make one suggestion in closing, Mr. Chairman. I am a little concerned about some of the airlines making the spaces a little bit narrower, less legroom.

I think, frankly, when you have less legroom, you have safety problems. I say that because it is awful hard, in a 3-year-old seat, to get people out from the window if there is an accident when they are all jammed together. So I am just respectfully suggesting the airlines don't take away any more space; in fact, give some of it back.

Mr. Chairman, this is a good bill. I urge my colleagues to support it, vote for it, and let's get this bipartisan piece of legislation passed.

Mr. LARSEN of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4, the FAA Reauthorization Act of 2018.

I am pleased that Congress is here today to consider a long-term bill to reauthorize the FAA. This moment has been a long time in coming. Congress has not enacted a long-term FAA bill since 2012, and it is currently running on its fifth extension since that time.

We are here to consider a comprehensive, bipartisan piece of legislation that provides long-term, predictable funding for the FAA, improves aviation safety, addresses workforce needs, and advances vital research in the aviation field.

Whether large or small, airports across the United States play an important role in communities by connecting people, goods, services, and creating jobs. In Washington State, my constituents rely on airports of all sizes. In my hometown of Arlington, general aviation at Arlington Municipal Airport is vital, and the annual EAA fly-in brings in people from all across the country.

Bellingham International Airport in northwest Washington is a developing airport, which requires further investments in terminal and operations infrastructure to help keep pace with passenger demands.

Paine Field Airport in Snohomish County is a growing hub in the Pacific Northwest, with the construction of a new terminal and expanded air service expected later this year.

Each of these airports plays a different, yet important, role in serving the local community and the national aviation network.

The bill reflects Congress' consensus to reform FAA's aircraft certification processes, improve aviation safety, provide additional protections for U.S. passengers, and help to better prepare the aviation workforce and further the safe integration of unmanned aircraft systems into the national airspace.

One of the most important things this bill does is to make FAA's certification process more streamlined, consistent, and efficient, while maintaining the highest level of safety.

The U.S. aviation industry is an economic powerhouse. It is particularly important to my home State of Washington. In our State, general aviation, alone, contributes an estimated \$3.6 billion to the economy and more than 30,000 jobs a year.

Without question, predictable and timely certification of aircraft and aircraft components is critical for domestic manufacturers to get their products to market. These reforms are desperately needed to allow U.S. aviation manufacturers like my constituents in Everett, who are, as well, smaller contractors, to compete globally.

This bill ensures that FAA's product certification remains the gold standard abroad, as well, so that U.S. manufacturers remain competitive.

As passenger growth continues, Congress must ensure airports have the right tools in place to safely accommodate this new demand.

The bill makes a host of improvements to make our skies safer, including:

Ensuring the FAA safety workforce is utilized efficiently and receives enhanced training;

Strengthening the FAA's current voluntary safety reporting program for pilots so that critical safety enhancements are not needlessly delayed;

Making progress toward NextGen implementation through engagement with local communities and airports in the process;

Improving the Federal Contract Tower Program to allow airports to make investments in their critical infrastructure; and

Ensuring flight attendants have sufficient rest between duty periods.

It also includes numerous provisions that enhance the air travel experience for more than 900 million passengers who fly each year, including:

A prohibition on airlines involuntarily bumping passengers after they have boarded;

A prohibition on the use of cell phones for voice communications during flight; and

A requirement for airlines to create a one-page document outlining the rights of passengers, which will bring much-needed transparency to this industry.

One of my top priorities is to ensure working families in the Pacific Northwest get a better deal, which means expanding opportunities, creating more jobs, and making sure that the next generation of workers have the tools necessary to succeed.

This bipartisan bill that my colleagues and I have agreed to will protect and create American jobs through airport construction and aerospace manufacturing, ultimately boosting the Nation's economy. As an example, the Port of Skagit is focused on expanding the Skagit Regional Airport and is working to build a new hangar and longer taxing runways. These improvements are not only for safety, but will create well-paying jobs in construction.

Further, the Career Connect Washington initiative aims to connect more than 100,000 students, over the next 5 years, with career-focused learning opportunities, building a bridge from school into high-demand and good-paying jobs. Across my district, nearly 900 young adults participating in this initiative have connected to apprenticeships, job shadows, or other structured work-based activity.

This bill builds on these efforts to better prepare students for the aviation workforce by:

Encouraging schools, industry, and other stakeholders to address the skills gap in the aviation maintenance field; and

Requiring a GAO study of best practices to incentivize, recruit, and retain new aviation workers.

I am pleased that the bill includes my proposal to create a Youth Access to American Jobs in Aviation Task Force. This task force will work with aviation trade schools and community colleges, airline carriers and industry, labor unions, and other relevant stakeholders to develop recommendations to encourage high school students to enroll in aviation manufacturing, maintenance, and engineering apprenticeships.

This legislation includes a title on unmanned aircraft systems, or drones, which are flourishing in the skies at a pace we did not imagine just a few years ago. Provisions in the current bill will help the commercial drone industry safely thrive, while also addressing the many issues these new users present as they become integrated into U.S. airspace.

Finally, this bill enacts a multiyear reauthorization, Mr. Chairman, of aviation taxes and FAA expenditure authority. This will provide the stable, predictable funding needed to carry out its safety mission and ensure the FAA remains the world leader in aviation research and development.

While these are all positive areas to address, I understand that some amendments on slot exemptions and slot swaps have been made in order that would have regional consequences. I oppose these efforts and believe it would be better to have a more substantive discussion to address these issues in the committee.

Mr. Chairman, we have the biggest, most complex, and busiest aviation system in the world. We are years past due in enacting a long-term FAA reauthorization that will allow the U.S. to

remain the gold standard in aviation. I am pleased to cosponsor this bill.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, it is my great pleasure and honor to yield 5 minutes to the gentleman from New Jersey (Mr. LoBiondo), my friend and the chairman of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, who has been a tireless advocate for aviation safety efficiency, but who has also been a great partner on the committee to me and to the other members of the committee.

Also, I want to mention that—and I think this is accurate—he is the only Member of Congress who has a CDL, commercial driver's license, so he is in a very unique position to not only know and advocate for aviation, but also, on the ground, he knows how commerce moves.

Mr. LoBiondo. Mr. Chairman, I thank Chairman SHUSTER for yielding.

I rise in very strong support of H.R. 4, the reauthorization bill.

The Subcommittee on Aviation began the reauthorization process over 3 years ago, a very long process. In that time, we have held a series of roundtables and hearings on the state of the FAA's certification and safety processes, regulatory efforts, airport grant programs, customer service, and the air traffic control system.

The subcommittee also had more than 200 stakeholder meetings in order to gather feedback and hear from various constituencies to understand what would work in the real world—not what 535 Members of Congress may think, but to get input from the people who have to make it work every day.

I want to thank those who came to the table willing to share their thoughts and to work together with us.

With the passage of H.R. 4, we will be taking an important step toward ensuring the FAA and our aviation industry does not suffer through another long series of extensions.

Unfortunately, it seems like just about every year Congress is voting to keep the government open, while the FAA and nearly 4,000 of the FAA's incredible employees, who are my constituents working at the Technical Center in Egg Harbor Township, which is at the Atlantic City Airport, are forced to make preparations in case they have to shut down.

Now, just so everybody understands, when we do an extension, we generally don't act on it until the last minute. These dedicated employees, these engineers in these laboratories that only exist at this Tech Center, are forced to stop their work and prepare for a shutdown. This costs a tremendous amount of dollars each time we do this. Hopefully, with the passage of this bill, we will be able to avoid that.

H.R. 4 also provides the long-term authorization of the FAA, which will allow us to avoid the shutdowns and these threats of shutdowns. This means that important safety projects will be

able to move forward without the inefficient starts and stops and they come without any hesitation, as we have seen in the past.

Most importantly, FAA employees, including, again, dedicated employees of my Tech Center—now, just keep in mind, this is the premier facility in the Nation for safety, security, research, and development. As I mentioned before, these laboratories don't exist anywhere else. Many of these engineers' expertise doesn't exist anywhere else. This will enable them to help keep the United States premier in the world.

Mr. LARSEN referenced our position in the world. We don't want that challenged. We want this bill to be able to allow us as an economic driver. When you start looking at the numbers of what aviation means to the economy of the United States, you get an understanding of how critically important this is.

□ 1300

We have worked closely with a number of constituency groups, and I think we have included their provisions in this bill.

I want to point out that some of these battles take a while. And very diligently and very forcefully, the flight attendants have made their case for the 10-hour rest period. As mentioned by Mr. DEFAZIO, this is something that we don't want flight attendants being fatigued no more than we want pilots being fatigued.

Mr. Chair, I thank Chairman SHUSTER for including this in the bill.

Mr. Chair, as we move forward, I want to particularly thank RICK LARSEN, who has been a great partner. For those who may not be aware, RICK and I have been together first through the Coast Guard and Maritime Subcommittee and now through the Aviation Subcommittee. I think the relationship that we have and what we have been able to do is a model that can and should be worked for the rest of Congress. It is one that I cherish and value. And, Mr. Chair, I thank Mr. LARSEN again very much.

Mr. Chair, I also want to thank PETER DEFAZIO for being a good partner and thank BILL SHUSTER for helping me become Aviation chair 6 years ago, putting his faith in me. I think we have had a great partnership. Mr. SHUSTER has been a great leader in the Committee on Transportation and Infrastructure. I value our relationship. I value our work together.

Mr. Chair, I urge everyone to support this bill. I think it is going to move America forward.

Mr. LARSEN of Washington. Mr. Chair, I thank Chairman SHUSTER and Ranking Member DEFAZIO, as well as Chairman LOBIONDO, for their work on this bill.

I know Mr. LOBIONDO is leaving Congress this year, and we may get a better Democrat or a better Republican in that seat, but we will not get a better Representative for this Congress in that seat than FRANK LOBIONDO.

Mr. Chair, I yield 1½ minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chair, I thank the gentleman very much for yielding.

Mr. Chair, I come to the floor as a cosponsor of H.R. 4. It is legislation that is long overdue in addressing the immediate and long-term needs of the FAA and our aviation industry. It includes a number of priorities that I fought for which are critical to my State of Nevada.

First, the legislation extends the authorization of the Nevada UAS test range to ensure completion of its critical work in coordination with the FAA and NASA on low-altitude air traffic management systems, commonly referred to as UTM.

It also includes my amendment with Congressman WEBSTER from Florida to ensure that the Nation's largest airports, including McCarran in Las Vegas, participate in a streamlined approval process for passenger facility charge projects so we can modernize our crumbling airport infrastructure.

In addition, it includes, as you have heard, a number of critical provisions that enhance safety, protect consumers, and keep our aerospace industry number one in the world.

As the new ranking member of the Economic Development, Public Buildings, and Emergency Management Subcommittee, I am also pleased that the language of the Disaster Recovery and Reform Act are included in this bill.

Last year's back-to-back-to-back massive hurricanes, followed by mudslides and devastating wildfires, demonstrate the growing challenges we face as we continue to grapple with global climate change. Lives were lost, individuals and animals were injured, and property damages were just outstanding. Many are still trying to get their lives back to normal. So it would be irresponsible and unacceptable for us to follow the Flat Earth Society's notion that this doesn't really exist. It indeed is a threat to our health and safety.

The act takes concrete steps towards making our communities safer. An ounce of prevention is worth a pound of cure. For every \$1 you spend on premitigation, you save \$6 in future disaster costs.

The DRRA addresses this by providing stable funding for the Emergency Management Pre-Disaster Mitigation Program and also additional funding for wildfire suppression.

In addition, it requires that communities build back to the latest model building codes. Since the Federal Government is paying for a minimum of 75 percent of major disaster costs, it is necessary for us to protect our investment by requiring stronger, smarter, and more resilient rebuilding.

Mr. Chair, I hope that the bill moves forward without any poison pills, because we need this legislation. It is a good bill, and I support it.

Mr. SHUSTER. Mr. Chair, I yield 3 minutes to the gentleman from Penn-

sylvania (Mr. BARLETTA), the chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management.

Mr. BARLETTA. Mr. Chair, I rise today in support of H.R. 4, the FAA Reauthorization Act of 2018, which includes provisions of my bill, the Disaster Recovery Reform Act.

Unfortunately, this is the second time my bill has been considered on the House floor, because our colleagues on the other side of the Capitol refuse to take up these critical reforms.

I find the failure to move in the Senate puzzling, especially given that many of those individuals represent States struggling to recover from recent disasters. In fact, in 2017, 8 percent of the United States population was affected by at least one disaster. This statistic highlights the importance of investing in mitigation infrastructure before tragedy strikes, which is exactly what my bill would do.

Studies have repeatedly shown that for every \$1 invested upfront, we can save \$4 to \$8 in avoidant recovery costs.

My bill would allow us to realize those savings by transforming how we approach disaster spending. It would provide FEMA with the tools to help our communities plan for, mitigate against, respond to, and recover from disasters. Both Republicans and Democrats in this Chamber already recognize the critical need for these reforms.

The Disaster Recovery Reform Act passed out of the Transportation and Infrastructure Committee by voice vote, and in December passed on the House floor.

It is my hope that, this time, our colleagues in the Senate would stop playing politics with peoples' lives and will act quickly to send this bill to the President's desk.

I know just how important disaster assistance is, because in 2011, my own district was devastated by flooding from Hurricane Irene and Tropical Storm Lee. I visited with families and employers affected by this tragedy, and it made me realize we need to do something to help communities build better and smarter before disaster strikes. My bill will do just that.

Mr. Chair, I thank Chairman SHUSTER and my House colleagues for their continued commitment to making resiliency a priority.

Mr. Chair, I also thank the chairman for including language I offered with my friend from Missouri (Mr. GRAVES) in a manager's amendment. Our amendment would create a new grant program for airport infrastructure investment. I believe it is critical we invest in our airports, which are some of the largest economic drivers in the country.

We have an obligation to ensure that this entire system, including everything from large hubs to regional airports, is maintained and improved to better serve the American people.

While I was disappointed that our original committee-adopted amendment to increase funding levels for the

Airport Improvement Program was not included in the final bill, I am hopeful that this grant will give airports a new infrastructure tool in their toolbox.

Mr. Chair, I urge passage of H.R. 4.

Mr. SHUSTER. Mr. Chairman, may I inquire as to how much time each side has remaining?

The Acting CHAIR (Mr. PALMER). The gentleman from Pennsylvania has 15½ minutes. The gentleman from Washington has 14 minutes.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY of Connecticut. Mr. Chair, I rise in support of my bipartisan amendment to H.R. 4, the FAA Reauthorization Act of 2018, which would address the underrepresentation of women in aviation careers.

Women make up 50 percent of the national workforce, but are significantly underrepresented in the aviation industry, making up only 2 percent of airline mechanics, 18 percent of flight dispatchers, and 6 percent of pilots.

To address these shortfalls, I introduced the Promoting Women in the Aviation Workforce Act with my colleagues, Congresswomen WALORSKI, WALTERS, and BUSTOS, and our bill was recently reported unanimously out of committee.

This bipartisan amendment will incorporate our bill into this legislation, directing the FAA to create and facilitate an advisory board to develop strategies that the administration can take to help more women pursue and succeed in aviation careers.

We need only look to the extraordinary skill of Southwest pilot and Navy fighter pilot veteran Tammie Jo Shults, who just, 1 week ago, heroically saved the lives of 143 passengers and her crew on Southwest flight 1380, or Ronnie Bradley from my district. Here is Ronnie at age 19, who signed up in 1942 to become one of the first female marines. She served as an airline mechanic; now still only 2 percent. We celebrated her life at 95 2 weeks ago in my district.

We need more Tammie Jos and more Ronnies.

Mr. Chair, I thank my colleagues for supporting this legislation.

I commend as well the excellent legislation updating our FEMA rules for disaster resiliency and relief.

Mr. Chair, I urge support of this legislation and urge the Senate to adopt it quickly.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Chairman, I appreciate the gentleman from Pennsylvania, the chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER, for yielding me time.

Mr. Chairman, I support the FAA Leadership in Groundbreaking High-

Tech Research and Development Act, or FLIGHT R&D Act, incorporated in H.R. 4 as Title VII of the FAA Reauthorization Act of 2018.

Title VII's FLIGHT R&D Act will ensure America remains a world leader in aviation innovation. By making prioritized and strategic investments today, our Nation will continue to push the boundaries of aerospace technology, maintain a safe and secure aviation transportation system, and foster a healthy and growing aviation economy.

Mr. Chair, I thank Science Committee member STEVE KNIGHT for introducing this important legislation and Chairman SHUSTER for including it in his bill.

The safety of the flying public is of paramount importance. That is why Title VII's FLIGHT R&D Act prioritizes research and development to improve aviation safety.

Title VII authorizes increased funding for aviation safety research and development. Improving aviation safety is the fundamental mission of the FAA's research and development agenda.

Title VII establishes an FAA associate administrator for research and development to manage and oversee all FAA research and development programs and activities. These will include the R&D provisions in this bill regarding unmanned aircraft systems, cybersecurity, the national aerospace system, aviation fuel, air traffic surveillance, remote and computer piloting, and spectrum use.

In closing, Mr. Chairman, I strongly support Title VII, the FLIGHT R&D Act, and urge my colleagues to support this fiscally responsible, commonsense initiative to ensure that America remains at the forefront of civil aviation, innovation, and safety.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington, D.C. (Ms. NORTON).

Ms. NORTON. Mr. Chair, I thank the gentleman for yielding, and I thank him for his very special efforts for this reauthorization.

Perhaps our entire committee and subcommittee are due some self-congratulations for reaching a bipartisan agreement for a long-term reauthorization for the FAA, but the lion's share of the appreciation belongs to Chairman SHUSTER. I thank the chairman for his leadership, especially as he is retiring from the House, and I am grateful for the considerable efforts of Ranking Member DEFazio.

Mr. Chair, there was only one major disagreement, and that was, of course, on privatization of air traffic control operations.

This bill includes many areas that demonstrate the importance of bipartisanship. It is almost impossible to help Democrats and not Republicans, and vice versa, when it comes to matters affecting aviation.

I appreciate my own amendments in the bill addressing airplane noise,

many of them embedded in the bill. And I am sure, given the complaints throughout the country, that my noise provisions, too, are bipartisan.

Mr. Chair, I ask that the House oppose the Cuellar amendment. This is a special destinations amendment for San Diego and San Antonio mainly to benefit the House Members from those districts so they can fly into Reagan National Airport nonstop rather than Dulles, which is nearby, and Baltimore-Washington, which is also very close to the District of Columbia.

□ 1315

The Congress has spent billions of dollars to expand Dulles, which is still very underutilized because it is a little further from D.C. than Reagan.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. LARSEN of Washington. I yield the gentlewoman from the District of Columbia an additional 30 seconds.

Ms. NORTON. The limit on slots to Reagan helps relieve enormous congestion there and ensures safety of one of the Nation's most crowded and critical airfields.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GRAVES), chairman of the Highways and Transit Subcommittee of the full Committee of Transportation and Infrastructure, and the bleating voice on general aviation in Congress.

Mr. GRAVES of Missouri. Mr. Chairman, I proudly rise today to support the FAA Reauthorization Act of 2018. There are a lot of important policies in this bill that I worked on, but the main thing I am glad to see included is that we accomplished this bill as a long-term bill, a 5-year authorization.

Passing long-term bills is something that the chairman has remained committed to during his leadership on the committee and is a policy I strongly support. Unfortunately, we don't see enough of that in Congress that much anymore.

One of the big highlights of the bill is the long-overdue reforms to the FAA certification process, and the committee has developed bipartisan reforms that are going to streamline the FAA certification.

Mr. Chairman, I had previously worked on the precursor reforms to this process with the passage of the bill, the Small Airplane Revitalization Act, back in 2013, and I look forward to seeing the benefits of these reforms be applied more broadly to the aviation manufacturing community as certification reform provisions contained in the FAA bill go into effect.

Additionally, there are a lot of policies that we worked on, that I worked on, in the underlying bill. And just to run through those quickly: expansion of the State block grant authority from 10 to 20 States; allowing greater testing of replacement fuels for AvGas; restoring the "all makes and models" certificate to experimental category

aircraft; extending aircraft registration from 3 to 10 years, which I might point out, it currently takes the FAA at least a month to process paperwork to register or re-register an aircraft.

We also asked the FAA to resolve disputes between approved airshows and major sporting events that require flight restrictions.

We also worked on an important policy to prevent the local and State governments from targeting certain industries for discriminatory taxes, like the rental car industry.

And finally, we correct a poorly written guidance document which hurts folks who are pursuing aircraft construction projects. FAA wanted to restrict aircraft construction projects from individuals' hangars unless it was in the final stages by claiming it was not the "aeronautical use" of a hangar, which makes absolutely no sense and, clearly, this decision was not made with the understanding of how these projects work. This needs to be corrected.

In closing, Mr. Chairman, I have been a pilot, a professional pilot for virtually my entire life, and I have been interacting with people in the aviation community for more than two decades now. I understand the issues that face the industry.

When we talk about FAA reauthorization, I think about ensuring all those who rely on our aviation system can continue flying safely, securely, and freely. America has always been a leader and pioneer when it comes to aviation since the days of the Wright Brothers, and I want to ensure that continues. To do so, we have to continue to look for opportunities to incorporate technology into our infrastructure network.

I look forward to further advancing these goals in other areas of transportation as the committee works on an infrastructure bill later this year.

Mr. Chairman, I strongly support this bill, and I urge my colleagues to do the same.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, first, I want to acknowledge the hard work that my colleagues Congresswoman SPEIER and Congressman PANETTA have done, along with myself, to address airplane noise in our Bay Area congressional districts.

I am pleased to support Mr. PANETTA's amendment to H.R. 4, which requires the FAA to consider alternative metrics to the current average day-night sound level standard, including actual noise sampling. This will ensure that the FAA has an accurate measure of the noise in communities surrounding airports and allow them to take steps to mitigate it.

Since the FAA implemented NextGen in 2015, my Silicon Valley district constituents have been consistently subjected to a higher volume of noise complaints impacting their lives daily. I

have never experienced anything like this in 25 years of representation. It is unprecedented. There is a 1,000 percent increase in noise complaints.

So this amendment is an important first step, and it is a first step in alleviating the constant noise, consistent noise over our congressional districts, and I am committed to working with the FAA and the many engaged, really, hundreds and hundreds of engaged constituents in my district until this issue is resolved.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise in support of the FAA Reauthorization Act of 2018.

Chairman SHUSTER and his staff should be recognized for their tireless work to bring all stakeholders together to modernize our aerospace system, streamline the process for bringing new aircraft technology to market, and lay the groundwork for safely integrating unmanned aircraft systems into the 21st century commerce.

This bill is important for the continued growth of the U.S. aircraft industry and for all passengers of today and the future, and for the continued legacy of aviation innovation in southern California. Their safety is underwritten in several portions of the bill, including several drawn from the FLIGHT R&D Act, a bill I introduced last year to prioritize research and development on several critical civil airspace challenges.

As reflected in this bill, the FAA must develop a streamlined, risk-based process for certifying the operation of new UASs.

The FAA has a key role in working with private sector partners to tackle sense-and-avoid technology challenge and enable safe testing of beyond-line-of-sight operations. Putting appropriate resources behind these technology priorities will ensure American innovations have the space to test, develop, and safely integrate UAS technology before foreign competitors capture these emerging industries.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman from California an additional 15 seconds.

Mr. KNIGHT. Mr. Chairman, this is a fiscally responsible bill, and was drafted to ensure taxpayer resources are wisely and efficiently used to meet public objectives for safety and economic growth and a better way to move around the country. I urge my colleagues to support this bill.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, this bill does a number of important things for our aviation industry, for safety, and for the traveling public, including providing stable funding and a clear regu-

latory framework. In my home State of Ohio, all these are critically important.

The partnership between the Federal Government and the airports is strengthened in this legislation. Stable funding for the Airport Improvement Program ensures that airports can continue to evolve, grow, and plan thoughtfully for the long term.

Ohio's airports provide nearly \$14 billion of economic activity for the State. They support 75,000 direct and indirect jobs; they are partners with our Reserve and Guard military wings; and they are the front door to interstate and international commerce for our communities.

Ohio's airports employ long-term planning, using a variety of funding mechanisms to maximize the value of investments in facilities and infrastructure. This bill advances and supports that growth. I am pleased to see long-term certainty for the aviation industry through a 5-year reauthorization, and I encourage my colleagues to support this bill and pass H.R. 4.

Mr. DEFAZIO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. DENHAM), the chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee.

Mr. DENHAM. Mr. Chairman, the Disaster Recovery Reform Act builds on important emergency management reforms that the Transportation and Infrastructure Committee produced in the Sandy Recovery Improvement Act.

Representing a neighboring district to the California wildfires last year, I have seen firsthand how these reforms streamline disaster assistance to survivors. California was able to utilize those reforms like alternative procedures for debris removal, updated individual assistance, declaration factors, changes to the Hazard Mitigation Grant Program, and many others.

But there is still work to be done, and Congress recognized that by passing legislation that I authored in the SMART Rebuilding Act, to provide Federal cost share incentives to States. These measures encourage mitigation by establishing a National Public Infrastructure Pre-Disaster Mitigation Fund, and allow implementation of design codes as an eligible cost for FEMA's Public Assistance Program.

I want to clarify that the nationally recognizable design codes in this legislation are intended to include State and local participation and recognize the unique threats that our diverse country faces.

Another area which can be improved in California is the issue of inverse condemnation. This is a dangerous precedent which is threatening the ability of public and private utilities to survive in California. Every dollar invested in mitigation results in \$4 in cost savings.

I support H.R. 4 and urge its passage. Mr. DEFAZIO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I just have one more speaker, and then I am ready to close.

I yield 1 minute to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. Mr. Chairman, for 7 years, I have been working to provide American companies with the capability to conduct commercial space support activities. American companies would like to utilize space support vehicles to train crews and space flight participants for the rigors of space flight and research.

Last year, our office worked with the Transportation and Infrastructure Committee to draft language to address this issue. At the time, we agreed on language that the committee included in the manager's amendment to an older version of the FAA reauthorization. Since that time, a whole lot has changed in the commercial space industry.

Recently, I worked with the industry, in coordination with the FAA, to create a legislative solution to allow these companies to operate. My bill, H.R. 5346, was favorably supported from the Science, Space, and Technology Committee a month ago, and has the support of industry and the FAA.

We owe it to our Nation's commercial space industry to get this language right. I am sure you will agree with me that we cannot support the passage of outdated or problematic language, and I hope you will commit to working with me, going forward, to provide the industry with an effective legislative solution.

Mr. SHUSTER. Will the gentleman yield?

Mr. POSEY. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, this is an issue that I know the gentleman from Florida cares deeply about and has been a champion for his constituents in the commercial space industry. I do commit to the gentleman to work with him as we move to advance this bill forward.

Mr. Chairman, I am prepared to close if the gentleman from Oregon is. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I encourage all Members to support this positive reauthorization of the FAA. I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chair, I rise today in opposition to the amendment offered by my friend Mr. CUELLAR and our colleagues from Texas.

This amendment amends the Slot and Perimeter rules at Washington National Airport.

It provides a special carve out for airports in two cities.

It upends the current regime which was carefully crafted by Congress to maintain operational stability between the three DC-area airports—National, Dulles, and BWI.

As a longtime representative of the area around Dulles and as someone who fought for an extension of Metro to Dulles, I have to admit I am offended by this effort which would

do harm to commercial domestic passenger volume at Dulles—Northern Virginia's premier international airport.

Since Congress amended the Slot rule in 2000, passenger traffic at National has increased by 50 percent and traffic at Dulles has declined by 9 percent.

I ask my colleagues to oppose this amendment and refrain from inflicting harm on the area economies of their colleagues' districts.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "FAA Reauthorization Act of 2018".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Effective date.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

- Sec. 101. Airport planning and development and noise compatibility planning and programs.
- Sec. 102. Facilities and equipment.
- Sec. 103. FAA operations.
- Sec. 104. Adjustment to AIP program funding.
- Sec. 105. Funding for aviation programs.

Subtitle B—Passenger Facility Charges

- Sec. 111. Passenger facility charge modernization.
- Sec. 112. Pilot program for passenger facility charge authorizations.

Subtitle C—Airport Improvement Program Modifications

- Sec. 121. Clarification of airport obligation to provide FAA airport space.
- Sec. 122. Mothers' rooms at airports.
- Sec. 123. Extension of competitive access reports.
- Sec. 124. Grant assurances.
- Sec. 125. Government share of project costs.
- Sec. 126. Updated veterans' preference.
- Sec. 127. Special rule.
- Sec. 128. Marshall Islands, Micronesia, and Palau.
- Sec. 129. Nondiscrimination.
- Sec. 130. State block grant program expansion.
- Sec. 131. Midway Island Airport.
- Sec. 132. Property conveyance releases.
- Sec. 133. Minority and disadvantaged business participation.
- Sec. 134. Contract tower program.
- Sec. 135. Airport access roads in remote locations.

- Sec. 136. Buy America requirements.
- Sec. 137. Airport Noise and Environmental Streamlining
- Sec. 151. Recycling plans for airports.
- Sec. 152. Pilot program sunset.
- Sec. 153. Extension of grant authority for compatible land use planning and projects by State and local governments.
- Sec. 154. Updating airport noise exposure maps.
- Sec. 155. Stage 3 aircraft study.
- Sec. 156. Addressing community noise concerns.
- Sec. 157. Study on potential health impacts of overflight noise.

Subtitle D—Airport Noise and Environmental Streamlining

- Sec. 151. Recycling plans for airports.
- Sec. 152. Pilot program sunset.
- Sec. 153. Extension of grant authority for compatible land use planning and projects by State and local governments.
- Sec. 154. Updating airport noise exposure maps.
- Sec. 155. Stage 3 aircraft study.
- Sec. 156. Addressing community noise concerns.
- Sec. 157. Study on potential health impacts of overflight noise.

Sec. 158. Environmental mitigation pilot program.

Sec. 159. Aircraft noise exposure.

Sec. 160. Community involvement in FAA NextGen projects located in metroplexes.

Sec. 161. Critical habitat on or near airport property.

Sec. 162. Clarification of reimbursable allowed costs of FAA memoranda of agreement.

TITLE II—FAA SAFETY CERTIFICATION REFORM

Subtitle A—General Provisions

- Sec. 201. Definitions.
- Sec. 202. Safety Oversight and Certification Advisory Committee.

Subtitle B—Aircraft Certification Reform

- Sec. 211. Aircraft certification performance objectives and metrics.
- Sec. 212. Organization designation authorizations.
- Sec. 213. ODA review.
- Sec. 214. Type certification resolution process.
- Sec. 215. Review of certification process for small general aviation airplanes.

Subtitle C—Flight Standards Reform

- Sec. 231. Flight standards performance objectives and metrics.
- Sec. 232. FAA task force on flight standards reform.
- Sec. 233. Centralized safety guidance database.
- Sec. 234. Regulatory Consistency Communications Board.

Subtitle D—Safety Workforce

- Sec. 241. Safety workforce training strategy.
- Sec. 242. Workforce review.

Subtitle E—International Aviation

- Sec. 251. Promotion of United States aerospace standards, products, and services abroad.
- Sec. 252. Bilateral exchanges of safety oversight responsibilities.
- Sec. 253. FAA leadership abroad.
- Sec. 254. Registration, certification, and related fees.

TITLE III—SAFETY

Subtitle A—General Provisions

- Sec. 301. FAA technical training.
- Sec. 302. Safety critical staffing.
- Sec. 303. International efforts regarding tracking of civil aircraft.
- Sec. 304. Aircraft data access and retrieval systems.
- Sec. 305. Advanced cockpit displays.
- Sec. 306. Marking of towers.
- Sec. 307. Cabin evacuation.
- Sec. 308. ODA staffing and oversight.
- Sec. 309. Funding for additional safety needs.
- Sec. 310. Funding for additional FAA licensing needs.
- Sec. 311. Emergency medical equipment on passenger aircraft.
- Sec. 312. HIMS program.
- Sec. 313. Acceptance of voluntarily provided safety information.
- Sec. 314. Flight attendant duty period limitations and rest requirements.
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TITLE VII—FLIGHT R&D ACT

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Subtitle E—FAA Research and Development Activities

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TITLE VIII—AVIATION REVENUE PROVISIONS

Sec. 801. Expenditure authority from Airport and Airway Trust Fund.
 Sec. 802. Extension of taxes funding Airport and Airway Trust Fund.

SEC. 2. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—AUTHORIZATIONS**Subtitle A—Funding of FAA Programs****SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.**

(a) **AUTHORIZATION.**—Section 48103(a) of title 49, United States Code, is amended by striking “section 47504(c)” and all that follows through the period at the end and inserting the following: “section 47504(c)—

- “(1) \$3,350,000,000 for fiscal year 2018;
- “(2) \$3,350,000,000 for fiscal year 2019;
- “(3) \$3,350,000,000 for fiscal year 2020;
- “(4) \$3,350,000,000 for fiscal year 2021;
- “(5) \$3,350,000,000 for fiscal year 2022; and
- “(6) \$3,350,000,000 for fiscal year 2023.”.

(b) **OBLIGATION AUTHORITY.**—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking “2018,” and inserting “2023.”.

SEC. 102. FACILITIES AND EQUIPMENT.

(a) **AUTHORIZATION OF APPROPRIATIONS FROM AIRPORT AND AIRWAY TRUST FUND.**—Section 48101(a) of title 49, United States Code, is amended by striking paragraphs (1) through (5) and inserting the following:

- “(1) \$2,920,000,000 for fiscal year 2018.
- “(2) \$2,984,000,000 for fiscal year 2019.
- “(3) \$3,049,000,000 for fiscal year 2020.
- “(4) \$3,118,000,000 for fiscal year 2021.
- “(5) \$3,190,000,000 for fiscal year 2022.
- “(6) \$3,263,000,000 for fiscal year 2023.”.

(b) **SET ASIDES.**—Section 48101(d) of title 49, United States Code, is amended by inserting “, carried out using amounts appropriated under subsection (a),” after “air traffic control modernization project”.

SEC. 103. FAA OPERATIONS.

(a) **IN GENERAL.**—Section 106(k)(1) of title 49, United States Code, is amended by striking subparagraphs (A) through (F) and inserting the following:

- “(A) \$10,231,000,000 for fiscal year 2018;
- “(B) \$10,434,000,000 for fiscal year 2019;
- “(C) \$10,639,000,000 for fiscal year 2020;
- “(D) \$10,861,000,000 for fiscal year 2021;
- “(E) \$11,095,000,000 for fiscal year 2022; and
- “(F) \$11,329,000,000 for fiscal year 2023.”.

(b) **AUTHORITY TO TRANSFER FUNDS.**—Section 106(k)(3) of title 49, United States Code, is amended by striking “fiscal years 2012 through 2018,” and inserting “fiscal years 2018 through 2023.”.

SEC. 104. ADJUSTMENT TO AIP PROGRAM FUNDING.

Section 48112 of title 49, United States Code, and the item relating to such section in the analysis for chapter 481 of such title, are repealed.

SEC. 105. FUNDING FOR AVIATION PROGRAMS.

Section 48114(a)(1)(A)(ii) of title 49, United States Code, is amended by striking “in fiscal year 2014 and each fiscal year thereafter” and inserting “in fiscal years 2014 through 2018”.

Subtitle B—Passenger Facility Charges**SEC. 111. PASSENGER FACILITY CHARGE MODERNIZATION.**

Section 40117(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “or \$3” and inserting “\$3, \$4, or \$4.50”;

(2) by repealing paragraph (4);

(3) in paragraph (6)—

(A) by striking “specified in paragraphs (1) and (4)” and inserting “specified in paragraph (1)”;

(B) by striking “imposed under paragraph (1) or (4)” and inserting “imposed under paragraph (1)”;

(4) in paragraph (7)(A)—

(A) by striking “specified in paragraphs (1), (4), and (6)” and inserting “specified in paragraphs (1) and (6)”;

(B) by striking “imposed under paragraph (1) or (4)” and inserting “imposed under paragraph (1)”.

SEC. 112. PILOT PROGRAM FOR PASSENGER FACILITY CHARGE AUTHORIZATIONS.

Section 40117(1) of title 49, United States Code, is amended—

(1) in the subsection heading by striking “‘AT NONHUB AIRPORTS’”; and

(2) in paragraph (1) by striking “nonhub”.

Subtitle C—Airport Improvement Program Modifications**SEC. 121. CLARIFICATION OF AIRPORT OBLIGATION TO PROVIDE FAA AIRPORT SPACE.**

Section 44502 of title 49, United States Code, is amended by adding at the end the following:

“(f) **AIRPORT SPACE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Administrator of the Federal Aviation Administration may not require an airport owner, operator, or sponsor (as defined in section 47102) to provide building construction, maintenance, utilities, administrative support, or space on airport property to the Federal Aviation Administration without adequate compensation.

“(2) **EXCEPTIONS.**—Paragraph (1) does not apply in any case in which an airport owner, operator, or sponsor—

“(A) provides land or buildings without compensation to the Federal Aviation Administration for facilities used to carry out activities related to air traffic control or navigation pursuant to a grant assurance; or

“(B) provides goods or services to the Federal Aviation Administration without compensation or at below-market rates pursuant to a negotiated agreement between the owner, operator, or sponsor and the Administrator.”.

SEC. 122. MOTHERS' ROOMS AT AIRPORTS.

(a) **LACTATION AREA DEFINED.**—Section 47102 of title 49, United States Code, is amended by adding at the end the following:

“(29) ‘lactation area’ means a room or other location in a commercial service airport that—

“(A) provides a location for members of the public to express breast milk that is shielded from view and free from intrusion from the public;

“(B) has a door that can be locked;

“(C) includes a place to sit, a table or other flat surface, and an electrical outlet;

“(D) is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs; and

“(E) is not located in a restroom.”.

(b) **PROJECT GRANT WRITTEN ASSURANCES FOR LARGE AND MEDIUM HUB AIRPORTS.**—

(1) **IN GENERAL.**—Section 47107(a) of title 49, United States Code, is amended—

(A) in paragraph (20) by striking “and” at the end;

(B) in paragraph (21) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(22) with respect to a medium or large hub airport, the airport owner or operator will maintain a lactation area in each passenger terminal building of the airport in the sterile area (as defined in section 1540.5 of title 49, Code of Federal Regulations) of the building.”.

(2) **APPLICABILITY.**—

(A) **IN GENERAL.**—The amendment made by paragraph (1) shall apply to a project grant application submitted for a fiscal year beginning on or after the date that is 2 years after the date of enactment of this Act.

(B) **SPECIAL RULE.**—The requirement in the amendment made by paragraph (1) that a lactation area be located in the sterile area of a passenger terminal building shall not apply with respect to a project grant application for a period of time, determined by the Secretary of Transportation, if the Secretary determines that construction or maintenance

activities make it impracticable or unsafe for the lactation area to be located in the sterile area of the building.

(c) **TERMINAL DEVELOPMENT COSTS.**—Section 47119(a) of title 49, United States Code, is amended by adding at the end the following:

“(3) **LACTATION AREAS.**—In addition to the projects described in paragraph (1), the Secretary may approve a project for terminal development for the construction or installation of a lactation area at a commercial service airport.”.

(d) **PRE-EXISTING FACILITIES.**—On application by an airport sponsor, the Secretary may determine that a lactation area in existence on the date of enactment of this Act complies with the requirement of section 47107(a)(22) of title 49, United States Code, as added by this section, notwithstanding the absence of one of the facilities or characteristics referred to in the definition of the term “lactation area” in section 47102 of such title, as added by this section.

SEC. 123. EXTENSION OF COMPETITIVE ACCESS REPORTS.

Section 47107(r)(3) of title 49, United States Code, is amended by striking “2018” and inserting “2023”.

SEC. 124. GRANT ASSURANCES.

(a) **CONSTRUCTION OF RECREATIONAL AIRCRAFT.**—Section 47107 of title 49, United States Code, is amended by adding at the end the following:

“(u) **CONSTRUCTION OF RECREATIONAL AIRCRAFT.**—

“(1) **IN GENERAL.**—The construction of a covered aircraft shall be treated as an aeronautical activity for purposes of—

“(A) determining an airport's compliance with a grant assurance made under this section or any other provision of law; and

“(B) the receipt of Federal financial assistance for airport development.

“(2) **COVERED AIRCRAFT DEFINED.**—In this subsection, the term ‘covered aircraft’ means an aircraft—

“(A) used or intended to be used exclusively for recreational purposes; and

“(B) constructed or under construction by a private individual at a general aviation airport.”.

(b) **COMMUNITY USE OF AIRPORT LAND.**—Section 47107 of title 49, United States Code, as amended by this section, is further amended by adding at the end the following:

“(v) **COMMUNITY USE OF AIRPORT LAND.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (a)(13), and subject to paragraph (2), the sponsor of a public-use airport shall not be considered to be in violation of this subtitle, or to be found in violation of a grant assurance made under this section, or under any other provision of law, as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor has entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value.

“(2) **RESTRICTIONS.**—This subsection shall apply only—

“(A) to an agreement regarding airport property that was initially entered into before the publication of the Federal Aviation Administration's Policy and Procedures Concerning the Use of Airport Revenue, dated February 16, 1999;

“(B) if the agreement between the sponsor and the local government is subordinate to any existing or future agreements between the sponsor and the Secretary, including agreements related to a grant assurance under this section;

“(C) to airport property that was acquired under a Federal airport development grant program;

“(D) if the airport sponsor has provided a written statement to the Administrator that the property made available for a recreational purpose will not be needed for any aeronautical purpose during the next 10 years;

“(E) if the agreement includes a term of not more than 2 years to prepare the airport property for the interim compatible recreational purpose and not more than 10 years of use for that purpose;

“(F) if the recreational purpose will not impact the aeronautical use of the airport;

“(G) if the airport sponsor provides a certification that the sponsor is not responsible for preparation, start-up, operations, maintenance, or any other costs associated with the recreational purpose; and

“(H) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502.

“(3) **STATUTORY CONSTRUCTION.**—Nothing in this subsection may be construed as permitting a diversion of airport revenue for the capital or operating costs associated with the community use of airport land.”.

SEC. 125. GOVERNMENT SHARE OF PROJECT COSTS.

Section 47109(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “primary airport having at least .25 percent of the total number of passenger boardings each year at all commercial service airports;” and inserting “medium or large hub airport;”;

(2) by striking paragraph (5) and inserting the following:

“(5) 95 percent for a project that—

“(A) the Administrator determines is a successive phase of a multi-phase construction project for which the sponsor received a grant in fiscal year 2011; and

“(B) for which the United States Government’s share of allowable project costs could otherwise be 90 percent under paragraph (2) or (3).”.

SEC. 126. UPDATED VETERANS’ PREFERENCE.

Section 47112(c)(1)(C) of title 49, United States Code, is amended—

(1) by striking “or Operation New Dawn for more” and inserting “Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, or any successor contingency operation to such operations for more”; and

(2) by striking “or Operation New Dawn (whichever is later)” and inserting “Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, or any successor contingency operation to such operations (whichever is later)”.

SEC. 127. SPECIAL RULE.

Section 47114(d)(3) of title 49, United States Code, is amended by adding at the end the following:

“(C) During fiscal years 2018 through 2020—

“(i) an airport that accrued apportionment funds under subparagraph (A) in fiscal year 2013 that is listed as having an unclassified status under the most recent national plan of integrated airport systems shall continue to accrue apportionment funds under subparagraph (A) at the same amount the airport accrued apportionment funds in fiscal year 2013, subject to the conditions of this paragraph;

“(ii) notwithstanding the period of availability as described in section 47117(b), an amount apportioned to an airport under clause (i) shall be available to the airport only during the fiscal year in which the amount is apportioned; and

“(iii) notwithstanding the waiver permitted under section 47117(c)(2), an airport receiving apportionment funds under clause (i) may not waive its claim to any part of the

apportioned funds in order to make the funds available for a grant for another public-use airport.

“(D) An airport that re-establishes its classified status shall be eligible to accrue apportionment funds pursuant to subparagraph (A) so long as such airport retains its classified status.”.

SEC. 128. MARSHALL ISLANDS, MICRONESIA, AND PALAU.

Section 47115 of title 49, United States Code, is amended—

(1) by striking subsection (i);

(2) by redesignating subsection (j) as subsection (i); and

(3) in subsection (i) (as so redesignated) by striking “fiscal years 2012 through 2018” and inserting “fiscal years 2018 through 2023”.

SEC. 129. NONDISCRIMINATION.

Section 47123 of title 49, United States Code, is amended—

(1) by striking “The Secretary of Transportation” and inserting the following:

“(a) **IN GENERAL.**—The Secretary of Transportation”; and

(2) by adding at the end the following:

“(b) **INDIAN EMPLOYMENT.**—

“(1) **TRIBAL SPONSOR PREFERENCE.**—Consistent with section 703(i) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2(i)), nothing in this section shall preclude the preferential employment of Indians living on or near a reservation on a project or contract at—

“(A) an airport sponsored by an Indian tribal government; or

“(B) an airport located on an Indian reservation.

“(2) **STATE PREFERENCE.**—A State may implement a preference for employment of Indians on a project carried out under this subsection near an Indian reservation.

“(3) **IMPLEMENTATION.**—The Secretary shall cooperate with Indian tribal governments and the States to implement this subsection.

“(4) **INDIAN TRIBAL GOVERNMENT DEFINED.**—In this section, the term ‘Indian tribal government’ has the same meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).”.

SEC. 130. STATE BLOCK GRANT PROGRAM EXPANSION.

Section 47128(a) of title 49, United States Code, is amended by striking “not more than 9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter” and inserting “not more than 20 qualified States for each fiscal year”.

SEC. 131. MIDWAY ISLAND AIRPORT.

Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended in the first sentence by striking “fiscal years 2012 through 2018” and inserting “fiscal years 2018 through 2023”.

SEC. 132. PROPERTY CONVEYANCE RELEASES.

Section 817(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47125 note) is amended—

(1) by striking “or section 23” and inserting “, section 23”; and

(2) by inserting “, or section 47125 of title 49, United States Code” before the period at the end.

SEC. 133. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program (49 U.S.C. 47107(e) and 47113), discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation. These continuing barriers merit the continuation of the airport disadvantaged business enterprise program.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits. This testimony and documentation shows that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) This testimony and documentation demonstrates that discrimination across the Nation poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and many aspects of airport-related business in the public and private markets.

(4) This testimony and documentation provides a strong basis that there is a compelling need for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

SEC. 134. CONTRACT TOWER PROGRAM.

(a) **AIR TRAFFIC CONTROL CONTRACT PROGRAM.**—

(1) **SPECIAL RULE.**—Section 47124(b)(1)(B) of title 49, United States Code, is amended by striking “exceeds the benefit for a period of 18 months after such determination is made” and inserting the following: “exceeds the benefit—

“(i) for the 1-year period after such determination is made; or

“(ii) if an appeal of such determination is requested, for the 1-year period described in subsection (d)(4)(D)”.

(2) **FUNDING OF COST-SHARE PROGRAM.**—Section 47124(b)(3)(E) of title 49, United States Code, is amended to read as follows:

“(E) **FUNDING.**—Amounts appropriated pursuant to section 106(k)(1) may be used to carry out this paragraph.”.

(3) **CONSTRUCTION OF AIR TRAFFIC CONTROL TOWERS.**—

(A) **GRANTS.**—Section 47124(b)(4)(A) of title 49, United States Code, is amended in each of clauses (i)(III) and (ii)(III) by inserting “, including remote air traffic control tower equipment certified by the Federal Aviation Administration” after “1996”.

(B) **ELIGIBILITY.**—Section 47124(b)(4)(B)(i)(I) of title 49, United States Code, is amended by striking “pilot”.

(C) **LIMITATION ON FEDERAL SHARE.**—Section 47124(b)(4) of title 49, United States Code, is amended by striking subparagraph (C).

(4) **BENEFIT-TO-COST CALCULATION FOR PROGRAM APPLICANTS.**—Section 47124(b)(3) of title 49, United States Code, is amended by adding at the end the following:

“(G) **BENEFIT-TO-COST CALCULATION.**—Not later than 90 days after receiving an application to the Contract Tower Program, the Secretary shall calculate a benefit-to-cost ratio (as described in subsection (d)) for the applicable air traffic control tower for purposes of selecting towers for participation in the Contract Tower Program.”.

(b) **CRITERIA TO EVALUATE PARTICIPANTS.**—Section 47124 of title 49, United States Code, is amended by adding at the end the following:

“(d) **CRITERIA TO EVALUATE PARTICIPANTS.**—

“(1) **TIMING OF EVALUATIONS.**—

“(A) **TOWERS PARTICIPATING IN COST-SHARE PROGRAM.**—In the case of an air traffic control tower that is operated under the program established under subsection (b)(3), the

Secretary shall annually calculate a benefit-to-cost ratio with respect to the tower.

“(B) TOWERS PARTICIPATING IN CONTRACT TOWER PROGRAM.—In the case of an air traffic control tower that is operated under the program established under subsection (a) and continued under subsection (b)(1), the Secretary shall not calculate a benefit-to-cost ratio after the date of enactment of this subsection with respect to the tower unless the Secretary determines that the annual aircraft traffic at the airport where the tower is located has decreased—

“(i) by more than 25 percent from the previous year; or

“(ii) by more than 55 percent cumulatively in the preceding 3-year period.

“(2) COSTS TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall consider only the following costs:

“(A) The Federal Aviation Administration’s actual cost of wages and benefits of personnel working at the tower.

“(B) The Federal Aviation Administration’s actual telecommunications costs directly associated with the tower.

“(C) The Federal Aviation Administration’s costs of purchasing and installing any air traffic control equipment that would not have been purchased or installed except as a result of the operation of the tower.

“(D) The Federal Aviation Administration’s actual travel costs associated with maintaining air traffic control equipment that is owned by the Administration and would not be maintained except as a result of the operation of the tower.

“(E) Other actual costs of the Federal Aviation Administration directly associated with the tower that would not be incurred except as a result of the operation of the tower (excluding costs for non-contract tower related personnel and equipment, even if the personnel or equipment are located in the contract tower building).

“(3) OTHER CRITERIA TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall add a 10 percentage point margin of error to the benefit-to-cost ratio determination to acknowledge and account for the direct and indirect economic and other benefits that are not included in the criteria the Secretary used in calculating that ratio.

“(4) REVIEW OF COST-BENEFIT DETERMINATIONS.—In issuing a benefit-to-cost ratio determination under this section with respect to an air traffic control tower located at an airport, the Secretary shall implement the following procedures:

“(A) The Secretary shall provide the airport (or the State or local government having jurisdiction over the airport) at least 90 days following the date of receipt of the determination to submit to the Secretary a request for an appeal of the determination, together with updated or additional data in support of the appeal.

“(B) Upon receipt of a request for an appeal submitted pursuant to subparagraph (A), the Secretary shall—

“(i) transmit to the Administrator of the Federal Aviation Administration any updated or additional data submitted in support of the appeal; and

“(ii) provide the Administrator not more than 90 days to review the data and provide a response to the Secretary based on the review.

“(C) After receiving a response from the Administrator pursuant to subparagraph (B), the Secretary shall—

“(i) provide the airport, State, or local government that requested the appeal at least 30 days to review the response; and

“(ii) withhold from taking further action in connection with the appeal during that 30-day period.

“(D) If, after completion of the appeal procedures with respect to the determination, the Secretary requires the tower to transition into the program established under subsection (b)(3), the Secretary shall not require a cost-share payment from the airport, State, or local government for 1 year following the last day of the 30-day period described in subparagraph (C).”.

SEC. 135. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.

Notwithstanding section 47102 of title 49, United States Code, for fiscal years 2018 through 2021, the definition of the term “terminal development” under that section includes the development of an airport access road that—

- (1) is located in a noncontiguous State;
- (2) is not more than 3 miles in length;
- (3) connects to the nearest public roadways of not more than the 2 closest census designated places; and
- (4) is constructed for the purpose of connecting the census designated places with a planned or newly constructed airport.

SEC. 136. BUY AMERICA REQUIREMENTS.

(a) NOTICE OF WAIVERS.—If the Secretary of Transportation determines that it is necessary to waive the application of section 50101(a) of title 49, United States Code, based on a finding under section 50101(b) of that title, the Secretary, at least 10 days before the date on which the waiver takes effect, shall—

(1) make publicly available, in an easily identifiable location on the website of the Department of Transportation, a detailed written justification of the waiver determination; and

(2) provide an informal public notice and comment opportunity on the waiver determination.

(b) ANNUAL REPORT.—For each fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on waivers issued under section 50101 of title 49, United States Code, during the fiscal year.

Subtitle D—Airport Noise and Environmental Streamlining

SEC. 151. RECYCLING PLANS FOR AIRPORTS.

Section 47106(a)(6) of title 49, United States Code, is amended by inserting “that includes the project” before “, the master plan”.

SEC. 152. PILOT PROGRAM SUNSET.

(a) IN GENERAL.—Section 47140 of title 49, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—Section 47140a of title 49, United States Code, is redesignated as section 47140.

(c) CLERICAL AMENDMENTS.—The analysis for chapter 471 of title 49, United States Code, is amended—

(1) by striking the items relating to sections 47140 and 47140a; and

(2) by inserting after the item relating to section 47139 the following:

“47140. Increasing the energy efficiency of airport power sources.”.

SEC. 153. EXTENSION OF GRANT AUTHORITY FOR COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.

Section 47141(f) of title 49, United States Code, is amended by striking “2018” and inserting “2023”.

SEC. 154. UPDATING AIRPORT NOISE EXPOSURE MAPS.

Section 47503(b) of title 49, United States Code, is amended to read as follows:

“(b) REVISED MAPS.—

“(1) IN GENERAL.—An airport operator that submitted a noise exposure map under subsection (a) shall submit a revised map to the Secretary if, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new non-compatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration.

“(2) TIMING.—A submission under paragraph (1) shall be required only if the relevant change in the operation of the airport occurs during—

“(A) the forecast period of the applicable noise exposure map submitted by an airport operator under subsection (a); or

“(B) the implementation period of the airport operator’s noise compatibility program.”.

SEC. 155. STAGE 3 AIRCRAFT STUDY.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of the potential benefits, costs, and other impacts that would result from a phaseout of covered stage 3 aircraft.

(b) CONTENTS.—The review shall include—

(1) a determination of the number, types, frequency of operations, and owners and operators of covered stage 3 aircraft;

(2) an analysis of the potential benefits, costs, and other impacts to air carriers, general aviation operators, airports, communities surrounding airports, and the general public associated with phasing out or reducing the operations of covered stage 3 aircraft, assuming such a phaseout or reduction is put into effect over a reasonable period of time;

(3) a determination of lessons learned from the phaseout of stage 2 aircraft that might be applicable to a phaseout or reduction in the operations of covered stage 3 aircraft, including comparisons between the benefits, costs, and other impacts associated with the phaseout of stage 2 aircraft and the potential benefits, costs, and other impacts determined under paragraph (2);

(4) a determination of the costs and logistical challenges associated with recertifying stage 3 aircraft capable of meeting stage 4 noise levels; and

(5) a determination of stakeholder views on the feasibility and desirability of phasing out covered stage 3 aircraft, including the views of—

- (A) air carriers;
- (B) airports;
- (C) communities surrounding airports;
- (D) aircraft and avionics manufacturers;
- (E) operators of covered stage 3 aircraft other than air carriers; and
- (F) such other stakeholders and aviation experts as the Comptroller General considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review.

(d) COVERED STAGE 3 AIRCRAFT DEFINED.—In this section, the term “covered stage 3 aircraft” means a civil subsonic jet aircraft that is not capable of meeting the stage 4 noise levels in part 36 of title 14, Code of Federal Regulations.

SEC. 156. ADDRESSING COMMUNITY NOISE CONCERNS.

When proposing a new area navigation departure procedure, or amending an existing procedure that would direct aircraft between

the surface and 6,000 feet above ground level over noise sensitive areas, the Administrator of the Federal Aviation Administration shall consider the feasibility of dispersal headings or other lateral track variations to address community noise concerns, if—

(1) the affected airport operator, in consultation with the affected community, submits a request to the Administrator for such a consideration;

(2) the airport operator's request would not, in the judgment of the Administrator, conflict with the safe and efficient operation of the national airspace system; and

(3) the effect of a modified departure procedure would not significantly increase noise over noise sensitive areas, as determined by the Administrator.

SEC. 157. STUDY ON POTENTIAL HEALTH IMPACTS OF OVERFLIGHT NOISE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with an eligible institution of higher education to conduct a study on the health impacts of noise from aircraft flights on residents exposed to a range of noise levels from such flights.

(b) SCOPE OF STUDY.—The study shall—

(1) include an examination of the incremental health impacts attributable to noise exposure that result from aircraft flights, including sleep disturbance and elevated blood pressure;

(2) be focused on residents in the metropolitan area of—

- (A) Boston;
- (B) Chicago;
- (C) the District of Columbia;
- (D) New York;
- (E) the Northern California Metroplex;
- (F) Phoenix;
- (G) the Southern California Metroplex; or
- (H) such other area as may be identified by the Administrator;

(3) consider, in particular, the incremental health impacts on residents living partly or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during take-off or landing; and

(4) include an assessment of the relationship between a perceived increase in aircraft noise, including as a result of a change in flight paths that increases the visibility of aircraft from a certain location, and an actual increase in aircraft noise, particularly in areas with high or variable levels of non-aircraft-related ambient noise.

(c) ELIGIBILITY.—An institution of higher education is eligible to conduct the study if the institution—

(1) has—

(A) a school of public health that has participated in the Center of Excellence for Aircraft Noise and Aviation Emissions Mitigation of the Federal Aviation Administration; or

(B) a center for environmental health that receives funding from the National Institute of Environmental Health Sciences;

(2) is located in one of the areas identified in subsection (b);

(3) applies to the Administrator in a timely fashion;

(4) demonstrates to the satisfaction of the Administrator that the institution is qualified to conduct the study;

(5) agrees to submit to the Administrator, not later than 3 years after entering into an agreement under subsection (a), the results of the study, including any source materials used; and

(6) meets such other requirements as the Administrator determines necessary.

(d) REPORT.—Not later than 90 days after the Administrator receives the results of the

study, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results.

SEC. 158. ENVIRONMENTAL MITIGATION PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a pilot program involving not more than 6 projects at public-use airports in accordance with this section.

(b) GRANTS.—In carrying out the program, the Secretary may make grants to sponsors of public-use airports from funds apportioned under section 47117(e)(1)(A) of title 49, United States Code.

(c) USE OF FUNDS.—Amounts from a grant received by the sponsor of a public-use airport under the program shall be used for environmental mitigation projects that will measurably reduce or mitigate aviation impacts on noise, air quality, or water quality at the airport or within 5 miles of the airport.

(d) ELIGIBILITY.—Notwithstanding any other provision of chapter 471 of title 49, United States Code, an environmental mitigation project approved under this section shall be treated as eligible for assistance under that chapter.

(e) SELECTION CRITERIA.—In selecting from among applicants for participation in the program, the Secretary may give priority consideration to projects that—

(1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis or on a per dollar of funds expended basis; and

(2) will be implemented by an eligible consortium.

(f) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program shall be 50 percent.

(g) MAXIMUM AMOUNT.—Not more than \$2,500,000 may be made available by the Secretary in grants under the program for any single project.

(h) IDENTIFYING BEST PRACTICES.—The Secretary may establish and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, and water quality at airports or in the vicinity of airports based on the projects carried out under the program.

(i) SUNSET.—The program shall terminate 5 years after the Secretary makes the first grant under the program.

(j) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE CONSORTIUM.—The term “eligible consortium” means a consortium that is comprised of 2 or more of the following entities:

(A) Businesses incorporated in the United States.

(B) Public or private educational or research organizations located in the United States.

(C) Entities of State or local governments in the United States.

(D) Federal laboratories.

(2) ENVIRONMENTAL MITIGATION PROJECT.—The term “environmental mitigation project” means a project that—

(A) introduces new environmental mitigation techniques or technologies that have been proven in laboratory demonstrations;

(B) proposes methods for efficient adaptation or integration of new concepts into airport operations; and

(C) will demonstrate whether new techniques or technologies for environmental mitigation are—

(i) practical to implement at or near multiple public-use airports; and

(ii) capable of reducing noise, airport emissions, or water quality impacts in measurably significant amounts.

SEC. 159. AIRCRAFT NOISE EXPOSURE.

(a) REVIEW.—The Administrator of the Federal Aviation Administration shall conduct a review of the relationship between aircraft noise exposure and its effects on communities around airports.

(b) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the results of the review.

(2) PRELIMINARY RECOMMENDATIONS.—The report shall contain such preliminary recommendations as the Administrator determines appropriate for revising the land use compatibility guidelines in part 150 of title 14, Code of Federal Regulations, based on the results of the review and in coordination with other agencies.

SEC. 160. COMMUNITY INVOLVEMENT IN FAA NEXTGEN PROJECTS LOCATED IN METROPLEXES.

(a) COMMUNITY INVOLVEMENT POLICY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete a review of the Federal Aviation Administration's community involvement practices for Next Generation Air Transportation System (NextGen) projects located in metroplexes identified by the Administration. The review shall include, at a minimum, a determination of how and when to engage airports and communities in performance-based navigation proposals.

(b) REPORT.—Not later than 60 days after completion of the review, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) how the Administration will improve community involvement practices for NextGen projects located in metroplexes;

(2) how and when the Administration will engage airports and communities in performance-based navigation proposals; and

(3) lessons learned from NextGen projects and pilot programs and how those lessons learned are being integrated into community involvement practices for future NextGen projects located in metroplexes.

SEC. 161. CRITICAL HABITAT ON OR NEAR AIRPORT PROPERTY.

(a) FEDERAL AGENCY REQUIREMENTS.—The Secretary of Transportation, to the maximum extent practicable, shall work with the heads of appropriate Federal agencies to ensure that designations of critical habitat, as that term is defined in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532), on or near airport property do not—

(1) result in conflicting statutory, regulatory, or Federal grant assurance requirements for airports or aircraft operators;

(2) interfere with the safe operation of aircraft; or

(3) occur on airport-owned lands that have become attractive habitat for a threatened or endangered species because such lands—

(A) have been prepared for future development;

(B) have been designated as noise buffer land; or

(C) are held by the airport to prevent encroachment of uses that are incompatible with airport operations.

(b) STATE REQUIREMENTS.—In a State where a State agency is authorized to designate land on or near airport property for the conservation of a threatened or endangered species in the State, the Secretary, to the maximum extent practicable, shall work

with the State in the same manner as the Secretary works with the heads of Federal agencies under subsection (a).

SEC. 162. CLARIFICATION OF REIMBURSABLE ALLOWED COSTS OF FAA MEMORANDA OF AGREEMENT.

Section 47504(c)(2) of title 49, United States Code, is amended—

(1) in subparagraph (D) by striking “and” at the end;

(2) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) to an airport operator of a congested airport (as defined in section 47175) and a unit of local government referred to in paragraph (1)(B) to carry out a project to mitigate noise, if the project—

“(i) consists of—

“(I) replacement windows, doors, and the installation of through-the-wall air-conditioning units; or

“(II) a contribution of the equivalent costs to be used for reconstruction, if reconstruction is the preferred local solution;

“(ii) is located at a school near the airport; and

“(iii) is included in a memorandum of agreement entered into before September 30, 2002, even if the airport has not met the requirements of part 150 of title 14, Code of Federal Regulations, and only if the financial limitations of the memorandum are applied.”.

TITLE II—FAA SAFETY CERTIFICATION REFORM

Subtitle A—General Provisions

SEC. 201. DEFINITIONS.

In this title, the following definitions apply:

(1) **FAA.**—The term “FAA” means the Federal Aviation Administration.

(2) **SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.**—The term “Safety Oversight and Certification Advisory Committee” means the Safety Oversight and Certification Advisory Committee established under section 202.

(3) **SYSTEMS SAFETY APPROACH.**—The term “systems safety approach” means the application of specialized technical and managerial skills to the systematic, forward-looking identification and control of hazards throughout the lifecycle of a project, program, or activity.

SEC. 202. SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall establish a Safety Oversight and Certification Advisory Committee (in this section referred to as the “Advisory Committee”).

(b) **DUTIES.**—The Advisory Committee shall provide advice to the Secretary on policy-level issues facing the aviation community that are related to FAA certification and safety oversight programs and activities, including, at a minimum, the following:

(1) Aircraft and flight standards certification processes, including efforts to streamline those processes.

(2) Implementation and oversight of safety management systems.

(3) Risk-based oversight efforts.

(4) Utilization of delegation and designation authorities.

(5) Regulatory interpretation standardization efforts.

(6) Training programs.

(7) Expediting the rulemaking process and giving priority to rules related to safety.

(c) **FUNCTIONS.**—The Advisory Committee shall carry out the following functions (as the functions relate to FAA certification and safety oversight programs and activities):

(1) Foster industry collaboration in an open and transparent manner.

(2) Consult with, and ensure participation by—

(A) the private sector, including representatives of—

(i) general aviation;

(ii) commercial aviation;

(iii) aviation labor;

(iv) aviation maintenance;

(v) aviation, aerospace, and avionics manufacturing;

(vi) unmanned aircraft systems operators and manufacturers; and

(vii) the commercial space transportation industry;

(B) members of the public; and

(C) other interested parties.

(3) Establish consensus national goals, strategic objectives, and priorities for the most efficient, streamlined, and cost-effective certification and oversight processes in order to maintain the safety of the aviation system and, at the same time, allow the FAA to meet future needs and ensure that aviation stakeholders remain competitive in the global marketplace.

(4) Provide policy guidance for the FAA’s certification and safety oversight efforts.

(5) Provide ongoing policy reviews of the FAA’s certification and safety oversight efforts.

(6) Make appropriate legislative, regulatory, and guidance recommendations for the air transportation system and the aviation safety regulatory environment.

(7) Establish performance objectives for the FAA and industry.

(8) Establish performance metrics and goals for the FAA and the regulated aviation industry to be tracked and reviewed as streamlining and certification reform and regulation standardization efforts progress.

(9) Provide a venue for tracking progress toward national goals and sustaining joint commitments.

(10) Develop recruiting, hiring, training, and continuing education objectives for FAA aviation safety engineers and aviation safety inspectors.

(11) Provide advice and recommendations to the FAA on how to prioritize safety rule-making projects.

(12) Improve the development of FAA regulations by providing information, advice, and recommendations related to aviation issues.

(13) Facilitate the validation of United States products abroad.

(d) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Advisory Committee shall be composed of the following members:

(A) The Administrator of the FAA (or the Administrator’s designee).

(B) Individuals appointed by the Secretary to represent the following interests:

(i) Aircraft and engine manufacturers.

(ii) Avionics and equipment manufacturers.

(iii) Labor organizations, including collective bargaining representatives of FAA aviation safety inspectors and aviation safety engineers.

(iv) General aviation operators.

(v) Air carriers.

(vi) Business aviation operators.

(vii) Unmanned aircraft systems manufacturers and operators.

(viii) Aviation safety management expertise.

(ix) Aviation maintenance.

(2) **NONVOTING MEMBERS.**—

(A) **IN GENERAL.**—In addition to the members appointed under paragraph (1), the Advisory Committee shall be composed of nonvoting members appointed by the Secretary from among individuals representing FAA safety oversight program offices.

(B) **DUTIES.**—The nonvoting members shall—

(i) take part in deliberations of the Advisory Committee; and

(ii) provide input with respect to any final reports or recommendations of the Advisory Committee.

(C) **LIMITATION.**—The nonvoting members may not represent any stakeholder interest other than FAA safety oversight program offices.

(3) **TERMS.**—Each member and nonvoting member of the Advisory Committee appointed by the Secretary shall be appointed for a term of 2 years.

(4) **COMMITTEE CHARACTERISTICS.**—The Advisory Committee shall have the following characteristics:

(A) An executive-level membership, with members who can represent and enter into commitments for their organizations.

(B) The ability to obtain necessary information from experts in the aviation and aerospace communities.

(C) A membership size that enables the Committee to have substantive discussions and reach consensus on issues in a timely manner.

(D) Appropriate expertise, including expertise in certification and risk-based safety oversight processes, operations, policy, technology, labor relations, training, and finance.

(5) **LIMITATION ON STATUTORY CONSTRUCTION.**—Public Law 104-65 (2 U.S.C. 1601 et seq.) may not be construed to prohibit or otherwise limit the appointment of any individual as a member of the Advisory Committee.

(e) **CHAIRPERSON.**—

(1) **IN GENERAL.**—The Chairperson of the Advisory Committee shall be appointed by the Secretary from among those members of the Advisory Committee that are executive-level members of the aviation industry.

(2) **TERM.**—Each member appointed under paragraph (1) shall serve a term of 1 year as Chairperson.

(f) **MEETINGS.**—

(1) **FREQUENCY.**—The Advisory Committee shall meet at least twice each year at the call of the Chairperson.

(2) **PUBLIC ATTENDANCE.**—The meetings of the Advisory Committee shall be open to the public.

(g) **SPECIAL COMMITTEES.**—

(1) **ESTABLISHMENT.**—The Advisory Committee may establish special committees composed of private sector representatives, members of the public, labor representatives, and other interested parties in complying with consultation and participation requirements under this section.

(2) **RULEMAKING ADVICE.**—A special committee established by the Advisory Committee may—

(A) provide rulemaking advice and recommendations to the Administrator with respect to aviation-related issues;

(B) afford the FAA additional opportunities to obtain firsthand information and insight from those parties that are most affected by existing and proposed regulations; and

(C) expedite the development, revision, or elimination of rules without circumventing public rulemaking processes and procedures.

(3) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to a special committee established by the Advisory Committee.

(h) **SUNSET.**—The Advisory Committee shall terminate on the last day of the 6-year period beginning on the date of the initial appointment of the members of the Advisory Committee.

(i) **TERMINATION OF AIR TRAFFIC PROCEDURES ADVISORY COMMITTEE.**—The Air Traffic Procedures Advisory Committee established by the FAA shall terminate on the

date of the initial appointment of the members of the Advisory Committee.

Subtitle B—Aircraft Certification Reform

SEC. 211. AIRCRAFT CERTIFICATION PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date on which the Safety Oversight and Certification Advisory Committee is established under section 202, the Administrator of the FAA shall establish performance objectives and apply and track metrics for the FAA and the aviation industry relating to aircraft certification in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Safety Oversight and Certification Advisory Committee.

(c) PERFORMANCE OBJECTIVES.—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to aircraft certification, progress is made toward, at a minimum—

- (1) eliminating certification delays and improving cycle times;
- (2) increasing accountability for both FAA and industry entities;
- (3) achieving full utilization of FAA delegation and designation authorities;
- (4) fully implementing risk management principles and a systems safety approach;
- (5) reducing duplication of effort;
- (6) increasing transparency;
- (7) establishing and providing training, including recurrent training, in auditing and a systems safety approach to certification oversight;
- (8) improving the process for approving or accepting certification actions between the FAA and bilateral partners;
- (9) maintaining and improving safety;
- (10) streamlining the hiring process for—

(A) qualified systems safety engineers to support FAA efforts to implement a systems safety approach; and

(B) qualified systems engineers to guide the engineering of complex systems within the FAA; and

(11) maintaining the leadership of the United States in international aviation and aerospace.

(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the FAA and the regulated aviation industry established by the Safety Oversight and Certification Advisory Committee.

(e) DATA GENERATION.—

(1) BASELINES.—Not later than 1 year after the date on which the Safety Oversight and Certification Advisory Committee establishes initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the metrics applied and tracked under this section.

(2) MEASURING PROGRESS TOWARD GOALS.—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals established by the Safety Oversight and Certification Advisory Committee.

(f) PUBLICATION.—The Administrator shall make data generated using the metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the internet website of the FAA and other appropriate methods and shall ensure that the data is made available in a manner that—

- (1) does not provide identifying information regarding an individual or entity; and
- (2) protects proprietary information.

SEC. 212. ORGANIZATION DESIGNATION AUTHORIZATIONS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“§ 44736. Organization designation authorizations

“(a) DELEGATIONS OF FUNCTIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), when overseeing an ODA holder, the Administrator of the FAA shall—

“(A) require, based on an application submitted by the ODA holder and approved by the Administrator (or the Administrator’s designee), a procedures manual that addresses all procedures and limitations regarding the functions to be performed by the ODA holder;

“(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to 1 or more of the functions; and

“(C) conduct regular oversight activities by inspecting the ODA holder’s delegated functions and taking action based on validated inspection findings.

“(2) DUTIES OF ODA HOLDERS.—An ODA holder shall—

“(A) perform each function delegated to the ODA holder in accordance with the approved procedures manual for the delegation;

“(B) make the procedures manual available to each member of the appropriate ODA unit; and

“(C) cooperate fully with oversight activities conducted by the Administrator in connection with the delegation.

“(3) EXISTING ODA HOLDERS.—With regard to an ODA holder operating under a procedures manual approved by the Administrator before the date of enactment of this section, the Administrator shall—

“(A) at the request of the ODA holder and in an expeditious manner, approve revisions to the ODA holder’s procedures manual;

“(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to one or more of the functions; and

“(C) conduct regular oversight activities by inspecting the ODA holder delegated functions and taking action based on validated inspection findings.

“(b) ODA OFFICE.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, the Administrator of the FAA shall identify, within the FAA Office of Aviation Safety, a centralized policy office to be known as the Organization Designation Authorization Office or the ODA Office.

“(2) PURPOSE.—The purpose of the ODA Office shall be to oversee and ensure the consistency of the FAA’s audit functions under the ODA program across the FAA.

“(3) FUNCTIONS.—The ODA Office shall—

“(A) improve performance and ensure full utilization of the authorities delegated under the ODA program;

“(B) create a more consistent approach to audit priorities, procedures, and training under the ODA program;

“(C) review, in a timely fashion, a random sample of limitations on delegated authorities under the ODA program to determine if the limitations are appropriate;

“(D) ensure national consistency in the interpretation and application of the require-

ments of the ODA program, including any limitations, and in the performance of the ODA program; and

“(E) at the request of an ODA holder, review and approve new limitations to ODA functions.

“(c) DEFINITIONS.—In this section, the following definitions apply:

“(1) FAA.—The term ‘FAA’ means the Federal Aviation Administration.

“(2) ODA HOLDER.—The term ‘ODA holder’ means an entity authorized to perform functions pursuant to a delegation made by the Administrator of the FAA under section 44702(d).

“(3) ODA UNIT.—The term ‘ODA unit’ means a group of 2 or more individuals who perform, under the supervision of an ODA holder, authorized functions under an ODA.

“(4) ORGANIZATION.—The term ‘organization’ means a firm, partnership, corporation, company, association, joint-stock association, or governmental entity.

“(5) ORGANIZATION DESIGNATION AUTHORIZATION; ODA.—The term ‘Organization Designation Authorization’ or ‘ODA’ means an authorization by the FAA under section 44702(d) for an organization comprised of 1 or more ODA units to perform approved functions on behalf of the FAA.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“44736. Organization designation authorizations.”.

SEC. 213. ODA REVIEW.

(a) ESTABLISHMENT OF EXPERT REVIEW PANEL.—

(1) EXPERT PANEL.—Not later than 60 days after the date of enactment of this Act, the Administrator of the FAA shall convene a multidisciplinary expert review panel (in this section referred to as the “Panel”).

(2) COMPOSITION OF PANEL.—

(A) APPOINTMENT OF MEMBERS.—The Panel shall be composed of not more than 20 members appointed by the Administrator.

(B) QUALIFICATIONS.—The members appointed to the Panel shall—

(i) each have a minimum of 5 years of experience in processes and procedures under the ODA program; and

(ii) represent, at a minimum, ODA holders, aviation manufacturers, safety experts, and FAA labor organizations, including labor representatives of FAA aviation safety inspectors and aviation safety engineers.

(b) SURVEY.—The Panel shall conduct a survey of ODA holders and ODA program applicants to document and assess FAA certification and oversight activities, including use of the ODA program and the timeliness and efficiency of the certification process.

(c) ASSESSMENT AND RECOMMENDATIONS.—The Panel shall assess and make recommendations concerning—

(1) the FAA’s processes and procedures under the ODA program and whether the processes and procedures function as intended;

(2) the best practices of and lessons learned by ODA holders and individuals who provide oversight of ODA holders;

(3) performance incentive policies related to the ODA program for FAA personnel;

(4) training activities related to the ODA program for FAA personnel and ODA holders;

(5) the impact, if any, that oversight of the ODA program has on FAA resources and the FAA’s ability to process applications for certifications outside of the ODA program; and

(6) the results of the survey conducted under subsection (b).

(d) **REPORT.**—Not later than 180 days after the date the Panel is convened under subsection (a), the Panel shall submit to the Administrator, the Safety Oversight and Certification Advisory Committee, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings and recommendations of the Panel.

(e) **DEFINITIONS.**—The definitions contained in section 44736 of title 49, United States Code, as added by this Act, apply to this section.

(f) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to the Panel.

(g) **SUNSET.**—The Panel shall terminate on the date of submission of the report under subsection (d), or on the date that is 1 year after the Panel is convened under subsection (a), whichever occurs first.

SEC. 214. TYPE CERTIFICATION RESOLUTION PROCESS.

(a) **IN GENERAL.**—Section 44704(a) of title 49, United States Code, is amended by adding at the end the following:

“(6) **TYPE CERTIFICATION RESOLUTION PROCESS.**—

“(A) **IN GENERAL.**—Not later than 15 months after the date of enactment of this paragraph, the Administrator shall establish an effective, timely, and milestone-based issue resolution process for type certification activities under this subsection.

“(B) **PROCESS REQUIREMENTS.**—The resolution process shall provide for—

“(i) resolution of technical issues at pre-established stages of the certification process, as agreed to by the Administrator and the type certificate applicant;

“(ii) automatic elevation to appropriate management personnel of the Federal Aviation Administration and the type certificate applicant of any major certification process milestone that is not completed or resolved within a specific period of time agreed to by the Administrator and the type certificate applicant; and

“(iii) resolution of a major certification process milestone elevated pursuant to clause (ii) within a specific period of time agreed to by the Administrator and the type certificate applicant.

“(C) **MAJOR CERTIFICATION PROCESS MILESTONE DEFINED.**—In this paragraph, the term ‘major certification process milestone’ means a milestone related to a type certification basis, type certification plan, type inspection authorization, issue paper, or other major type certification activity agreed to by the Administrator and the type certificate applicant.”.

(b) **TECHNICAL AMENDMENT.**—Section 44704 of title 49, United States Code, is amended in the section heading by striking “**airworthiness certificates,**” and inserting “**airworthiness certificates,**”.

SEC. 215. REVIEW OF CERTIFICATION PROCESS FOR SMALL GENERAL AVIATION AIRPLANES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall initiate a review of the Federal Aviation Administration’s implementation of the final rule titled “Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes” (81 Fed. Reg. 96572).

(b) **CONSIDERATIONS.**—In carrying out the review, the Inspector General shall assess—

(1) how the rule puts into practice the Administration’s efforts to implement performance and risk-based safety standards;

(2) whether the Administration’s implementation of the rule has improved safety and reduced the regulatory cost burden for the Administration and the aviation industry; and

(3) if there are lessons learned from, and best practices developed as a result of, the rule that could be applied to airworthiness standards for other categories of aircraft.

(c) **REPORT.**—Not later than 180 days after the date of initiation of the review, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review, including findings and recommendations.

Subtitle C—Flight Standards Reform

SEC. 231. FLIGHT STANDARDS PERFORMANCE OBJECTIVES AND METRICS.

(a) **IN GENERAL.**—Not later than 120 days after the date on which the Safety Oversight and Certification Advisory Committee is established under section 202, the Administrator of the FAA shall establish performance objectives and apply and track metrics for the FAA and the aviation industry relating to flight standards activities in accordance with this section.

(b) **COLLABORATION.**—The Administrator shall carry out this section in collaboration with the Safety Oversight and Certification Advisory Committee.

(c) **PERFORMANCE OBJECTIVES.**—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to flight standards activities, progress is made toward, at a minimum—

(1) eliminating delays with respect to such activities;

(2) increasing accountability for both FAA and industry entities;

(3) achieving full utilization of FAA delegation and designation authorities;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) eliminating inconsistent regulatory interpretations and inconsistent enforcement activities;

(7) improving and providing greater opportunities for training, including recurrent training, in auditing and a systems safety approach to oversight;

(8) developing and allowing utilization of a single master source for guidance;

(9) providing and utilizing a streamlined appeal process for the resolution of regulatory interpretation questions;

(10) maintaining and improving safety; and

(11) increasing transparency.

(d) **METRICS.**—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the FAA and the regulated aviation industry established by the Safety Oversight and Certification Advisory Committee.

(e) **DATA GENERATION.**—

(1) **BASELINES.**—Not later than 1 year after the date on which the Safety Oversight and Certification Advisory Committee establishes initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the metrics applied and tracked under this section.

(2) **MEASURING PROGRESS TOWARD GOALS.**—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals established by the Safety Oversight and Certification Advisory Committee.

(f) **PUBLICATION.**—The Administrator shall make data generated using the metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the inter-

net website of the FAA and other appropriate methods and shall ensure that the data is made available in a manner that—

(1) does not provide identifying information regarding an individual or entity; and

(2) protects proprietary information.

SEC. 232. FAA TASK FORCE ON FLIGHT STANDARDS REFORM.

(a) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the FAA shall establish the FAA Task Force on Flight Standards Reform (in this section referred to as the “Task Force”).

(b) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The membership of the Task Force shall be appointed by the Administrator.

(2) **NUMBER.**—The Task Force shall be composed of not more than 20 members.

(3) **REPRESENTATION REQUIREMENTS.**—The membership of the Task Force shall include representatives, with knowledge of flight standards regulatory processes and requirements, of—

(A) air carriers;

(B) general aviation;

(C) business aviation;

(D) repair stations;

(E) unmanned aircraft systems operators;

(F) flight schools;

(G) labor unions, including those representing FAA aviation safety inspectors; and

(H) aviation safety experts.

(c) **DUTIES.**—The duties of the Task Force shall include, at a minimum, identifying best practices and providing recommendations, for current and anticipated budgetary environments, with respect to—

(1) simplifying and streamlining flight standards regulatory processes;

(2) reorganizing Flight Standards Services to establish an entity organized by function rather than geographic region, if appropriate;

(3) FAA aviation safety inspector training opportunities;

(4) FAA aviation safety inspector standards and performance; and

(5) achieving, across the FAA, consistent—

(A) regulatory interpretations; and

(B) application of oversight activities.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(1) the best practices identified and recommendations provided by the Task Force under subsection (c); and

(2) any recommendations of the Task Force for additional regulatory action or cost-effective legislative action.

(e) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to the Task Force.

(f) **TERMINATION.**—The Task Force shall terminate on the earlier of—

(1) the date on which the Task Force submits the report required under subsection (d); or

(2) the date that is 18 months after the date on which the Task Force is established under subsection (a).

SEC. 233. CENTRALIZED SAFETY GUIDANCE DATABASE.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the FAA shall establish a centralized safety guidance database that will—

(1) encompass all of the regulatory guidance documents of the FAA Office of Aviation Safety;

(2) contain, for each such guidance document, a link to the Code of Federal Regulations provision to which the document relates; and

(3) be publicly available in a manner that—
(A) does not provide identifying information regarding an individual or entity; and

(B) protects proprietary information.

(b) DATA ENTRY TIMING.—

(1) EXISTING DOCUMENTS.—Not later than 14 months after the date of enactment of this Act, the Administrator shall begin entering into the database established under subsection (a) all of the regulatory guidance documents of the Office of Aviation Safety that are in effect and were issued before the date on which the Administrator begins such entry process.

(2) NEW DOCUMENTS AND CHANGES.—On and after the date on which the Administrator begins the document entry process under paragraph (1), the Administrator shall ensure that all new regulatory guidance documents of the Office of Aviation Safety and any changes to existing documents are included in the database established under subsection (a).

(c) CONSULTATION REQUIREMENT.—In establishing the database under subsection (a), the Administrator shall consult and collaborate with appropriate stakeholders, including labor organizations (including those representing aviation workers and FAA aviation safety inspectors) and industry stakeholders.

(d) REGULATORY GUIDANCE DOCUMENTS DEFINED.—In this section, the term “regulatory guidance documents” means all forms of written information issued by the FAA that an individual or entity may use to interpret or apply FAA regulations and requirements, including information an individual or entity may use to determine acceptable means of compliance with such regulations and requirements.

SEC. 234. REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the FAA shall establish a Regulatory Consistency Communications Board (in this section referred to as the “Board”).

(b) CONSULTATION REQUIREMENT.—In establishing the Board, the Administrator shall consult and collaborate with appropriate stakeholders, including FAA labor organizations (including labor organizations representing FAA aviation safety inspectors) and industry stakeholders.

(c) MEMBERSHIP.—The Board shall be composed of FAA representatives, appointed by the Administrator, from—

- (1) the Flight Standards Service;
- (2) the Aircraft Certification Service; and
- (3) the Office of the Chief Counsel.

(d) FUNCTIONS.—The Board shall carry out the following functions:

(1) Establish, at a minimum, processes by which—

(A) FAA personnel and regulated entities may submit anonymous regulatory interpretation questions without fear of retaliation; and

(B) FAA personnel may submit written questions, and receive written responses, as to whether a previous approval or regulatory interpretation issued by FAA personnel in another office or region is correct or incorrect.

(2) Meet on a regular basis to discuss and resolve questions submitted pursuant to paragraph (1) and the appropriate application of regulations and policy with respect to each question.

(3) Provide to an individual or entity that submitted a question pursuant to paragraph (1) a timely response to the question.

(4) Establish a process to make resolutions of common regulatory interpretation questions publicly available to FAA personnel and regulated entities without providing any identifying data of the individuals or entities that submitted the questions and in a manner that protects any proprietary information.

(5) Ensure the incorporation of resolutions of questions submitted pursuant to paragraph (1) into regulatory guidance documents.

(e) PERFORMANCE METRICS, TIMELINES, AND GOALS.—Not later than 180 days after the date on which the Safety Oversight and Certification Advisory Committee establishes performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator, in collaboration with the Advisory Committee, shall—

(1) establish performance metrics, timelines, and goals to measure the progress of the Board in resolving regulatory interpretation questions submitted pursuant to subsection (d)(1); and

(2) implement a process for tracking the progress of the Board in meeting the metrics, timelines, and goals established under paragraph (1).

Subtitle D—Safety Workforce

SEC. 241. SAFETY WORKFORCE TRAINING STRATEGY.

(a) SAFETY WORKFORCE TRAINING STRATEGY.—Not later than 60 days after the date of enactment of this Act, the Administrator of the FAA shall establish a safety workforce training strategy that—

(1) allows employees participating in organization management teams or conducting ODA program audits to complete, in a timely fashion, appropriate training, including recurrent training, in auditing and a systems safety approach to oversight;

(2) seeks knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest;

(3) functions within the current and anticipated budgetary environments; and

(4) includes milestones and metrics for meeting the requirements of paragraphs (1), (2), and (3).

(b) REPORT.—Not later than 270 days after the date of establishment of the strategy required under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the strategy and progress in meeting any milestones and metrics included in the strategy.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) ODA; ODA HOLDER.—The terms “ODA” and “ODA holder” have the meanings given those terms in section 44736 of title 49, United States Code, as added by this Act.

(2) ORGANIZATION MANAGEMENT TEAM.—The term “organization management team” means a team consisting of FAA aviation safety engineers, flight test pilots, and aviation safety inspectors overseeing an ODA holder and its certification activity.

SEC. 242. WORKFORCE REVIEW.

(a) WORKFORCE REVIEW.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the FAA Office of Aviation Safety in the anticipated budgetary environment.

(b) CONTENTS.—The review required under subsection (a) shall include—

(1) a review of current aviation safety inspector and aviation safety engineer hiring,

training, and recurrent training requirements;

(2) an analysis of the skills and qualifications required of aviation safety inspectors and aviation safety engineers for successful performance in the current and future projected aviation safety regulatory environment, including the need for a systems engineering discipline within the FAA to guide the engineering of complex systems, with an emphasis on auditing designated authorities;

(3) a review of current performance incentive policies of the FAA, as applied to the Office of Aviation Safety, including awards for performance;

(4) an analysis of ways the FAA can work with industry and labor, including labor groups representing FAA aviation safety inspectors and aviation safety engineers, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(5) recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation safety regulatory system in the anticipated budgetary environment.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review required under subsection (a).

Subtitle E—International Aviation

SEC. 251. PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.

Section 40104 of title 49, United States Code, is amended by adding at the end the following:

“(d) PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.—The Administrator shall take appropriate actions to—

“(1) promote United States aerospace safety standards abroad;

“(2) facilitate and vigorously defend approvals of United States aerospace products and services abroad;

“(3) with respect to bilateral partners, utilize bilateral safety agreements and other mechanisms to improve validation of United States type certificated aeronautical products and appliances and enhance mutual acceptance in order to eliminate redundancies and unnecessary costs; and

“(4) with respect to foreign safety authorities, streamline validation and coordination processes.”.

SEC. 252. BILATERAL EXCHANGES OF SAFETY OVERSIGHT RESPONSIBILITIES.

Section 44701(e) of title 49, United States Code, is amended by adding at the end the following:

“(5) FOREIGN AIRWORTHINESS DIRECTIVES.—

“(A) ACCEPTANCE.—The Administrator may accept an airworthiness directive issued by an aeronautical safety authority of a foreign country, and leverage that authority’s regulatory process, if—

“(i) the country is the state of design for the product that is the subject of the airworthiness directive;

“(ii) the United States has a bilateral safety agreement relating to aircraft certification with the country;

“(iii) as part of the bilateral safety agreement with the country, the Administrator has determined that such aeronautical safety authority has a certification system relating to safety that produces a level of safety equivalent to the level produced by the

system of the Federal Aviation Administration;

“(iv) the aeronautical safety authority of the country utilizes an open and transparent notice and comment process in the issuance of airworthiness directives; and

“(v) the airworthiness directive is necessary to provide for the safe operation of the aircraft subject to the directive.

“(B) **ALTERNATIVE APPROVAL PROCESS.**—Notwithstanding subparagraph (A), the Administrator may issue a Federal Aviation Administration airworthiness directive instead of accepting an airworthiness directive otherwise eligible for acceptance under such subparagraph, if the Administrator determines that such issuance is necessary for safety or operational reasons due to the complexity or unique features of the Federal Aviation Administration airworthiness directive or the United States aviation system.

“(C) **ALTERNATIVE MEANS OF COMPLIANCE.**—The Administrator may—

“(i) accept an alternative means of compliance, with respect to an airworthiness directive accepted under subparagraph (A), that was approved by the aeronautical safety authority of the foreign country that issued the airworthiness directive; or

“(ii) notwithstanding subparagraph (A), and at the request of any person affected by an airworthiness directive accepted under such subparagraph, approve an alternative means of compliance with respect to the airworthiness directive.

“(D) **LIMITATION.**—The Administrator may not accept an airworthiness directive issued by an aeronautical safety authority of a foreign country if the airworthiness directive addresses matters other than those involving the safe operation of an aircraft.”.

SEC. 253. FAA LEADERSHIP ABROAD.

(a) **IN GENERAL.**—To promote United States aerospace safety standards, reduce redundant regulatory activity, and facilitate acceptance of FAA design and production approvals abroad, the Administrator of the FAA shall—

(1) attain greater expertise in issues related to dispute resolution, intellectual property, and export control laws to better support FAA certification and other aerospace regulatory activities abroad;

(2) work with United States companies to more accurately track the amount of time it takes foreign authorities, including bilateral partners, to validate United States type certificated aeronautical products;

(3) provide assistance to United States companies that have experienced significantly long foreign validation wait times;

(4) work with foreign authorities, including bilateral partners, to collect and analyze data to determine the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA;

(5) establish appropriate benchmarks and metrics to measure the success of bilateral aviation safety agreements and to reduce the validation time for United States type certificated aeronautical products abroad; and

(6) work with foreign authorities, including bilateral partners, to improve the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the FAA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(1) describes the FAA’s strategic plan for international engagement;

(2) describes the structure and responsibilities of all FAA offices that have international responsibilities, including the Aircraft Certification Office, and all the activities conducted by those offices related to certification and production;

(3) describes current and forecasted staffing and travel needs for the FAA’s international engagement activities, including the needs of the Aircraft Certification Office in the current and forecasted budgetary environment;

(4) provides recommendations, if appropriate, to improve the existing structure and personnel and travel policies supporting the FAA’s international engagement activities, including the activities of the Aviation Certification Office, to better support the growth of United States aerospace exports; and

(5) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely acceptance of United States aerospace products abroad.

(c) **INTERNATIONAL TRAVEL.**—The Administrator of the FAA, or the Administrator’s designee, may authorize international travel for any FAA employee, without the approval of any other person or entity, if the Administrator determines that the travel is necessary—

(1) to promote United States aerospace safety standards; or

(2) to support expedited acceptance of FAA design and production approvals.

SEC. 254. REGISTRATION, CERTIFICATION, AND RELATED FEES.

Section 45305 of title 49, United States Code, is amended—

(1) in subsection (a) by striking “Subject to subsection (b)” and inserting “Subject to subsection (c)”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

“(b) **CERTIFICATION SERVICES.**—Subject to subsection (c), and notwithstanding section 45301(a), the Administrator may establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided, if the fee—

“(1) is established and collected in a manner consistent with aviation safety agreements; and

“(2) does not exceed the estimated costs of the services.”.

TITLE III—SAFETY

Subtitle A—General Provisions

SEC. 301. FAA TECHNICAL TRAINING.

(a) **E-LEARNING TRAINING PILOT PROGRAM.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in collaboration with the exclusive bargaining representatives of covered FAA personnel, shall establish an e-learning training pilot program in accordance with the requirements of this section.

(b) **CURRICULUM.**—The pilot program shall—

(1) include a recurrent training curriculum for covered FAA personnel to ensure that the personnel receive instruction on the latest aviation technologies, processes, and procedures;

(2) focus on providing specialized technical training for covered FAA personnel, as determined necessary by the Administrator;

(3) include training courses on applicable regulations of the Federal Aviation Administration; and

(4) consider the efficacy of instructor-led online training.

(c) **PILOT PROGRAM TERMINATION.**—The pilot program shall terminate 1 year after the date of establishment of the pilot program.

(d) **E-LEARNING TRAINING PROGRAM.**—Upon termination of the pilot program, the Administrator shall establish an e-learning training program that incorporates lessons learned for covered FAA personnel as a result of the pilot program.

(e) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **COVERED FAA PERSONNEL.**—The term “covered FAA personnel” means airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

(2) **E-LEARNING TRAINING.**—The term “e-learning training” means learning utilizing electronic technologies to access educational curriculum outside of a traditional classroom.

SEC. 302. SAFETY CRITICAL STAFFING.

(a) **UPDATE OF FAA’S SAFETY CRITICAL STAFFING MODEL.**—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update the safety critical staffing model of the Administration to determine the number of aviation safety inspectors that will be needed to fulfill the safety oversight mission of the Administration.

(b) **AUDIT BY DOT INSPECTOR GENERAL.**—

(1) **IN GENERAL.**—Not later than 90 days after the date on which the Administrator has updated the safety critical staffing model under subsection (a), the Inspector General of the Department of Transportation shall conduct an audit of the staffing model.

(2) **CONTENTS.**—The audit shall include, at a minimum—

(A) a review of the assumptions and methodologies used in devising and implementing the staffing model to assess the adequacy of the staffing model in predicting the number of aviation safety inspectors needed—

(i) to properly fulfill the mission of the Administration; and

(ii) to meet the future growth of the aviation industry; and

(B) a determination on whether the staffing model takes into account the Administration’s authority to fully utilize designees.

(3) **REPORT ON AUDIT.**—

(A) **REPORT TO SECRETARY.**—Not later than 30 days after the date of completion of the audit, the Inspector General shall submit to the Secretary a report on the results of the audit.

(B) **REPORT TO CONGRESS.**—Not later than 60 days after the date of receipt of the report, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the report, together with, if appropriate, a description of any actions taken or to be taken to address the results of the audit.

SEC. 303. INTERNATIONAL EFFORTS REGARDING TRACKING OF CIVIL AIRCRAFT.

The Administrator of the Federal Aviation Administration shall exercise leadership on creating a global approach to improving aircraft tracking by working with—

(1) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(2) other international organizations and fora; and

(3) the private sector.

SEC. 304. AIRCRAFT DATA ACCESS AND RETRIEVAL SYSTEMS.

(a) **ASSESSMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate an assessment of

aircraft data access and retrieval systems for part 121 air carrier aircraft that are used in extended overwater operations to—

(1) determine if the systems provide improved access and retrieval of aircraft data and cockpit voice recordings in the event of an aircraft accident; and

(2) assess the cost effectiveness of each system assessed.

(b) **SYSTEMS TO BE EXAMINED.**—The systems to be examined under this section shall include, at a minimum—

- (1) automatic deployable flight recorders;
- (2) emergency locator transmitters; and
- (3) satellite-based solutions.

(c) **REPORT.**—Not later than 1 year after the date of initiation of the assessment, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the assessment.

(d) **PART 121 AIR CARRIER DEFINED.**—In this section, the term “part 121 air carrier” means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

SEC. 305. ADVANCED COCKPIT DISPLAYS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review of heads-up display systems, heads-down display systems employing synthetic vision systems, and enhanced vision systems (in this section referred to as “HUD systems”, “SVS”, and “EVS”, respectively).

(b) **CONTENTS.**—The review shall—

(1) evaluate the impacts of single- and dual-installed HUD systems, SVS, and EVS on the safety and efficiency of aircraft operations within the national airspace system; and

(2) review a sufficient quantity of commercial aviation accidents or incidents in order to evaluate if HUD systems, SVS, and EVS would have produced a better outcome in that accident or incident.

(c) **CONSULTATION.**—In conducting the review, the Administrator shall consult with aviation manufacturers, representatives of pilot groups, aviation safety organizations, and any government agencies the Administrator considers appropriate.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the review, the actions the Administrator plans to take with respect to the systems reviewed, and the associated timeline for such actions.

SEC. 306. MARKING OF TOWERS.

Section 2110 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44718 note) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

“(a) **APPLICATION.**—

“(1) **IN GENERAL.**—Except as provided by paragraph (2), not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018 or the availability of the database developed by the Administrator of the Federal Aviation Administration pursuant to subsection (c), whichever is later, all covered towers shall be either—

“(A) clearly marked consistent with applicable guidance in the advisory circular of the Federal Aviation Administration issued December 4, 2015 (AC 70/7460-IL); or

“(B) included in the database described in subsection (c).

“(2) **METEOROLOGICAL EVALUATION TOWER.**—A covered tower that is a meteorological evaluation tower shall be subject to the requirements of paragraphs (1)(A) and (1)(B).”;

(2) by redesignating subsections (d) and (e) as subsections (b) and (c), respectively;

(3) in subsection (b)(1)(A) (as so redesignated)—

(A) in clause (i)(I) by striking “self-standing or” and inserting “a meteorological evaluation tower or tower”; and

(B) in clause (ii)—

(i) in subclause (IV) by striking “or” at the end;

(ii) in subclause (V) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(VI) is located within the right-of-way of a rail carrier, including within the boundaries of a rail yard, and is used for a railroad purpose;

“(VII) is determined by the Administrator to pose no hazard to air navigation; or

“(VIII) has already mitigated any hazard to aviation safety in accordance with Federal Aviation Administration guidance or as otherwise approved by the Administrator.”;

(4) in subsection (c) (as so redesignated)—

(A) by striking paragraph (1) and inserting the following:

“(1) develop a database that contains the location and height of each covered tower that, pursuant to subsection (a), the owner or operator of such tower elects not to mark, except that meteorological evaluation towers shall be marked and contained in the database.”;

(B) in paragraph (3) by striking “and” at the end;

(C) in paragraph (4) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(5) ensure that the tower information in the database is de-identified and that the information only includes the location and height of covered towers; and

“(6) make the database available for use not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018.”.

SEC. 307. CABIN EVACUATION.

(a) **REVIEW.**—The Administrator of the Federal Aviation Administration shall review—

(1) evacuation certification of transport-category aircraft used in air transportation, with regard to—

(A) emergency conditions, including impacts into water;

(B) crew procedures used for evacuations under actual emergency conditions; and

(C) any relevant changes to passenger demographics and legal requirements (including the Americans with Disabilities Act of 1990) that affect emergency evacuations; and

(2) recent accidents and incidents where passengers evacuated such aircraft.

(b) **CONSULTATION; REVIEW OF DATA.**—In conducting the review, the Administrator shall—

(1) consult with the National Transportation Safety Board, transport-category aircraft manufacturers, air carriers, and other relevant experts and Federal agencies, including groups representing passengers, airline crewmembers, maintenance employees, and emergency responders; and

(2) review relevant data with respect to evacuation certification of transport-category aircraft.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and

Transportation of the Senate a report on the results of the review and related recommendations, if any, including any recommendations for revisions to the assumptions and methods used for assessing evacuation certification of transport-category aircraft.

SEC. 308. ODA STAFFING AND OVERSIGHT.

(a) **REPORT TO CONGRESS.**—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the Administration's progress with respect to—

(1) determining what additional model inputs and labor distribution codes are needed to identify ODA oversight staffing needs;

(2) developing and implementing system-based evaluation criteria and risk-based tools to aid ODA team members in targeting their oversight activities;

(3) developing agreements and processes for sharing resources to ensure adequate oversight of ODA personnel performing certification and inspection work at supplier and company facilities; and

(4) ensuring full utilization of ODA authority.

(b) **ODA DEFINED.**—In this section, the term “ODA” has the meaning given that term in section 44736 of title 49, United States Code, as added by this Act.

SEC. 309. FUNDING FOR ADDITIONAL SAFETY NEEDS.

Section 44704 of title 49, United States Code, is amended by adding at the end the following:

“(f) **FUNDING FOR ADDITIONAL SAFETY NEEDS.**—

“(1) **ACCEPTANCE OF APPLICANT-PROVIDED FUNDS.**—Notwithstanding any other provision of law, the Administrator may accept funds from an applicant for a certificate under this section to hire additional staff or obtain the services of consultants and experts to facilitate the timely processing, review, and issuance of certificates under this section.

“(2) **RULES OF CONSTRUCTION.**—

“(A) **IN GENERAL.**—Nothing in this section may be construed as permitting the Administrator to grant priority or afford any preference to an applicant providing funds under paragraph (1).

“(B) **POLICIES AND PROCEDURES.**—The Administrator shall implement such policies and procedures as may be required to ensure that the acceptance of funds under paragraph (1) does not prejudice the Administrator in the issuance of any certificate to an applicant.

“(3) **RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.**—Notwithstanding section 3302 of title 31, any funds accepted under this subsection—

“(A) shall be credited as offsetting collections to the account that finances the activities and services for which the funds are accepted;

“(B) shall be available for expenditure only to pay the costs of activities and services for which the funds are accepted; and

“(C) shall remain available until expended.”.

SEC. 310. FUNDING FOR ADDITIONAL FAA LICENSING NEEDS.

(a) **IN GENERAL.**—Chapter 509 of title 51, United States Code, is amended by adding at the end the following:

“§ 50924. Funding to facilitate FAA licensing

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Transportation may accept funds from a person applying for a license or permit under

this chapter to hire additional staff or obtain the services of consultants and experts—

“(1) to facilitate the timely processing, review, and issuance of licenses or permits issued under this chapter;

“(2) to conduct environmental activities, studies, or reviews associated with such licenses or permits; or

“(3) to conduct additional activities associated with or necessitated by such licenses or permits, including pre-application consultation, hazard area determination, or on-site inspection.

“(b) RULES OF CONSTRUCTION.—

“(1) IN GENERAL.—Nothing in this section may be construed as permitting the Secretary to grant priority or afford any preference to an applicant providing funds under subsection (a).

“(2) POLICIES AND PROCEDURES.—The Secretary shall implement such policies and procedures as may be required to ensure that the acceptance of funds under subsection (a) does not prejudice the Secretary in the issuance of any license or permit to an applicant.

“(c) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, any funds accepted under this section—

“(1) shall be credited as offsetting collections to the account that finances the activities and services for which the funds are accepted;

“(2) shall be available for expenditure only to pay the costs of activities and services for which the funds are accepted; and

“(3) shall remain available until expended.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 509 of title 51, United States Code, is amended by adding at the end the following:

“50924. Funding to facilitate FAA licensing.”

SEC. 311. EMERGENCY MEDICAL EQUIPMENT ON PASSENGER AIRCRAFT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall evaluate and revise, as appropriate, regulations in part 121 of title 14, Code of Federal Regulations, regarding emergency medical equipment, including the contents of first-aid kits, applicable to all certificate holders operating passenger aircraft under that part.

(b) CONSIDERATION.—In carrying out subsection (a), the Administrator shall consider whether the minimum contents of approved emergency medical kits, including approved first-aid kits, include appropriate medications and equipment to meet the emergency medical needs of children.

SEC. 312. HIMS PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a human intervention motivation study (HIMS) program for flight crewmembers employed by commercial air carriers operating in United States airspace.

SEC. 313. ACCEPTANCE OF VOLUNTARILY PROVIDED SAFETY INFORMATION.

(a) IN GENERAL.—There shall be a 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 such program.

(b) DISCLAIMER REQUIRED.—Any dissemination of a disclosure that was submitted and accepted under an aviation safety action program pursuant to the presumption under subsection (a), but that has not undergone review by an event review committee, shall

be accompanied by a disclaimer stating that the disclosure—

(1) has not been reviewed by an event review committee tasked with reviewing such disclosures; and

(2) may subsequently be determined to be ineligible for inclusion in the aviation safety action program.

(c) REJECTION OF DISCLOSURE.—A disclosure described under subsection (a) shall be rejected from an aviation safety action program if, after a review of the disclosure, an event review committee tasked with reviewing such disclosures determines that the disclosure fails to meet the criteria for acceptance under such program.

(d) AVIATION SAFETY ACTION PROGRAM DEFINED.—In this section, the term “aviation safety action program” means a program established in accordance with Federal Aviation Administration Advisory Circular 120-66B, issued November 15, 2002 (including any similar successor advisory circular), to allow an individual to voluntarily disclose operational or maintenance issues related to aviation safety.

SEC. 314. FLIGHT ATTENDANT DUTY PERIOD LIMITATIONS AND REST REQUIREMENTS.

(a) MODIFICATION OF FINAL RULE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall modify the final rule of the Federal Aviation Administration published in the Federal Register on August 19, 1994 (59 Fed. Reg. 42974; relating to flight attendant duty period limitations and rest requirements) in accordance with the requirements of this subsection.

(2) CONTENTS.—The final rule, as modified under paragraph (1), shall ensure that—

(A) a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours; and

(B) the rest period is not reduced under any circumstances.

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a “part 121 air carrier”), shall submit to the Administrator of the Federal Aviation Administration for review and acceptance a fatigue risk management plan for the carrier's flight attendants.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme consistent with such limitations that enables the management of flight attendant fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on flight attendants; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of implementation of the plan, including the ability of the plan—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review and accept or reject each fatigue risk management plan submitted under this subsection. If the Administrator rejects a plan, the Administrator shall provide suggested modifications for resubmission of the plan.

(4) PLAN UPDATES.—

(A) IN GENERAL.—A part 121 air carrier shall update its fatigue risk management

plan under paragraph (1) every 2 years and submit the update to the Administrator for review and acceptance.

(B) REVIEW.—Not later than 1 year after the date of submission of a plan update under subparagraph (A), the Administrator shall review and accept or reject the update. If the Administrator rejects an update, the Administrator shall provide suggested modifications for resubmission of the update.

(5) COMPLIANCE.—A part 121 air carrier shall comply with the fatigue risk management plan of the air carrier that is accepted by the Administrator under this subsection.

(6) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

SEC. 315. SECONDARY COCKPIT BARRIERS.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue an order requiring the installation of a secondary cockpit barrier on each aircraft that is manufactured for delivery to a passenger air carrier in the United States operating under the provisions of part 121 of title 14, Code of Federal Regulations.

SEC. 316. AVIATION MAINTENANCE INDUSTRY TECHNICAL WORKFORCE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on technical workers in the aviation maintenance industry.

(b) CONTENTS.—In conducting the study, the Comptroller General shall—

(1) analyze the current Standard Occupational Classification system with regard to the aviation profession, particularly technical workers in the aviation maintenance industry;

(2) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect government data on unemployment rates and wages;

(3) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect projections for future aviation maintenance industry workforce needs and project technical worker shortfalls;

(4) analyze the impact of Federal regulation, including Federal Aviation Administration oversight of certification, testing, and education programs, on employment of technical workers in the aviation maintenance industry;

(5) develop recommendations on how Federal Aviation Administration regulations and policies could be improved to address aviation maintenance industry needs for technical workers; and

(6) develop recommendations for better coordinating actions by government, educational institutions, and businesses to support workforce growth in the aviation maintenance industry.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION MAINTENANCE INDUSTRY.—The term “aviation maintenance industry” means repair stations certificated under part 145 of title 14, Code of Federal Regulations.

(2) TECHNICAL WORKER.—The term “technical worker” means an individual authorized under part 43 of title 14, Code of Federal

Regulations, to maintain, rebuild, alter, or perform preventive maintenance on an aircraft, airframe, aircraft engine, propeller, appliance, or component part or employed by an entity so authorized to perform such a function.

SEC. 317. CRITICAL AIRFIELD MARKINGS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a request for proposal for a study that includes—

(1) an independent, third party study to assess the durability of Type III and Type I glass beads applied to critical markings over a 2-year period at not fewer than 2 primary airports in varying weather conditions to measure the retroreflectivity levels of such markings on a quarterly basis; and

(2) a study at 2 other airports carried out by applying Type III beads on half of the centerline and Type I beads to the other half and providing for assessments from pilots through surveys administered by a third party as to the visibility and performance of the Type III glass beads as compared to the Type I glass beads over a 1-year period.

SEC. 318. REGULATORY REFORM.

Section 106(p)(5) of title 49, United States Code, is amended by inserting “or aerospace” after “aviation”.

Subtitle B—Unmanned Aircraft Systems

SEC. 331. DEFINITIONS.

Except as otherwise provided, the definitions contained in section 45501 of title 49, United States Code (as added by this Act), shall apply to this subtitle.

SEC. 332. CODIFICATION OF EXISTING LAW; ADDITIONAL PROVISIONS.

(a) IN GENERAL.—Subtitle VII of title 49, United States Code, is amended by inserting after chapter 453 the following:

“CHAPTER 455—UNMANNED AIRCRAFT SYSTEMS

“Sec.

“45501. Definitions.

“45502. Integration of civil unmanned aircraft systems into national airspace system.

“45503. Risk-based permitting of unmanned aircraft systems.

“45504. Public unmanned aircraft systems.

“45505. Special rules for certain unmanned aircraft systems.

“45506. Certification of new air navigation facilities for unmanned aircraft and other aircraft.

“45507. Special rules for certain UTM and low-altitude CNS.

“45508. Operation of small unmanned aircraft.

“45509. Special rules for model aircraft.

“45510. Carriage of property for compensation or hire.

“45511. Micro UAS operations.

“§ 45501. Definitions

“In this chapter, the following definitions apply:

“(1) AERIAL DATA COLLECTION.—The term ‘aerial data collection’ means the gathering of data by a device aboard an unmanned aircraft during flight, including imagery, sensing, and measurement by such device.

“(2) ARCTIC.—The term ‘Arctic’ means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

“(3) CERTIFICATE OF WAIVER; CERTIFICATE OF AUTHORIZATION.—The terms ‘certificate of waiver’ and ‘certificate of authorization’ mean a Federal Aviation Administration grant of approval for a specific flight operation.

“(4) CNS.—The term ‘CNS’ means a communication, navigation, or surveillance system or service.

“(5) MODEL AIRCRAFT.—the term ‘model aircraft’ means an unmanned aircraft that is—

“(A) capable of sustained flight in the atmosphere;

“(B) flown within visual line of sight of the person operating the aircraft; and

“(C) flown for hobby or recreational purposes.

“(6) PERMANENT AREAS.—The term ‘permanent areas’ means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

“(7) PUBLIC UNMANNED AIRCRAFT SYSTEM.—The term ‘public unmanned aircraft system’ means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft (as defined in section 40102(a)).

“(8) SENSE-AND-AVOID CAPABILITY.—The term ‘sense-and-avoid capability’ means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft.

“(9) SMALL UNMANNED AIRCRAFT.—The term ‘small unmanned aircraft’ means an unmanned aircraft weighing less than 55 pounds, including everything that is on board or otherwise attached to the aircraft.

“(10) UNMANNED AIRCRAFT.—The term ‘unmanned aircraft’ means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

“(11) UNMANNED AIRCRAFT SYSTEM.—The term ‘unmanned aircraft system’ means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system.

“(12) UTM.—The term ‘UTM’ means an unmanned aircraft traffic management system or service.

“§ 45502. Integration of civil unmanned aircraft systems into national airspace system

“(a) REQUIRED PLANNING FOR INTEGRATION.—

“(1) COMPREHENSIVE PLAN.—Not later than November 10, 2012, the Secretary of Transportation, in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry, shall develop a comprehensive plan to safely accelerate the integration of civil unmanned aircraft systems into the national airspace system.

“(2) CONTENTS OF PLAN.—The plan required under paragraph (1) shall contain, at a minimum, recommendations or projections on—

“(A) the rulemaking to be conducted under subsection (b), with specific recommendations on how the rulemaking will—

“(i) define the acceptable standards for operation and certification of civil unmanned aircraft systems;

“(ii) ensure that any civil unmanned aircraft system includes a sense-and-avoid capability; and

“(iii) establish standards and requirements for the operator and pilot of a civil unmanned aircraft system, including standards and requirements for registration and licensing;

“(B) the best methods to enhance the technologies and subsystems necessary to achieve the safe and routine operation of civil unmanned aircraft systems in the national airspace system;

“(C) a phased-in approach to the integration of civil unmanned aircraft systems into the national airspace system;

“(D) a timeline for the phased-in approach described under subparagraph (C);

“(E) creation of a safe airspace designation for cooperative manned and unmanned flight operations in the national airspace system;

“(F) establishment of a process to develop certification, flight standards, and air traffic requirements for civil unmanned aircraft systems at test ranges where such systems are subject to testing;

“(G) the best methods to ensure the safe operation of civil unmanned aircraft systems and public unmanned aircraft systems simultaneously in the national airspace system; and

“(H) incorporation of the plan into the annual NextGen Implementation Plan document (or any successor document) of the Federal Aviation Administration.

“(3) DEADLINE.—The plan required under paragraph (1) shall provide for the safe integration of civil unmanned aircraft systems into the national airspace system as soon as practicable, but not later than September 30, 2015.

“(4) REPORT TO CONGRESS.—Not later than February 14, 2013, the Secretary shall submit to Congress a copy of the plan required under paragraph (1).

“(5) ROADMAP.—Not later than February 14, 2013, the Secretary shall approve and make available in print and on the Administration’s internet website a 5-year roadmap for the introduction of civil unmanned aircraft systems into the national airspace system, as coordinated by the Unmanned Aircraft Program Office of the Administration. The Secretary shall update, in coordination with the Administrator of the National Aeronautics and Space Administration (NASA) and relevant stakeholders, including those in industry and academia, the roadmap annually. The roadmap shall include, at a minimum—

“(A) cost estimates, planned schedules, and performance benchmarks, including specific tasks, milestones, and timelines, for unmanned aircraft systems integration into the national airspace system, including an identification of—

“(i) the role of the unmanned aircraft systems test ranges established under subsection (c) and the Unmanned Aircraft Systems Center of Excellence;

“(ii) performance objectives for unmanned aircraft systems that operate in the national airspace system; and

“(iii) research and development priorities for tools that could assist air traffic controllers as unmanned aircraft systems are integrated into the national airspace system, as appropriate;

“(B) a description of how the Administration plans to use research and development, including research and development conducted through NASA’s Unmanned Aircraft Systems Traffic Management initiatives, to accommodate, integrate, and provide for the evolution of unmanned aircraft systems in the national airspace system;

“(C) an assessment of critical performance abilities necessary to integrate unmanned aircraft systems into the national airspace system, and how these performance abilities can be demonstrated; and

“(D) an update on the advancement of technologies needed to integrate unmanned aircraft systems into the national airspace system, including decisionmaking by adaptive systems, such as sense-and-avoid capabilities and cyber physical systems security.

“(b) RULEMAKING.—Not later than 18 months after the date on which the plan required under subsection (a)(1) is submitted to Congress under subsection (a)(4), the Secretary shall publish in the Federal Register—

“(1) a final rule on small unmanned aircraft systems that will allow for civil operation of such systems in the national airspace system, to the extent the systems do not meet the requirements for expedited operational authorization under section 45508;

“(2) a notice of proposed rulemaking to implement the recommendations of the plan required under subsection (a)(1), with the final rule to be published not later than 16 months after the date of publication of the notice; and

“(3) an update to the Administration’s most recent policy statement on unmanned aircraft systems, contained in Docket No. FAA-2006-25714.

“(c) EXPANDING USE OF UNMANNED AIRCRAFT SYSTEMS IN ARCTIC.—

“(1) IN GENERAL.—Not later than August 12, 2012, the Secretary shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day for research and commercial purposes. The plan for operations in these permanent areas shall include the development of processes to facilitate the safe operation of unmanned aircraft beyond line of sight. Such areas shall enable over-water flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

“(2) AGREEMENTS.—To implement the plan under paragraph (1), the Secretary may enter into an agreement with relevant national and international communities.

“(3) AIRCRAFT APPROVAL.—Not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this subsection, the Secretary shall work with relevant national and international communities to establish and implement a process, or may apply an applicable process already established, for approving the use of unmanned aircraft in the designated permanent areas in the Arctic without regard to whether an unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.

“§ 45503. Risk-based permitting of unmanned aircraft systems

“(a) IN GENERAL.—Not later than 120 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall establish procedures for issuing permits under this section with respect to certain unmanned aircraft systems and operations thereof.

“(b) PERMITTING STANDARDS.—Upon the submission of an application in accordance with subsection (d), the Administrator shall issue a permit with respect to the proposed operation of an unmanned aircraft system if the Administrator determines that the unmanned aircraft system and the proposed operation achieve a level of safety that is equivalent to—

“(1) other unmanned aircraft systems and operations permitted under regulation, exemption, or other authority granted by the Administrator; or

“(2) any other aircraft operation approved by the Administrator with similar risk characteristics or profiles.

“(c) SAFETY CRITERIA FOR CONSIDERATION.—In determining whether a proposed operation meets the standards described in subsection (b), the Administrator shall consider the following safety criteria:

“(1) The kinetic energy of the unmanned aircraft system.

“(2) The location of the proposed operation, including the proximity to—

“(A) structures;

“(B) congested areas;

“(C) special-use airspace; and

“(D) persons on the ground.

“(3) The nature of the operation, including any proposed risk mitigation.

“(4) Any known hazard of the proposed operation and the severity and likelihood of such hazard.

“(5) Any known failure modes of the unmanned aircraft system, failure mode effects and criticality, and any mitigating features or capabilities.

“(6) The operational history of relevant technologies, if available.

“(7) Any history of civil penalties or certificate actions by the Administrator against the applicant seeking the permit.

“(8) Any other safety criteria the Administrator considers appropriate.

“(d) APPLICATION.—An application under this section shall include evidence that the unmanned aircraft system and the proposed operation thereof meet the standards described in subsection (b) based on the criteria described in subsection (c).

“(e) SCOPE OF PERMIT.—A permit issued under this section shall—

“(1) be valid for 5 years;

“(2) constitute approval of both the airworthiness of the unmanned aircraft system and the proposed operation of such system;

“(3) be renewable for additional 5-year periods; and

“(4) contain any terms necessary to ensure aviation safety.

“(f) NOTICE.—Not later than 120 days after the Administrator receives a complete application under subsection (d), the Administrator shall provide the applicant written notice of a decision to approve or disapprove of the application or to request a modification of the application that is necessary for approval of the application.

“(g) PERMITTING PROCESS.—The Administrator shall issue a permit under this section without regard to subsections (b) through (d) of section 553 of title 5 and chapter 35 of title 44 if the Administrator determines that the operation permitted will not occur near a congested area.

“(h) EXEMPTION FROM CERTAIN REQUIREMENTS.—To the extent consistent with aviation safety, the Administrator may exempt applicants under this section from paragraphs (1) through (3) of section 4471(a).

“(i) WITHDRAWAL.—The Administrator may, at any time, modify or withdraw a permit issued under this section.

“(j) APPLICABILITY.—This section shall not apply to small unmanned aircraft systems and operations authorized by the final rule on small unmanned aircraft systems issued pursuant to section 45502(b)(1).

“(k) EXPEDITED REVIEW.—The Administrator shall review and act upon applications under this section on an expedited basis for unmanned aircraft systems and operations thereof to be used primarily in, or primarily in direct support of, emergency preparedness, emergency response, or disaster recovery efforts, including efforts in connection with natural disasters and severe weather events.

“§ 45504. Public unmanned aircraft systems

“(a) GUIDANCE.—Not later than November 10, 2012, the Secretary of Transportation shall issue guidance regarding the operation of public unmanned aircraft systems to—

“(1) expedite the issuance of a certificate of authorization process;

“(2) provide for a collaborative process with public agencies to allow for an incremental expansion of access to the national airspace system as technology matures and the necessary safety analysis and data become available, and until standards are completed and technology issues are resolved;

“(3) facilitate the capability of public agencies to develop and use test ranges, subject to operating restrictions required by the Federal Aviation Administration, to test and operate unmanned aircraft systems; and

“(4) provide guidance on a public entity’s responsibility when operating an unmanned aircraft without a civil airworthiness certificate issued by the Administration.

“(b) STANDARDS FOR OPERATION AND CERTIFICATION.—Not later than December 31, 2015, the Administrator shall develop and implement operational and certification requirements for the operation of public unmanned aircraft systems in the national airspace system.

“(c) AGREEMENTS WITH GOVERNMENT AGENCIES.—

“(1) IN GENERAL.—Not later than May 14, 2012, the Secretary shall enter into agreements with appropriate government agencies to simplify the process for issuing certificates of waiver or authorization with respect to applications seeking authorization to operate public unmanned aircraft systems in the national airspace system.

“(2) CONTENTS.—The agreements shall—

“(A) with respect to an application described in paragraph (1)—

“(i) provide for an expedited review of the application;

“(ii) require a decision by the Administrator on approval or disapproval within 60 business days of the date of submission of the application; and

“(iii) allow for an expedited appeal if the application is disapproved;

“(B) allow for a one-time approval of similar operations carried out during a fixed period of time; and

“(C) allow a government public safety agency to operate unmanned aircraft weighing 4.4 pounds or less, if operated—

“(i) within the line of sight of the operator;

“(ii) less than 400 feet above the ground;

“(iii) during daylight conditions;

“(iv) within Class G airspace; and

“(v) outside of 5 statute miles from any airport, heliport, seaplane base, spaceport, or other location with aviation activities.

“§ 45505. Special rules for certain unmanned aircraft systems

“(a) IN GENERAL.—Notwithstanding any other requirement of this subtitle, and not later than August 12, 2012, the Secretary of Transportation shall determine if certain unmanned aircraft systems may operate safely in the national airspace system before completion of the plan and rulemaking required by section 45502 or the guidance required under section 45504.

“(b) ASSESSMENT OF UNMANNED AIRCRAFT SYSTEMS.—In making the determination under subsection (a), the Secretary shall determine, at a minimum—

“(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, and operation within visual line of sight do not create a hazard to users of the national airspace system or the public or pose a threat to national security; and

“(2) whether a certificate of waiver, certificate of authorization, or airworthiness certification under section 44704 is required for the operation of unmanned aircraft systems identified under paragraph (1).

“(c) REQUIREMENTS FOR SAFE OPERATION.—If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system.

“§ 45506. Certification of new air navigation facilities for unmanned aircraft and other aircraft

“(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, and notwithstanding section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), the Administrator of the Federal Aviation Administration shall initiate a rulemaking to establish procedures for issuing air navigation facility certificates pursuant to section 44702 to operators of—

“(1) UTM for unmanned aircraft operations that occur primarily or exclusively in airspace 400 feet above ground level and below; and

“(2) low-altitude CNS for aircraft operations that occur primarily or exclusively in airspace 400 feet above ground level and below.

“(b) MINIMUM REQUIREMENTS.—In issuing a final rule pursuant to subsection (a), the Administrator, at a minimum, shall provide for the following:

“(1) CERTIFICATION STANDARDS.—The Administrator shall issue an air navigation facility certificate under the final rule if the Administrator determines that a UTM or low-altitude CNS facilitates or improves the safety of unmanned aircraft or other aircraft operations that occur primarily or exclusively in airspace 400 feet above ground level and below, including operations conducted under a waiver issued pursuant to subpart D of part 107 of title 14, Code of Federal Regulations.

“(2) CRITERIA FOR CONSIDERATION.—In determining whether a UTM or low-altitude CNS meets the standard described in paragraph (1), the Administrator shall, as appropriate, consider—

“(A) protection of persons and property on the ground;

“(B) remote identification of aircraft;

“(C) collision avoidance with respect to obstacles and aircraft;

“(D) deconfliction of aircraft trajectories;

“(E) safe and reliable interoperability or noninterference with air traffic control and other systems operated in the national airspace system;

“(F) detection of noncooperative aircraft;

“(G) geographic and local factors;

“(H) aircraft equipage; and

“(I) qualifications, if any, necessary to operate the UTM or low-altitude CNS.

“(3) APPLICATION.—An application for an air navigation facility certificate under the final rule shall include evidence that the UTM or low-altitude CNS meets the standard described in paragraph (1) based on the criteria described in paragraph (2).

“(4) SCOPE OF CERTIFICATE.—The Administrator shall ensure that an air navigation facility certificate issued under the final rule—

“(A) constitutes approval of the UTM or low-altitude CNS for the duration of the term of the certificate;

“(B) constitutes authorization to operate the UTM or low-altitude CNS for the duration of the term of the certificate; and

“(C) contains such limitations and conditions as may be necessary to ensure aviation safety.

“(5) NOTICE.—Not later than 120 days after the Administrator receives a complete application under the final rule, the Administrator shall provide the applicant with a written approval, disapproval, or request to modify the application.

“(6) LOW RISK AREAS.—Under the final rule, the Administrator shall establish expedited procedures for approval of UTM or low-altitude CNS operated in—

“(A) airspace away from congested areas; or

“(B) other airspace above areas in which operations of unmanned aircraft pose very low risk.

“(7) EXEMPTION FROM CERTAIN REQUIREMENTS.—To the extent consistent with aviation safety, the Administrator may exempt applicants under the final rule from requirements under sections 44702, 44703, and 44711.

“(8) CERTIFICATE MODIFICATIONS AND REVOCATIONS.—A certificate issued under the final rule may, at any time, be modified or revoked by the Administrator.

“(c) CONSULTATION.—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

“§ 45507. Special rules for certain UTM and low-altitude CNS

“(a) IN GENERAL.—Notwithstanding any other requirement of this chapter, and not later than 120 days after the date of enactment of this section, the Secretary of Transportation shall determine if certain UTM and low-altitude CNS may operate safely in the national airspace system before completion of the rulemaking required by section 45506.

“(b) ASSESSMENT OF UTM AND LOW-ALTITUDE CNS.—In making the determination under subsection (a), the Secretary shall determine, at a minimum, which types of UTM and low-altitude CNS, if any, as a result of their operational capabilities, reliability, intended use, and areas of operation, and the characteristics of the aircraft involved, do not create a hazard to users of the national airspace system or the public.

“(c) REQUIREMENTS FOR SAFE OPERATION.—If the Secretary determines that certain UTM and low-altitude CNS may operate safely in the national airspace system, the Secretary shall establish requirements for their safe operation in the national airspace system.

“(d) EXPEDITED PROCEDURES.—The Secretary shall provide expedited procedures for reviewing and approving UTM or low-altitude CNS operated to monitor or control aircraft operated primarily or exclusively in airspace above—

“(1) croplands;

“(2) areas other than congested areas; and

“(3) other areas in which the operation of unmanned aircraft poses very low risk.

“(e) CONSULTATION.—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

“§ 45508. Operation of small unmanned aircraft

“(a) EXEMPTION AND CERTIFICATE OF WAIVER OR AUTHORIZATION FOR CERTAIN OPERATIONS.—Not later than 270 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall establish a procedure for granting an exemption and issuing a certificate of waiver or authorization for the operation of a small unmanned aircraft system in United States airspace for the purposes described in section 45501(1).

“(b) OPERATION OF EXEMPTION AND CERTIFICATE OF WAIVER OR AUTHORIZATION.—

“(1) EXEMPTION.—An exemption granted under this section shall—

“(A) exempt the operator of a small unmanned aircraft from the provisions of title 14, Code of Federal Regulations, that are exempted in Exemption No. 11687, issued on May 26, 2015, Regulatory Docket Number FAA–2015–0117, or in a subsequent exemption; and

“(B) contain conditions and limitations described in paragraphs 3 through 31 of such Exemption No. 11687, or conditions and limitations of a subsequent exemption.

“(2) CERTIFICATE OF WAIVER OR AUTHORIZATION.—A certificate of waiver or authorization issued under this section shall allow the

operation of small unmanned aircraft according to—

“(A) the standard provisions and air traffic control special provisions of the certificate of waiver or authorization FAA Form 7711-1 (7-74); or

“(B) the standard and special provisions of a subsequent certificate of waiver or authorization.

“(c) NOTICE TO ADMINISTRATOR.—Before operating a small unmanned aircraft pursuant to a certificate of waiver or authorization granted under this section, the operator shall provide written notice to the Administrator, in a form and manner specified by the Administrator, that contains such information and assurances as the Administrator determines necessary in the interest of aviation safety and the efficiency of the national airspace system, including a certification that the operator has read, understands, and will comply with all terms, conditions, and limitations of the certificate of waiver or authorization.

“(d) WAIVER OF AIRWORTHINESS CERTIFICATE.—Notwithstanding section 4471(a)(1), the holder of a certificate of waiver or authorization granted under this section may operate a small unmanned aircraft under the terms, conditions, and limitations of such certificate without an airworthiness certificate.

“(e) PROCEDURE.—The granting of an exemption or the issuance of a certificate of waiver or authorization, or any other action authorized by this section, shall be made without regard to—

“(1) section 553 of title 5; or

“(2) chapter 35 of title 44.

“(f) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to—

“(1) affect the issuance of a rule by or any other activity of the Secretary of Transportation or the Administrator under any other provision of law; or

“(2) invalidate an exemption or certificate of waiver or authorization issued by the Administrator before the date of enactment of this section.

“(g) EFFECTIVE PERIODS.—An exemption or certificate of waiver or authorization issued under this section, or an amendment of such exemption or certificate, shall cease to be valid on the effective date of a final rule on small unmanned aircraft systems issued under section 45502(b)(1).

“§ 45509. Special rules for model aircraft

“(a) IN GENERAL.—Notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft or an aircraft being developed as a model aircraft (other than the registration of certain model aircraft pursuant to section 44103), if—

“(1) the aircraft is flown strictly for hobby or recreational use;

“(2) the aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a community-based organization;

“(3) the aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;

“(4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft;

“(5) the aircraft is not operated over or within the property of a fixed site facility that operates amusement rides available for use by the general public or the property extending 500 lateral feet beyond the perimeter

of such facility unless the operation is authorized by the owner of the amusement facility; and

“(6) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).

“(b) COMMERCIAL OPERATION FOR INSTRUCTIONAL OR EDUCATIONAL PURPOSES.—A flight of an unmanned aircraft shall be treated as a flight of a model aircraft for purposes of subsection (a) (regardless of any compensation, reimbursement, or other consideration exchanged or incidental economic benefit gained in the course of planning, operating, or supervising the flight), if the flight is—

“(1) conducted for instructional or educational purposes; and

“(2) operated or supervised by a member of a community-based organization recognized pursuant to subsection (e).

“(c) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Administrator to pursue enforcement action against persons operating model aircraft who endanger the safety of the national airspace system.

“(d) COMMUNITY-BASED ORGANIZATION DEFINED.—In this section, the term ‘community-based organization’ means an entity that—

“(1) is described in section 501(c)(3) of the Internal Revenue Code of 1986;

“(2) is exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

“(3) the mission of which is demonstrably the furtherance of model aviation;

“(4) provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodeling operations within the national airspace system and the protection and safety of individuals and property on the ground;

“(5) provides programming and support for any local charter organizations, affiliates, or clubs; and

“(6) provides assistance and support in the development and operation of locally designated model aircraft flying sites.

“(e) RECOGNITION OF COMMUNITY-BASED ORGANIZATIONS.—Not later than 180 days after the date of enactment of this section, the Administrator shall establish, and make available to the public, a process for recognizing community-based organizations that meet the eligibility criteria under subsection (d).

“§ 45510. Carriage of property for compensation or hire

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall issue a final rule authorizing the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the United States.

“(b) CONTENTS.—The final rule required under subsection (a) shall provide for the following:

“(1) SMALL UAS AIR CARRIER CERTIFICATE.—The Administrator of the Federal Aviation Administration, at the direction of the Secretary, shall establish a small UAS air carrier certificate for persons that undertake directly, or by lease or other arrangement, the operation of small unmanned aircraft systems to carry property in air transportation, including commercial fleet oper-

ations with highly automated unmanned aircraft systems. The requirements to obtain a small UAS air carrier certificate shall—

“(A) account for the unique characteristics of highly automated small unmanned aircraft systems; and

“(B) include only those obligations necessary for the safe operation of small unmanned aircraft systems.

“(2) SMALL UAS AIR CARRIER CERTIFICATION PROCESS.—The Administrator, at the direction of the Secretary, shall establish a process for the issuance of a small UAS air carrier certificate described in paragraph (1) that is streamlined, simple, performance-based, and risk-based. Such certification process shall consider—

“(A) safety and the mitigation of operational risks from highly automated small unmanned aircraft systems to the safety of other aircraft, and persons and property on the ground;

“(B) the safety and reliability of highly automated small unmanned aircraft system design, including technological capabilities and operational limitations to mitigate such risks; and

“(C) the competencies and compliance programs of manufacturers, operators, and companies that both manufacture and operate small unmanned aircraft systems and components.

“(3) SMALL UAS AIR CARRIER CLASSIFICATION.—The Secretary shall develop a classification system for small unmanned aircraft systems air carriers to establish economic authority for the carriage of property by small unmanned aircraft systems for compensation or hire. Such classification shall only require—

“(A) registration with the Department of Transportation; and

“(B) a valid small UAS air carrier certificate as described in paragraph (1).

“§ 45511. Micro UAS operations

“(a) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall charter an aviation rulemaking advisory committee to develop recommendations for regulations under which any person may operate a micro unmanned aircraft system, the aircraft component of which weighs 4.4 pounds or less, including payload, without the person operating the system being required to pass any airman certification requirement, including any requirements under section 44703, part 61 of title 14, Code of Federal Regulations, or any other rule or regulation relating to airman certification.

“(b) CONSIDERATIONS.—In developing recommendations for the operation of micro unmanned aircraft systems under subsection (a), the members of the aviation rulemaking advisory committee shall consider rules for operation of such systems—

“(1) at an altitude of less than 400 feet above ground level;

“(2) with an airspeed of not greater than 40 knots;

“(3) within the visual line of sight of the operator;

“(4) during the hours between sunrise and sunset;

“(5) by an operator who has passed an aeronautical knowledge and safety test administered by the Federal Aviation Administration online specifically for the operation of micro unmanned aircraft systems, with such test being of a length and difficulty that acknowledges the reduced operational complexity and low risk of micro unmanned aircraft systems;

“(6) not over unprotected persons uninformed in its operation; and

“(7) at least 5 statute miles from the geographic center of a tower-controlled airport

or airport denoted on a current Federal Aviation Administration-published aeronautical chart, except that a micro unmanned aircraft system may be operated closer than 5 statute miles to the airport if the operator—

“(A) provides prior notice to the airport operator; and

“(B) receives, for a tower-controlled airport, prior approval from the air traffic control facility located at the airport.

“(c) CONSULTATION.—

“(1) IN GENERAL.—In developing recommendations for recommended regulations under subsection (a), the aviation rulemaking advisory committee shall consult with—

“(A) unmanned aircraft systems stakeholders, including manufacturers of micro unmanned aircraft systems;

“(B) community-based aviation organizations;

“(C) the Center of Excellence for Unmanned Aircraft Systems; and

“(D) appropriate Federal agencies.

“(2) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to an aviation rulemaking advisory committee chartered under this section.

“(d) RULEMAKING.—Not later than 180 days after the date of receipt of the recommendations under subsection (a), the Administrator shall issue regulations incorporating recommendations of the aviation rulemaking advisory committee that provide for the operation of micro unmanned aircraft systems in the United States—

“(1) without an airman certificate; and

“(2) without an airworthiness certificate for the associated unmanned aircraft.

“(e) SCOPE OF REGULATIONS.—

“(1) IN GENERAL.—In determining whether a person may operate an unmanned aircraft system under 1 or more of the circumstances described under paragraphs (1) through (3) of subsection (b), the Administrator shall use a risk-based approach and consider, at a minimum, the physical and functional characteristics of the unmanned aircraft system.

“(2) LIMITATION.—The Administrator may only issue regulations under this section for unmanned aircraft systems that the Administrator determines may be operated safely in the national airspace system pursuant to those regulations.

“(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

“(1) to prohibit a person from operating an unmanned aircraft system under a circumstance described under paragraphs (1) through (3) of subsection (b) if—

“(A) the circumstance is allowed by regulations issued under this section; and

“(B) the person operates the unmanned aircraft system in a manner prescribed by the regulations; or

“(2) to limit or affect in any way the Administrator's authority to conduct a rulemaking, make a determination, or carry out any activity related to unmanned aircraft or unmanned aircraft systems under any other provision of law.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEALS.—

(A) IN GENERAL.—Sections 332(a), 332(b), 332(d), 333, 334, and 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) are repealed.

(B) CLERICAL AMENDMENT.—The items relating to sections 333, 334, and 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) in the table of contents contained in section 1(b) of that Act are repealed.

(2) PENALTIES.—Section 46301 of title 49, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A) by inserting “chapter 455,” after “chapter 451,”; and

(ii) in paragraph (5)(A)(i) by striking “or chapter 451,” and inserting “chapter 451, chapter 455,”;

(B) in subsection (d)(2) by inserting “chapter 455,” after “chapter 451,”; and

(C) in subsection (f)(1)(A)(i) by striking “or chapter 451” and inserting “chapter 451, or chapter 455”.

(3) CLERICAL AMENDMENT.—The analysis for subtitle VII of title 49, United States Code, is amended by inserting after the item relating to chapter 453 the following:

“455. Unmanned aircraft systems 45501”.

SEC. 333. UNMANNED AIRCRAFT TEST RANGES.

(a) EXTENSION OF PROGRAM.—Section 332(c)(1) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended by striking “September 30, 2019” and inserting “the date that is 6 years after the date of enactment of the FAA Reauthorization Act of 2018”.

(b) SENSE-AND-AVOID AND BEYOND LINE OF SIGHT SYSTEMS AT TEST RANGES.—

(1) IN GENERAL.—To the extent consistent with aviation safety, the Administrator of the Federal Aviation Administration shall permit and encourage flights of unmanned aircraft equipped with sense-and-avoid and beyond line of sight systems at the 6 test ranges designated under section 332(c) of the FAA Modernization and Reform Act of 2012.

(2) WAIVERS.—In carrying out paragraph (1), the Administrator may waive the requirements of section 44711 of title 49, United States Code, including related regulations, to the extent consistent with aviation safety.

(c) TEST RANGE DEFINED.—

(1) IN GENERAL.—In this section, the term “test range” means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration.

(2) INCLUSIONS.—Such term includes any of the 6 test ranges established by the Administrator of the Federal Aviation Administration under section 332(c) of the FAA Modernization and Reform Act of 2012, as in effect on the day before the date of enactment of this subsection, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.

SEC. 334. SENSE OF CONGRESS REGARDING UNMANNED AIRCRAFT SAFETY.

It is the sense of Congress that—

(1) the unauthorized operation of unmanned aircraft near airports presents a serious hazard to aviation safety;

(2) a collision between an unmanned aircraft and a conventional aircraft in flight could jeopardize the safety of persons aboard the aircraft and on the ground;

(3) Federal aviation regulations, including sections 91.126 through 91.131 of title 14, Code of Federal Regulations, prohibit unauthorized operation of an aircraft in controlled airspace near an airport;

(4) Federal aviation regulations, including section 91.13 of title 14, Code of Federal Regulations, prohibit the operation of an aircraft in a careless or reckless manner so as to endanger the life or property of another;

(5) the Administrator of the Federal Aviation Administration should pursue all available civil and administrative remedies available to the Administrator, including referrals to other government agencies for criminal investigations, with respect to persons who operate unmanned aircraft in an unauthorized manner;

(6) the Administrator should place particular priority on continuing measures, including partnerships with nongovernmental

organizations, to educate the public about the dangers to the public safety of operating unmanned aircraft near airports without the appropriate approvals or authorizations; and

(7) manufacturers and retail sellers of small unmanned aircraft systems should take steps to educate consumers about the safe and lawful operation of such systems.

SEC. 335. UAS PRIVACY REVIEW.

(a) REVIEW.—The Secretary of Transportation, in consultation with the heads of appropriate Federal agencies, appropriate State and local officials, and subject-matter experts and in consideration of relevant efforts led by the National Telecommunications and Information Administration, shall 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.

(b) CONSULTATION.—In carrying out the review, the Secretary shall consult with the National Telecommunications and Information Administration of the Department of Commerce on its ongoing efforts responsive to the Presidential memorandum titled “Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems” and dated February 15, 2015.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review required under subsection (a).

SEC. 336. PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.

(a) PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.—Section 40102(a)(41) of title 49, United States Code, is amended by adding at the end the following:

“(F) An unmanned aircraft that is owned and operated by, or exclusively leased for at least 90 continuous days by, an Indian Tribal government, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), except as provided in section 40125(b).”

(b) CONFORMING AMENDMENT.—Section 40125(b) of title 49, United States Code, is amended by striking “or (D)” and inserting “(D), or (F)”.

SEC. 337. EVALUATION OF AIRCRAFT REGISTRATION FOR SMALL UNMANNED AIRCRAFT.

(a) METRICS.—Beginning not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and track metrics to assess compliance with and effectiveness of the registration of small unmanned aircraft systems by the Federal Aviation Administration pursuant to the interim final rule issued on December 16, 2015, entitled “Registration and Marking Requirements for Small Unmanned Aircraft” (80 Fed. Reg. 78593) and any subsequent final rule, including metrics with respect to—

(1) the levels of compliance with the interim final rule and any subsequent final rule;

(2) the number of enforcement actions taken by the Administration for violations of or noncompliance with the interim final rule and any subsequent final rule, together with a description of the actions; and

(3) the effect of the interim final rule and any subsequent final rule on compliance with any fees associated with the use of small unmanned aircraft systems.

(b) EVALUATION.—The Inspector General of the Department of Transportation shall evaluate—

(1) the Administration’s progress in developing and tracking the metrics set forth in subsection (a); and

(2) the reliability, effectiveness, and efficiency of the Administration’s registration program for small unmanned aircraft.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) the results of the evaluation required under subsection (b); and

(2) recommendations to the Administrator and Congress for improvements to the registration process for small unmanned aircraft.

SEC. 338. STUDY ON ROLES OF GOVERNMENTS RELATING TO LOW-ALTITUDE OPERATION OF SMALL UNMANNED AIRCRAFT.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Inspector General of the Department of Transportation shall initiate a study on—

(1) the regulation and oversight of the low-altitude operations of small unmanned aircraft and small unmanned aircraft systems; and

(2) the appropriate roles and responsibilities of Federal, State, local, and Tribal governments in regulating and overseeing the operations of small unmanned aircraft in airspace 400 feet above ground level and below.

(b) CONSIDERATIONS.—In carrying out the study, the Inspector General shall consider, at a minimum—

(1) the recommendations of Task Group 1 of the Drone Advisory Committee chartered by the Federal Aviation Administration on August 31, 2016;

(2) the legal and policy requirements necessary for the safe and financially viable development and growth of the unmanned aircraft industry;

(3) the interests of Federal, State, local, and Tribal governments affected by low-altitude operations of small unmanned aircraft;

(4) the existing authorities of Federal, State, local, and Tribal governments to protect the interests referenced in paragraph (3);

(5) the degree of regulatory consistency required for the safe and financially viable growth and development of the unmanned aircraft industry;

(6) the degree of local variance possible among regulations consistent with the safe and financially viable growth and development of the unmanned aircraft industry;

(7) the appropriate roles of State, local, and Tribal governments in regulating the operations of small unmanned aircraft within the lateral boundaries of their jurisdiction in the categories of airspace described in subsection (a)(2);

(8) the subjects and types of regulatory authority that should remain with the Federal Government;

(9) the infrastructure requirements necessary for monitoring the low-altitude operations of small unmanned aircraft and enforcing applicable laws;

(10) the number of small businesses involved in the various sectors of the unmanned aircraft industry and operating as primary users of small unmanned aircraft; and

(11) any best practices, lessons learned, or policies of jurisdictions outside the United States relating to local or regional regulation and oversight of small unmanned aircraft and other emergent technologies.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after initiating the study, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 339. STUDY ON FINANCING OF UNMANNED AIRCRAFT SERVICES.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on appropriate fee mechanisms to recover the costs of—

(1) the regulation and safety oversight of unmanned aircraft and unmanned aircraft systems; and

(2) the provision of air navigation services to unmanned aircraft and unmanned aircraft systems.

(b) **CONSIDERATIONS.**—In carrying out the study, the Comptroller General shall consider, at a minimum—

(1) the recommendations of Task Group 3 of the Drone Advisory Committee chartered by the Federal Aviation Administration on August 31, 2016;

(2) the total annual costs incurred by the Federal Aviation Administration for the regulation and safety oversight of activities related to unmanned aircraft;

(3) the annual costs attributable to various types, classes, and categories of unmanned aircraft activities;

(4) air traffic services provided to unmanned aircraft operating under instrument flight rules, excluding public aircraft;

(5) the number of full-time Federal Aviation Administration employees dedicated to unmanned aircraft programs;

(6) the use of privately operated UTM and other privately operated unmanned aircraft systems;

(7) the projected growth of unmanned aircraft operations for various applications and the estimated need for regulation, oversight, and other services;

(8) the number of small businesses involved in the various sectors of the unmanned aircraft industry and operating as primary users of unmanned aircraft; and

(9) any best practices or policies utilized by jurisdictions outside the United States relating to partial or total recovery of regulation and safety oversight costs related to unmanned aircraft and other emergent technologies.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after initiating the study, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing recommendations on appropriate fee mechanisms to recover the costs of regulating and providing air navigation services to unmanned aircraft and unmanned aircraft systems.

SEC. 340. UPDATE OF FAA COMPREHENSIVE PLAN.

(a) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation shall update the comprehensive plan developed pursuant to section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) to develop a concept of operations for the integration of unmanned aircraft into the national airspace system.

(b) **CONSIDERATIONS.**—In carrying out the update, the Secretary shall consider, at a minimum—

(1) the potential use of UTM and other technologies to ensure the safe and lawful operation of unmanned aircraft in the national airspace system;

(2) the appropriate roles, responsibilities, and authorities of government agencies and the private sector in identifying and reporting unlawful or harmful operations and operators of unmanned aircraft;

(3) the use of models, threat assessments, probabilities, and other methods to distinguish between lawful and unlawful operations of unmanned aircraft; and

(4) appropriate systems, training, intergovernmental processes, protocols, and procedures to mitigate risks and hazards posed by unlawful or harmful operations of unmanned aircraft systems.

(c) **CONSULTATION.**—The Secretary shall carry out the update in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry.

SEC. 341. COOPERATION RELATED TO CERTAIN COUNTER-UAS TECHNOLOGY.

In matters relating to the use of systems in the national airspace system intended to mitigate threats posed by errant or hostile unmanned aircraft system operations, the Secretary of Transportation shall consult with the Secretary of Defense to streamline deployment of such systems by drawing upon the expertise and experience of the Department of Defense in acquiring and operating such systems consistent with the safe and efficient operation of the national airspace system.

TITLE IV—AIR SERVICE IMPROVEMENTS
Subtitle A—Airline Customer Service Improvements

SEC. 401. RELIABLE AIR SERVICE IN AMERICAN SAMOA.

Section 40109(g) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking subparagraph (C) and inserting the following:

“(C) review the exemption at least every 30 days (or, in the case of an exemption that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu’a, at least every 180 days) to ensure that the unusual circumstances that established the need for the exemption still exist.”; and

(2) by striking paragraph (3) and inserting the following:

“(3) **RENEWAL OF EXEMPTIONS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary may renew an exemption (including renewals) under this subsection for not more than 30 days.

“(B) **EXCEPTION.**—The Secretary may renew an exemption (including renewals) under this subsection that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu’a for not more than 180 days.

“(4) **CONTINUATION OF EXEMPTIONS.**—An exemption granted by the Secretary under this subsection may continue for not more than 5 days after the unusual circumstances that established the need for the exemption cease.”.

SEC. 402. CELL PHONE VOICE COMMUNICATION BAN.

(a) **IN GENERAL.**—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

“§ 41725. Prohibition on certain cell phone voice communications

“(a) **PROHIBITION.**—The Secretary of Transportation shall issue regulations—

“(1) to prohibit an individual on an aircraft from engaging in voice communications using a mobile communications device during a flight of that aircraft in scheduled passenger interstate or intrastate air transportation; and

“(2) that exempt from the prohibition described in paragraph (1) any—

“(A) member of the flight crew on duty on an aircraft;

“(B) flight attendant on duty on an aircraft; and

“(C) Federal law enforcement officer acting in an official capacity.

“(b) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **FLIGHT.**—The term ‘flight’ means, with respect to an aircraft, the period beginning when the aircraft takes off and ending when the aircraft lands.

“(2) **MOBILE COMMUNICATIONS DEVICE.**—

“(A) **IN GENERAL.**—The term ‘mobile communications device’ means any portable wireless telecommunications equipment utilized for the transmission or reception of voice data.

“(B) **LIMITATION.**—The term ‘mobile communications device’ does not include a phone installed on an aircraft.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41724 the following:

“41725. Prohibition on certain cell phone voice communications.”.

SEC. 403. ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) independent distributors of travel;”;

(2) in subsection (g) by striking “first 2 calendar years” and inserting “first 6 calendar years”; and

(3) in subsection (h) by striking “2018” and inserting “2023”.

SEC. 404. IMPROVED NOTIFICATION OF INSECTICIDE USE.

Section 42303(b) of title 49, United States Code, is amended to read as follows:

“(b) **REQUIRED DISCLOSURES.**—An air carrier, foreign air carrier, or ticket agent selling, in the United States, a ticket for a flight in foreign air transportation to a country listed on the internet website established under subsection (a) shall—

“(1) disclose, on its own internet website or through other means, that the destination country may require the air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides prior to the flight or to apply an aerosol insecticide in an aircraft cabin used for such a flight when the cabin is occupied with passengers; and

“(2) refer the purchaser of the ticket to the internet website established under subsection (a) for additional information.”.

SEC. 405. ADVERTISEMENTS AND DISCLOSURE OF FEES FOR PASSENGER AIR TRANSPORTATION.

(a) **FULL FARE ADVERTISING.**—

(1) **IN GENERAL.**—Section 41712 of title 49, United States Code, is amended by adding at the end the following:

“(d) **FULL FARE ADVERTISING.**—

“(1) **IN GENERAL.**—It shall not be an unfair or deceptive practice under subsection (a) for a covered entity to state in an advertisement or solicitation for passenger air transportation the base airfare for the air transportation if the covered entity clearly and separately discloses—

“(A) the government-imposed fees and taxes associated with the air transportation; and

“(B) the total cost of the air transportation.

“(2) **FORM OF DISCLOSURE.**—

“(A) IN GENERAL.—For purposes of paragraph (1), the information described in paragraphs (1)(A) and (1)(B) shall be disclosed in the advertisement or solicitation in a manner that clearly presents the information to the consumer.

“(B) INTERNET ADVERTISEMENTS AND SOLICITATIONS.—For purposes of paragraph (1), with respect to an advertisement or solicitation for passenger air transportation that appears on an internet website or a mobile application, the information described in paragraphs (1)(A) and (1)(B) may be disclosed through a link or pop-up, as such terms may be defined by the Secretary, that displays the information in a manner that is easily accessible and viewable by the consumer.

“(3) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) BASE AIRFARE.—The term ‘base airfare’ means the cost of passenger air transportation, excluding government-imposed fees and taxes.

“(B) COVERED ENTITY.—The term ‘covered entity’ means an air carrier, including an indirect air carrier, foreign air carrier, ticket agent, or other person offering to sell tickets for passenger air transportation or a tour or tour component that must be purchased with air transportation.”

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in the amendment made by paragraph (1) may be construed to affect any obligation of a person that sells air transportation to disclose the total cost of the air transportation, including government-imposed fees and taxes, prior to purchase of the air transportation.

(3) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations to carry out the amendment made by paragraph (1).

(4) EFFECTIVE DATE.—This subsection, and the amendments made by this subsection, shall take effect on the earlier of—

(A) the effective date of regulations issued under paragraph (3); and

(B) the date that is 180 days after the date of enactment of this Act.

(b) DISCLOSURE OF FEES.—Section 41712 of title 49, United States Code, as amended by this section, is further amended by adding at the end the following:

“(e) DISCLOSURE OF FEES.—

“(1) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for any air carrier, foreign air carrier, or ticket agent to fail to include, in an internet fare quotation for a specific itinerary in air transportation selected by a consumer—

“(A) a clear and prominent statement that additional fees for checked baggage and carry-on baggage may apply; and

“(B) a prominent link that connects directly to a list of all such fees.

“(2) SAVINGS PROVISION.—Nothing in this subsection may be construed to derogate or limit any responsibilities of an air carrier, foreign air carrier, or ticket agent under section 399.85 of title 14, Code of Federal Regulations, or any successor provision.”

SEC. 406. INVOLUNTARILY BUMPING PASSENGERS AFTER AIRCRAFT BOARDED.

Section 41712 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(f) INVOLUNTARILY DENIED BOARDING AFTER AIRCRAFT BOARDED.—

“(1) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for an air carrier or foreign air carrier subject to part 250 of title 14, Code of Federal Regulations, to involuntarily deplane a revenue passenger onboard an aircraft, if the revenue passenger—

“(A) is traveling on a confirmed reservation; and

“(B) checked-in for the relevant flight prior to the check-in deadline.

“(2) SAVINGS PROVISION.—Nothing in this subsection may be construed to limit the authority of an air carrier, foreign air carrier, or airman to remove a passenger in accordance with—

“(A) section 91.3, 121.533(d), or 121.580 of title 14, Code of Federal Regulations, or any successor provision; or

“(B) any other applicable Federal, State, or local law.”

SEC. 407. AVAILABILITY OF CONSUMER RIGHTS INFORMATION.

Section 42302(b) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking “on the” and inserting “in a prominent place on the homepage of the primary”;;

(2) in paragraph (2) by striking “and” at the end;

(3) in paragraph (3) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(4) the air carrier’s customer service plan.”

SEC. 408. CONSUMER COMPLAINTS HOTLINE.

Section 42302 of title 49, United States Code, is amended by adding at the end the following:

“(d) USE OF NEW TECHNOLOGIES.—The Secretary shall periodically evaluate the benefits of using mobile phone applications or other widely used technologies to provide new means for air passengers to communicate complaints in addition to the telephone number established under subsection (a) and shall provide such new means as the Secretary determines appropriate.”

SEC. 409. WIDESPREAD DISRUPTIONS.

(a) IN GENERAL.—Chapter 423 of title 49, United States Code, is amended by adding at the end the following:

“§ 42304. Widespread disruptions

“(a) GENERAL REQUIREMENTS.—In the event of a widespread disruption, a covered air carrier shall immediately publish, via a prominent link on the air carrier’s public internet website, a clear statement indicating whether, with respect to a passenger of the air carrier whose travel is interrupted as a result of the widespread disruption, the air carrier will—

“(1) provide for hotel accommodations;

“(2) arrange for ground transportation;

“(3) provide meal vouchers;

“(4) arrange for air transportation on another air carrier or foreign air carrier to the passenger’s destination; and

“(5) provide for sleeping facilities inside the airport terminal.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) WIDESPREAD DISRUPTION.—The term ‘widespread disruption’ means, with respect to a covered air carrier, the interruption of all or the overwhelming majority of the air carrier’s systemwide flight operations, including flight delays and cancellations, as the result of the failure of 1 or more computer systems or computer networks of the air carrier.

“(2) COVERED AIR CARRIER.—The term ‘covered air carrier’ means an air carrier that provides scheduled passenger air transportation by operating an aircraft that as originally designed has a passenger capacity of 30 or more seats.

“(c) SAVINGS PROVISION.—Nothing in this section may be construed to modify, abridge, or repeal any obligation of an air carrier under section 42301.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 423 of title 49, United States

Code, is amended by adding at the end the following:

“42304. Widespread disruptions.”

SEC. 410. INVOLUNTARILY DENIED BOARDING COMPENSATION.

Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to revise part 250 of title 14, Code of Federal Regulations, to clarify that—

(1) there is not a maximum level of compensation an air carrier or foreign air carrier may pay to a passenger who is involuntarily denied boarding as the result of an oversold flight;

(2) the compensation levels set forth in that part are the minimum levels of compensation an air carrier or foreign air carrier must pay to a passenger who is involuntarily denied boarding as the result of an oversold flight; and

(3) an air carrier or foreign air carrier must proactively offer to pay compensation to a passenger who is voluntarily or involuntarily denied boarding on an oversold flight, rather than waiting until the passenger requests the compensation.

SEC. 411. CONSUMER INFORMATION ON ACTUAL FLIGHT TIMES.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the feasibility and advisability of modifying regulations contained in section 234.11 of title 14, Code of Federal Regulations, to ensure that—

(1) a reporting carrier (including its contractors), during the course of a reservation or ticketing discussion or other inquiry, discloses to a consumer upon reasonable request the projected period between the actual wheels-off and wheels-on times for a reportable flight; and

(2) a reporting carrier displays, on the public internet website of the carrier, information on the actual wheels-off and wheels-on times during the most recent calendar month for a reportable flight.

(b) DEFINITIONS.—In this section, the terms “reporting carrier” and “reportable flight” have the meanings given those terms in section 234.2 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 412. ADVISORY COMMITTEE FOR TRANSPARENCY IN AIR AMBULANCE INDUSTRY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall establish an advisory committee to make recommendations for a rulemaking—

(1) to require air ambulance operators to clearly disclose charges for air transportation services separately from charges for non-air transportation services within any invoice or bill; and

(2) to provide other consumer protections for customers of air ambulance operators.

(b) COMPOSITION OF THE ADVISORY COMMITTEE.—The advisory committee shall be composed of the following members:

(1) The Secretary of Transportation.

(2) 1 representative, to be appointed by the Secretary, of each of the following:

(A) Each relevant Federal agency, as determined by the Secretary.

(B) Air ambulance operators.

(C) State insurance regulators.

(D) Health insurance providers.

(E) Consumer groups.

(c) RECOMMENDATIONS.—The advisory committee shall make recommendations with respect to each of the following:

(1) Cost-allocation methodologies needed to ensure that charges for air transportation services are separated from charges for non-air transportation services.

(2) Cost- or price-allocation methodologies to prevent commingling of charges for air transportation services and charges for non-air transportation services in bills and invoices.

(3) Formats for bills and invoices to ensure that customers and State insurance regulators can clearly distinguish between charges for air transportation services and charges for non-air transportation services.

(4) Data or industry references related to aircraft operating costs to be used in determining the proper allocation of charges for air transportation services and charges for non-air transportation services.

(5) Guidance materials to instruct States, political subdivisions of States, and political authorities of 2 or more States on referring to the Secretary allegations of unfair or deceptive practices or unfair methods of competition by air ambulance operators.

(6) Protections for customers of air ambulance operators, after consideration of the circumstances in which the services of air ambulance operators are used.

(7) Protections of proprietary cost data from inappropriate public disclosure.

(8) Such other matters as the Secretary determines necessary or appropriate.

(d) REPORT.—Not later than 180 days after the date of the first meeting of the advisory committee, the advisory committee shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report containing the recommendations made under subsection (c).

(e) RULEMAKING.—Not later than 180 days after the date of receipt of the report under subsection (d), the Secretary shall consider the recommendations of the advisory committee and issue a final rule—

(1) to require air ambulance operators to clearly disclose charges for air transportation services separately from charges for non-air transportation services within any invoice or bill; and

(2) to provide other consumer protections for customers of air ambulance operators.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) AIR AMBULANCE OPERATOR.—The term “air ambulance operator” means an air carrier operating pursuant to part 135 of title 14, Code of Federal Regulations, that provides medical, ambulance, or related services.

(2) NON-AIR TRANSPORTATION SERVICES.—The term “non-air transportation services” means those services provided by air ambulance operators but not other air carriers operating pursuant to part 135 of title 14, Code of Federal Regulations.

(g) TERMINATION.—The advisory committee shall terminate on the date of submission of the report under subsection (d).

(h) NATURE OF AIR AMBULANCE SERVICES.—The non-air transportation services of air ambulance operators and prices thereof are neither services nor prices of an air carrier for purposes of section 41713 of title 49, United States Code.

SEC. 413. AIR AMBULANCE COMPLAINTS.

(a) CONSUMER COMPLAINTS.—Section 42302 of title 49, United States Code, is amended—

(1) in subsection (a) by inserting “(including transportation by air ambulance)” after “air transportation”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—
(i) by inserting “, and an air ambulance operator,” after “passenger seats”; and

(ii) by inserting “or operator” after “Internet Web site of the carrier”; and

(B) in paragraph (2) by inserting “or operator” after “mailing address of the air carrier”; and

(3) by striking subsection (c) and inserting the following:

“(c) NOTICE TO PASSENGERS ON BOARDING OR BILLING DOCUMENTATION.—

“(1) AIR CARRIERS AND FOREIGN AIR CARRIERS.—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include the hotline telephone number established under subsection (a) on—

“(A) prominently displayed signs of the carrier at the airport ticket counters in the United States where the air carrier operates; and

“(B) any electronic confirmation of the purchase of a passenger ticket for air transportation issued by the air carrier.

“(2) AIR AMBULANCE OPERATORS.—An air ambulance operator shall include the hotline telephone number established under subsection (a) on any invoice, bill, or other communication provided to a passenger or customer of the operator.”.

(b) UNFAIR AND DECEPTIVE PRACTICES AND UNFAIR METHODS OF COMPETITION.—Section 41712(a) of title 49, United States Code, is amended—

(1) by inserting “air ambulance customer,” after “foreign air carrier,” the first place it appears; and

(2) by adding at the end the following: “In this subsection, the term ‘air carrier’ includes an air ambulance operator and the term ‘air transportation’ includes any transportation provided by an air ambulance.”.

SEC. 414. PASSENGER RIGHTS.

(a) GUIDELINES.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall require each air carrier to submit for approval a 1-page document that accurately describes the rights of passengers in air transportation, including guidelines for the following:

(1) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight delays of various lengths.

(2) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight cancellations.

(3) Compensation for mishandled baggage, including delayed, damaged, pilfered, or lost baggage.

(4) Voluntary relinquishment of a ticketed seat due to overbooking or priority of other passengers.

(5) Involuntary denial of boarding and forced removal for whatever reason, including for safety and security reasons.

(b) APPROVAL OF GUIDELINES.—Not later than 90 days after each air carrier submits its guidelines for approval to the Secretary under subsection (a), the air carrier shall make available such 1-page document on its website.

Subtitle B—Aviation Consumers With Disabilities

SEC. 441. SELECT SUBCOMMITTEE.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note), as amended by this Act, is further amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following:

“(g) SELECT SUBCOMMITTEE FOR AVIATION CONSUMERS WITH DISABILITIES.—

“(1) IN GENERAL.—The Secretary shall establish a select subcommittee of the advisory

sory committee to advise the Secretary and the advisory committee on issues related to the air travel needs of passengers with disabilities.

“(2) DUTIES.—The select subcommittee shall—

“(A) identify the disability-related access barriers encountered by passengers with disabilities;

“(B) determine the extent to which the programs and activities of the Department of Transportation are addressing the barriers identified under subparagraph (A);

“(C) recommend consumer protection improvements related to the air travel experience of passengers with disabilities;

“(D) advise the Secretary with regard to the implementation of section 41705 of title 49, United States Code; and

“(E) conduct such other activities as the Secretary considers necessary to carry out this subsection.

“(3) MEMBERSHIP.—

“(A) COMPOSITION.—The select subcommittee shall be composed of members appointed by the Secretary, including at least 1 individual representing each of the following:

“(i) National disability organizations.

“(ii) Air carriers and foreign air carriers with flights in air transportation.

“(iii) Airport operators.

“(iv) Contractor service providers.

“(B) INCLUSION.—A member of the select subcommittee may also be a member of the advisory committee.

“(4) REPORTS.—

“(A) IN GENERAL.—Not later than 1 year after the date of establishment of the select subcommittee, the select subcommittee shall submit to the advisory committee and the Secretary a report on the air travel needs of passengers with disabilities that includes—

“(i) an assessment of existing disability-related access barriers and any emerging disability-related access barriers that will likely be an issue in the next 5 years;

“(ii) an evaluation of the extent to which the programs and activities of the Department of Transportation are eliminating disability-related access barriers;

“(iii) a description of consumer protection improvements related to the air travel experience of passengers with disabilities; and

“(iv) any recommendations for legislation, regulations, or other actions that the select subcommittee considers appropriate.

“(B) REPORT TO CONGRESS.—Not later than 60 days after the date on which the Secretary receives the report under subparagraph (A), the Secretary shall submit to Congress a copy of the report, including any additional findings or recommendations that the Secretary considers appropriate.

“(5) CHAIRPERSON.—The Secretary shall designate, from among the individuals appointed under paragraph (3), an individual to serve as chairperson of the select subcommittee.

“(6) VACANCIES AND TRAVEL EXPENSES.—Subsections (c) and (d) shall apply to the select subcommittee.

“(7) TERMINATION.—The select subcommittee established under this subsection shall terminate upon submission of the report required under paragraph (4)(A).”.

SEC. 442. AVIATION CONSUMERS WITH DISABILITIES STUDY.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study that includes—

(1) a review of airport accessibility best practices for individuals with disabilities, including best practices that improve infrastructure facilities and communications

methods, including those related to wayfinding, amenities, and passenger care;

(2) a review of air carrier and airport training policies related to section 41705 of title 49, United States Code;

(3) a review of air carrier training policies related to properly assisting passengers with disabilities; and

(4) a review of accessibility best practices that exceed those recommended under Public Law 90-480 (popularly known as the Architectural Barriers Act of 1968; 42 U.S.C. 4151 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Air Carrier Access Act of 1986 (Public Law 99-435; 100 Stat. 1080 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the study, including findings and recommendations.

SEC. 443. FEASIBILITY STUDY ON IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.

(a) STUDY.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Architectural and Transportation Barriers Compliance Board, aircraft manufacturers, and air carriers, shall conduct a study to determine—

(1) the feasibility of in-cabin wheelchair restraint systems; and

(2) if feasible, the ways in which individuals with significant disabilities using wheelchairs, including power wheelchairs, can be accommodated with in-cabin wheelchair restraint systems.

(b) REPORT.—Not later than 1 year after the initiation of the study under subsection (a), the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study.

SEC. 444. ACCESS ADVISORY COMMITTEE RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking addressing—

(1) accommodations for air travelers with disabilities with respect to in-flight entertainment;

(2) accessible lavatories on single-aisle aircraft; and

(3) service animals.

(b) RULEMAKING.—Not later than 1 year after the date on which the notice of proposed rulemaking is issued, the Secretary shall publish a final rule based on such notice.

Subtitle C—Small Community Air Service

SEC. 451. ESSENTIAL AIR SERVICE AUTHORIZATION.

Section 41742(a)(2) of title 49, United States Code, is amended by striking “\$150,000,000 for fiscal year 2011” and all that follows before “to carry out” and inserting “\$153,000,000 for fiscal year 2018, \$156,000,000 for fiscal year 2019, \$159,000,000 for fiscal year 2020, \$162,000,000 for fiscal year 2021, \$165,000,000 for fiscal year 2022, and \$168,000,000 for fiscal year 2023”.

SEC. 452. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking “2018” and inserting “2023”.

SEC. 453. STUDY ON ESSENTIAL AIR SERVICE REFORM.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the effects of section 6 of the Airport and Airway Extension Act of 2011, Part IV (Public Law 112-27), section 421 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95), and other relevant Federal laws enacted after 2010, including the amendments made by those laws, on the Essential Air Service program.

(2) SCOPE.—In conducting the study under paragraph (1), the Comptroller General shall analyze, at a minimum—

(A) the impact of each relevant Federal law, including the amendments made by each law, on the Essential Air Service program;

(B) what actions communities and air carriers have taken to reduce ticket prices or increase enplanements as a result of each law;

(C) the issuance of waivers by the Secretary under section 41731(e) of title 49, United States Code;

(D) whether budgetary savings resulted from each law; and

(E) options for further reform of the Essential Air Service program.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

SEC. 454. SMALL COMMUNITY AIR SERVICE.

(a) ELIGIBILITY.—Section 41743(c) of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) SIZE.—On the date of submission of the relevant application under subsection (b), the airport serving the community or consortium—

“(A) is not larger than a small hub airport, as determined using the Department of Transportation’s most recently published classification; and

“(B) has—

“(i) insufficient air carrier service; or

“(ii) unreasonably high air fares.”;

(2) in paragraph (4)—

(A) by striking “once,” and inserting “once in a 10-year period.”; and

(B) by inserting “at any time” after “different project”; and

(3) in paragraph (5)—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following:

“(E) the assistance will be used to help restore scheduled passenger air service that has been terminated.”;

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41743(e)(2) of title 49, United States Code, is amended to read as follows:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$10,000,000 for each of fiscal years 2018 through 2023 to carry out this section, of which \$4,800,000 per fiscal year shall be used to carry out the pilot program established under subsection (i). Such sums shall remain available until expended.”.

(c) REGIONAL AIR TRANSPORTATION PILOT PROGRAM.—Section 41743 of title 49, United States Code, is amended by adding at the end the following:

“(i) REGIONAL AIR TRANSPORTATION PILOT PROGRAM.—

“(1) ESTABLISHMENT.—The Secretary shall establish a regional air transportation pilot program to provide operating assistance to

air carriers in order to provide air service to communities not receiving sufficient air carrier service.

“(2) GRANTS.—The Secretary shall provide grants under the program to encourage and maintain air service at reasonable airfares between communities that have experienced, as determined by the Secretary, significant declines in air service.

“(3) APPLICATION REQUIRED.—In order to participate in the program, a State, local government, economic development authority, or other public entity shall submit to the Secretary an application, in a manner that the Secretary prescribes, that contains—

“(A) an identification of an air carrier that has provided a written agreement to provide the air service in partnership with the applicant;

“(B) assurances that the applicant will provide the non-Federal share and that the non-Federal share is not derived from airport revenue;

“(C) a proposed route structure serving not more than 8 communities; and

“(D) a timeline for commencing the air service to the communities within the proposed route structure.

“(4) CRITERIA FOR PARTICIPATION.—The Secretary may approve up to 3 applications each fiscal year, subject to the availability of funds, if the Secretary determines that—

“(A) the proposal of the applicant can reasonably be expected to encourage and improve levels of air service between the relevant communities;

“(B) the applicant has adequate financial resources to ensure the commitment to the communities;

“(C) the airports serving the communities are nonhub, small hub, or medium hub airports, as determined using the Department of Transportation’s most recently published classifications; and

“(D) the air carrier commits to serving the communities for at least 2 years.

“(5) PRIORITIES.—The Secretary shall prioritize applications that—

“(A) would initiate new or reestablish air service in communities where air fares are higher than the average air fares for all communities;

“(B) are more likely to result in self-sustaining air service at the end of the program;

“(C) request a Federal share lower than 50 percent; and

“(D) propose to use grant funds in a timely fashion.

“(6) FEDERAL SHARE.—The Federal share of the cost of operating assistance provided under the program may not exceed 50 percent.

“(7) SUNSET.—This subsection shall cease to be effective on October 1, 2023.”.

SEC. 455. AIR TRANSPORTATION TO NON-ELIGIBLE PLACES.

(a) DEFINITIONS.—Section 41731(a)(1)(A)(ii) of title 49, United States Code, is amended by striking “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century,” and inserting “FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190).”.

(b) PROGRAM SUNSET.—Section 41736 of title 49, United States Code, is amended by adding at the end the following:

“(h) SUNSET.—

“(1) PROPOSALS.—No proposal under subsection (a) may be accepted by the Secretary after the date of enactment of this subsection.

“(2) PROGRAM.—The Secretary may not provide any compensation under this section after the date that is 2 years after the date of enactment of this subsection.”.

TITLE V—MISCELLANEOUS

SEC. 501. REVIEW OF FAA STRATEGIC CYBERSECURITY PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review of the comprehensive and strategic framework of principles and policies (referred to in this section as the “framework”) developed pursuant to section 2111 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44903 note).

(b) CONTENTS.—In undertaking the review under subsection (a), the Administrator shall—

(1) assess the degree to which the framework identifies and addresses known cybersecurity risks associated with the aviation system;

(2) review existing short- and long-term objectives for addressing cybersecurity risks to the national airspace system; and

(3) assess the Administration’s level of engagement and coordination with aviation stakeholders and other appropriate agencies, organizations, or groups with which the Administration consults to carry out the framework.

(c) UPDATES.—Upon completion of the review under subsection (a), the Administrator shall modify the framework, as appropriate, to address any deficiencies identified by the review.

(d) REPORT TO CONGRESS.—Not later than 180 days after initiating the review required by subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review, including a description of any modifications made to the framework.

SEC. 502. CONSOLIDATION AND REALIGNMENT OF FAA SERVICES AND FACILITIES.

Section 804(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) in paragraph (2) by striking “The purpose of the report shall be—” and all that follows through “(B) to reduce” and inserting “The purpose of the report shall be to reduce”; and

(2) by striking paragraph (4) and inserting the following:

“(4) INPUT.—The report shall be prepared by the Administrator (or the Administrator’s designee) with the participation of—

“(A) representatives of labor organizations representing air traffic control system employees of the FAA; and

“(B) industry stakeholders.”.

SEC. 503. FAA REVIEW AND REFORM.

(a) AGENCY REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a detailed analysis of any actions taken to address the findings and recommendations included in the report required under section 812(d) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 106 note), including—

(1) consolidating, phasing-out, or eliminating duplicative positions, programs, roles, or offices;

(2) eliminating or streamlining wasteful practices;

(3) eliminating or phasing-out redundant, obsolete, or unnecessary functions;

(4) reforming and streamlining inefficient processes so that the activities of the Administration are completed in an expedited and efficient manner; and

(5) reforming or eliminating ineffectual or outdated policies.

(b) ADDITIONAL REVIEW.—Not later than 18 months after the date of enactment of this Act, the Administrator shall undertake and complete a thorough review of each program, office, and organization within the Administration to identify—

(1) duplicative positions, programs, roles, or offices;

(2) wasteful practices;

(3) redundant, obsolete, or unnecessary functions;

(4) inefficient processes; and

(5) ineffectual or outdated policies.

(c) ACTIONS TO STREAMLINE AND REFORM FAA.—Not later than 60 days after the date of completion of the review under subsection (b), the Administrator shall undertake such actions as may be necessary to address the findings of the Administrator under such subsection.

(d) REPORT TO CONGRESS.—Not later than 120 days after the date of completion of the review under subsection (b), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actions taken by the Administrator pursuant to subsection (c), including any recommendations for legislative or administrative actions.

SEC. 504. AVIATION FUEL.

(a) USE OF UNLEADED AVIATION GASOLINE.—The Administrator of the Federal Aviation Administration shall allow the use of an unleaded aviation gasoline in an aircraft as a replacement for a leaded gasoline if the Administrator—

(1) determines that an unleaded aviation gasoline qualifies as a replacement for an approved leaded gasoline;

(2) identifies the aircraft and engines that are eligible to use the qualified replacement unleaded gasoline; and

(3) adopts a process (other than the traditional means of certification) to allow eligible aircraft and engines to operate using qualified replacement unleaded gasoline in a manner that ensures safety.

(b) TIMING.—The Administrator shall adopt the process described in subsection (a)(3) not later than 180 days after the later of—

(1) the date of completion of the Piston Aviation Fuels Initiative of the Administration; or

(2) the date of publication of an American Society for Testing and Materials Production Specification for an unleaded aviation gasoline.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Piston Aviation Fuels Initiative of the Administration and the American Society for Testing and Materials should work to find an appropriate unleaded aviation gasoline by January 1, 2024.

SEC. 505. RIGHT TO PRIVACY WHEN USING AIR TRAFFIC CONTROL SYSTEM.

Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall, upon request of a private aircraft owner or operator, block the registration number of the aircraft of the owner or operator from any public dissemination or display, except in data made available to a Government agency, for the non-commercial flights of the owner or operator.

SEC. 506. AIR SHOWS.

On an annual basis, the Administrator of the Federal Aviation Administration shall work with representatives of Administration-approved air shows, the general aviation community, and stadiums and other large outdoor events and venues to identify and resolve, to the maximum extent practicable, scheduling conflicts between Administra-

tion-approved air shows and large outdoor events and venues where—

(1) flight restrictions will be imposed pursuant to section 521 of title V of division F of Public Law 108–199 (118 Stat. 343); or

(2) any other restriction will be imposed pursuant to Federal Aviation Administration Flight Data Center Notice to Airmen 4/3621 (or any successor notice to airmen).

SEC. 507. PART 91 REVIEW, REFORM, AND STREAMLINING.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a task force comprised of representatives of the general aviation industry who regularly perform part 91 operations, labor unions (including those representing FAA aviation safety inspectors and FAA aviation safety engineers), manufacturers, and the Government to—

(1) conduct an assessment of the FAA oversight and authorization processes and requirements for aircraft under part 91; and

(2) make recommendations to streamline the applicable authorization and approval processes, improve safety, and reduce regulatory cost burdens and delays for the FAA and aircraft owners and operators who operate pursuant to part 91.

(b) CONTENTS.—In conducting the assessment and making recommendations under subsection (a), the task force shall consider—

(1) process reforms and improvements to allow the FAA to review and approve applications in a fair and timely fashion;

(2) the appropriateness of requiring an authorization for each experimental aircraft rather than using a broader all makes and models approach;

(3) ways to improve the timely response to letters of authorization applications for aircraft owners and operators who operate pursuant to part 91, including setting deadlines and granting temporary or automatic authorizations if deadlines are missed by the FAA;

(4) methods for enhancing the effective use of delegation systems;

(5) methods for training the FAA’s field office employees in risk-based and safety management system oversight; and

(6) such other matters related to streamlining part 91 authorization and approval processes as the task force considers appropriate.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the task force’s assessment.

(2) CONTENTS.—The report shall include an explanation of how the Administrator will—

(A) implement the recommendations of the task force;

(B) measure progress in implementing the recommendations; and

(C) measure the effectiveness of the implemented recommendations.

(d) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall implement the recommendations made under this section.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) FAA.—The term “FAA” means the Federal Aviation Administration.

(2) PART 91.—The term “part 91” means part 91 of title 14, Code of Federal Regulations.

(f) APPLICABLE LAW.—Public Law 92–463 shall not apply to the task force.

(g) SUNSET.—The task force shall terminate on the day the Administrator submits the report required under subsection (c).

SEC. 508. AIRCRAFT REGISTRATION.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 10 years.

SEC. 509. AIR TRANSPORTATION OF LITHIUM CELLS AND BATTERIES.

(a) COOPERATIVE EFFORTS TO ENSURE COMPLIANCE WITH SAFETY REGULATIONS.—

(1) IN GENERAL.—The Secretary of Transportation, in coordination with appropriate Federal agencies, shall carry out cooperative efforts to ensure that shippers who offer lithium ion and lithium metal batteries for air transport to or from the United States comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(2) COOPERATIVE EFFORTS.—The cooperative efforts the Secretary shall carry out pursuant to paragraph (1) include the following:

(A) Encouraging training programs at locations outside the United States from which substantial cargo shipments of lithium ion or lithium metal batteries originate for manufacturers, freight forwarders, and other shippers and potential shippers of lithium ion and lithium metal batteries.

(B) Working with Federal, regional, and international transportation agencies to ensure enforcement of U.S. Hazardous Materials Regulations and ICAO Technical Instructions with respect to shippers who offer noncompliant shipments of lithium ion and lithium metal batteries.

(C) Sharing information, as appropriate, with Federal, regional, and international transportation agencies regarding noncompliant shipments.

(D) Pursuing a joint effort with the international aviation community to develop a process to obtain assurances that appropriate enforcement actions are taken to reduce the likelihood of noncompliant shipments, especially with respect to jurisdictions in which enforcement activities historically have been limited.

(E) Providing information in brochures and on the internet in appropriate foreign languages and dialects that describes the actions required to comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(F) Developing joint efforts with the international aviation community to promote a better understanding of the requirements of and methods of compliance with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(3) REPORTING.—Not later than 120 days after the date of enactment of this Act, and annually thereafter for 2 years, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on compliance with the policy set forth in subsection (e) and the cooperative efforts carried out, or planned to be carried out, under this subsection.

(b) LITHIUM BATTERY AIR SAFETY ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish, in accordance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), a lithium ion and lithium metal battery air safety advisory committee (in this subsection referred to as the “Committee”).

(2) DUTIES.—The Committee shall—

(A) facilitate communication between manufacturers of lithium ion and lithium

metal cells and batteries, manufacturers of products incorporating both large and small lithium ion and lithium metal batteries, air carriers, and the Federal Government regarding the safe air transportation of lithium ion and lithium metal cells and batteries and the effectiveness and economic and social impacts of the regulation of such transportation;

(B) provide the Secretary, the Federal Aviation Administration, and the Pipeline and Hazardous Materials Safety Administration with timely information about new lithium ion and lithium metal battery technology and transportation safety practices and methodologies;

(C) provide a forum for the Secretary to provide information on and to discuss the activities of the Department of Transportation relating to lithium ion and lithium metal battery transportation safety, the policies underlying the activities, and positions to be advocated in international forums;

(D) provide a forum for the Secretary to provide information and receive advice on—

(i) activities carried out throughout the world to communicate and enforce relevant United States regulations and the ICAO Technical Instructions; and

(ii) the effectiveness of the activities;

(E) provide advice and recommendations to the Secretary with respect to lithium ion and lithium metal battery air transportation safety, including how best to implement activities to increase awareness of relevant requirements and their importance to travelers and shippers; and

(F) review methods to decrease the risk posed by air shipment of undeclared hazardous materials and efforts to educate those who prepare and offer hazardous materials for shipment via air transport.

(3) MEMBERSHIP.—The Committee shall be composed of the following members:

(A) Individuals appointed by the Secretary to represent—

(i) large volume manufacturers of lithium ion and lithium metal cells and batteries;

(ii) domestic manufacturers of lithium ion and lithium metal batteries or battery packs;

(iii) manufacturers of consumer products powered by lithium ion and lithium metal batteries;

(iv) manufacturers of vehicles powered by lithium ion and lithium metal batteries;

(v) marketers of products powered by lithium ion and lithium metal batteries;

(vi) cargo air service providers based in the United States;

(vii) passenger air service providers based in the United States;

(viii) pilots and employees of air service providers described in clauses (vi) and (vii);

(ix) shippers of lithium ion and lithium metal batteries for air transportation;

(x) manufacturers of battery-powered medical devices or batteries used in medical devices; and

(xi) employees of the Department of Transportation, including employees of the Federal Aviation Administration and the Pipeline and Hazardous Materials Safety Administration.

(B) Representatives of such other Government departments and agencies as the Secretary determines appropriate.

(C) Any other individuals the Secretary determines are appropriate to comply with Federal law.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the establishment of the Committee, the Committee shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Com-

merce, Science, and Transportation of the Senate a report that—

(i) describes and evaluates the steps being taken in the private sector and by international regulatory authorities to implement and enforce requirements relating to the safe transportation by air of bulk shipments of lithium ion cells and batteries; and

(ii) identifies any areas of enforcement or regulatory requirements for which there is consensus that greater attention is needed.

(B) INDEPENDENT STATEMENTS.—Each member of the Committee shall be provided an opportunity to submit an independent statement of views with the report submitted pursuant to subparagraph (A).

(5) MEETINGS.—

(A) IN GENERAL.—The Committee shall meet at the direction of the Secretary and at least twice a year.

(B) PREPARATION FOR ICAO MEETINGS.—Notwithstanding subparagraph (A), the Secretary shall convene a meeting of the Committee in connection with and in advance of each meeting of the International Civil Aviation Organization, or any of its panels or working groups, addressing the safety of air transportation of lithium ion and lithium metal batteries to brief Committee members on positions to be taken by the United States at such meeting and provide Committee members a meaningful opportunity to comment.

(6) TERMINATION.—The Committee shall terminate on the date that is 6 years after the date on which the Committee is established.

(7) TERMINATION OF FUTURE OF AVIATION ADVISORY COMMITTEE.—The Future of Aviation Advisory Committee shall terminate on the date on which the lithium ion battery air safety advisory committee is established.

(c) MEDICAL DEVICE BATTERIES.—

(1) LIMITED EXCEPTIONS TO RESTRICTIONS ON AIR TRANSPORTATION OF MEDICAL DEVICE BATTERIES.—The Secretary shall issue limited exceptions to the restrictions on transportation of lithium ion and lithium metal batteries to allow the shipment on a passenger aircraft of not more than 2 replacement batteries specifically used for a medical device if—

(A) the intended destination of the batteries is not serviced daily by cargo aircraft if a battery is required for medically necessary care; and

(B) with regard to a shipper of lithium ion or lithium metal batteries for medical devices that cannot comply with a charge limitation in place at the time, each battery is—

(i) individually packed in an inner packaging that completely encloses the battery;

(ii) placed in a rigid outer packaging; and

(iii) protected to prevent a short circuit.

(2) MEDICAL DEVICE DEFINED.—In this subsection, the term “medical device” means an instrument, apparatus, implement, machine, contrivance, implant, or in vitro reagent, including any component, part, or accessory thereof, which is intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease, in a person.

(3) SAVINGS CLAUSE.—Nothing in this subsection may be construed as expanding or restricting any authority of the Secretary under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(d) PACKAGING IMPROVEMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with interested stakeholders, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an evaluation of current practices for the packaging of

lithium ion batteries and cells for air transportation, including recommendations, if any, to improve the packaging of such batteries and cells for air transportation in a safe, efficient, and cost-effective manner.

(e) **DEPARTMENT OF TRANSPORTATION POLICY ON INTERNATIONAL REPRESENTATION.**—It shall be the policy of the Department of Transportation to support the participation of industry in all panels and working groups of the Dangerous Goods Panel of the International Civil Aviation Organization and any other international test or standard setting organization that considers proposals on the safety or transportation of lithium ion and lithium metal batteries in which the United States participates.

(f) **HARMONIZATION WITH ICAO TECHNICAL INSTRUCTIONS.**—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), not later than 30 days after the date of enactment of this Act, the Secretary shall conform United States regulations on the air transport of lithium cells and batteries with the lithium cells and batteries requirements in the 2015–2016 edition of the ICAO Technical Instructions (including all addenda), including the revised standards adopted by the International Civil Aviation Organization that became effective on April 1, 2016.

(g) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ICAO TECHNICAL INSTRUCTIONS.**—The term “ICAO Technical Instructions” has the meaning given that term in section 828(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) **U.S. HAZARDOUS MATERIALS REGULATIONS.**—The term “U.S. Hazardous Materials Regulations” means the regulations in parts 100 through 177 of title 49, Code of Federal Regulations (including amendments adopted after the date of enactment of this Act).

SEC. 510. REMOTE TOWER PILOT PROGRAM FOR RURAL AND SMALL COMMUNITIES.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a pilot program under which, upon approval of an application submitted by an operator of a public-use airport, the Secretary shall install and operate at the airport a remote air traffic control tower in order to assess the operational benefits of remote air traffic control towers.

(b) **APPLICATIONS.**—The operator of an airport seeking to participate in the pilot program shall submit to the Secretary for approval an application that is in such form and contains such information as the Secretary may require.

(c) **SELECTION CRITERIA.**—

(1) **SELECTION OF AIRPORTS.**—From among the applications submitted under subsection (b), the Secretary, after consultation with representatives of labor organizations representing operators and employees of the air traffic control system, shall select for participation in the pilot program 7 airports as follows:

(A) 1 nonhub, primary airport.

(B) 3 nonprimary airports without existing air traffic control towers.

(C) 2 airports with air traffic control towers participating in a program established under section 47124 of title 49, United States Code.

(D) 1 airport selected at the discretion of the Secretary.

(2) **PRIORITY SELECTION.**—In selecting from among the applications submitted under subsection (b), the Secretary shall give priority to applicants that can best demonstrate the capabilities and potential of remote air traffic control towers, including applicants proposing to operate multiple remote air traffic control towers from a single facility.

(3) **AUTHORITY TO REALLOCATE AIRPORT SELECTION.**—If the Secretary receives an insufficient number of applications, the Secretary may reallocate the distribution of airport sites described in paragraph (1).

(d) **SAFETY RISK MANAGEMENT PANEL.**—

(1) **SAFETY RISK MANAGEMENT PANEL MEETING.**—Prior to the operational use of a remote air traffic control tower, the Secretary shall convene a safety risk management panel for the tower to address any safety issues with respect to the tower.

(2) **SAFETY RISK MANAGEMENT PANEL BEST PRACTICES.**—The safety risk management panels shall be created and utilized in a manner similar to that of safety risk management panels previously established for remote air traffic control towers, taking into account—

(A) best practices that have been developed; and

(B) operational data from remote air traffic control towers located in the United States.

(e) **AIRPORT IMPROVEMENT PROGRAM.**—The pilot program shall be eligible for airport improvement funding under chapter 471 of title 49, United States Code.

(f) **POSSIBLE EXPANSION OF PROGRAM.**—Not later than 30 days after the date that the first remote air traffic control tower is commissioned, the Administrator of the Federal Aviation Administration shall establish a repeatable process by which future certified remote air traffic control tower systems may be commissioned at additional airports.

(g) **DEFINITIONS.**—

(1) **IN GENERAL.**—In this section, the following definitions apply:

(A) **AIR NAVIGATION FACILITY.**—The term “air navigation facility” has the meaning given that term in section 40102(a) of title 49, United States Code.

(B) **REMOTE AIR TRAFFIC CONTROL TOWER.**—The term “remote air traffic control tower” means a remotely operated air navigation facility, including all necessary system components, that provides the functions and capabilities of an air traffic control tower.

(2) **APPLICABILITY OF OTHER DEFINITIONS.**—The terms “nonhub airport”, “primary airport”, and “public-use airport” have the meanings given such terms in section 47102 of title 49, United States Code.

(h) **SUNSET.**—The pilot program shall terminate on the date that is 3 years after the date of enactment of this Act.

SEC. 511. ENSURING FAA READINESS TO PROVIDE SEAMLESS OCEANIC OPERATIONS.

Not later than September 30, 2018, the Secretary of Transportation shall make a final investment decision for the implementation of a reduced oceanic separation capability that, by March 31, 2019, shall be operational and in use providing capabilities at least equivalent to that offered in neighboring airspace, and such service shall be provided in the same manner as terrestrial surveillance is provided.

SEC. 512. SENSE OF CONGRESS REGARDING WOMEN IN AVIATION.

It is the sense of Congress that the aviation industry should explore all opportunities, including pilot training, science, technology, engineering, and mathematics education, and mentorship programs, to encourage and support female students and aviators to pursue a career in aviation.

SEC. 513. OBSTRUCTION EVALUATION AERONAUTICAL STUDIES.

The Secretary of Transportation may implement the policy set forth in the notice of proposed policy titled “Proposal to Consider the Impact of One Engine Inoperative Procedures in Obstruction Evaluation Aeronautical Studies” published by the Depart-

ment of Transportation on April 28, 2014 (79 Fed. Reg. 23300), only if the policy is adopted pursuant to a notice and comment rule-making and, for purposes of Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review), is treated as a significant regulatory action within the scope of section 3(f)(1) of such Order.

SEC. 514. AIRCRAFT LEASING.

Section 44112(b) of title 49, United States Code, is amended—

(1) by striking “on land or water”; and

(2) by inserting “operational” before “control”.

SEC. 515. REPORT ON OBSOLETE TEST EQUIPMENT.

(a) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the National Test Equipment Program of the Federal Aviation Administration (in this section referred to as the “Program”).

(b) **CONTENTS.**—The report shall include—

(1) a list of all known outstanding requests for test equipment, cataloged by type and location, under the Program;

(2) a description of the current method under the Program of ensuring calibrated equipment is in place for utilization;

(3) a plan by the Administrator for appropriate inventory of such equipment;

(4) the Administrator’s recommendations for increasing multifunctionality in future test equipment and all known and foreseeable manufacturer technological advances; and

(5) a plan to replace, as appropriate, obsolete test equipment throughout the service areas.

SEC. 516. PILOTS SHARING FLIGHT EXPENSES WITH PASSENGERS.

(a) **GUIDANCE.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall make publicly available, in a clear and concise format, advisory guidance that describes how a pilot may share flight expenses with passengers in a manner consistent with Federal law, including regulations.

(2) **EXAMPLES INCLUDED.**—The guidance shall include examples of—

(A) flights for which pilots and passengers may share expenses;

(B) flights for which pilots and passengers may not share expenses;

(C) the methods of communication that pilots and passengers may use to arrange flights for which expenses are shared; and

(D) the methods of communication that pilots and passengers may not use to arrange flights for which expenses are shared.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date on which guidance is made publicly available under subsection (a), the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report analyzing Federal policy with respect to pilots sharing flight expenses with passengers.

(2) **EVALUATIONS INCLUDED.**—The report submitted under paragraph (1) shall include an evaluation of—

(A) the rationale for such Federal policy;

(B) safety and other concerns related to pilots sharing flight expenses with passengers; and

(C) benefits related to pilots sharing flight expenses with passengers.

SEC. 517. AVIATION RULEMAKING COMMITTEE FOR PART 135 PILOT REST AND DUTY RULES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to review, and develop findings and recommendations regarding, pilot rest and duty rules under part 135 of title 14, Code of Federal Regulations.

(b) DUTIES.—The Administrator shall—

(1) not later than 2 years after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report based on the findings of the aviation rulemaking committee; and

(2) not later than 1 year after the date of submission of the report under paragraph (1), issue a notice of proposed rulemaking based on any consensus recommendations reached by the aviation rulemaking committee.

(c) COMPOSITION.—The aviation rulemaking committee shall consist of members appointed by the Administrator, including—

(1) representatives of industry;

(2) representatives of aviation labor organizations, including collective bargaining units representing pilots who are covered by part 135 of title 14, Code of Federal Regulations, and subpart K of part 91 of such title; and

(3) aviation safety experts with specific knowledge of flight crewmember education and training requirements under part 135 of such title.

(d) CONSIDERATIONS.—The Administrator shall direct the aviation rulemaking committee to consider—

(1) recommendations of prior part 135 rulemaking committees;

(2) accommodations necessary for small businesses;

(3) scientific data derived from aviation-related fatigue and sleep research;

(4) data gathered from aviation safety reporting programs;

(5) the need to accommodate the diversity of operations conducted under part 135; and

(6) other items, as appropriate.

SEC. 518. METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.

(a) FINDINGS.—Congress finds that—

(1) the Metropolitan Washington Airports Authority (in this section referred to as “MWAA”), which operates Ronald Reagan Washington National Airport and Dulles International Airport by lease with the Department of Transportation, has routinely performed poorly on audits conducted by the Inspector General of the Department of Transportation;

(2) the responsible stewardship of taxpayer-owned assets by MWAA is of great concern to Congress;

(3) a March 20, 2015, audit conducted by the Inspector General titled “MWAA’s Office of Audit Does Not Have an Adequate Quality Assurance and Improvement Program” (Report No. ZA-2015-035) found that MWAA’s quality assurance and improvement program did not conform with the standards of the Institute of Internal Auditors; and

(4) the Inspector General’s audit made 7 recommendations to strengthen MWAA governance, its Office of Audit, and its quality assurance and improvement program.

(b) IMPLEMENTING AUDIT RECOMMENDATIONS.—

(1) STUDY.—The Inspector General of the Department of Transportation shall conduct a study on MWAA’s progress in implementing the recommendations of the audit referred to in subsection (a).

(2) REPORT.—The Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the study, including the Inspector General’s findings, conclusions, and recommendations for strengthening and improving MWAA’s Office of Audit.

SEC. 519. TERMINAL AERODROME FORECAST.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall permit a covered air carrier to operate to or from a location in a noncontiguous State without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if—

(1) such location is determined to be under visual meteorological conditions;

(2) a current Area Forecast, supplemented by other local weather observations or reports, is available; and

(3) an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified.

(b) PROCEDURES.—A covered air carrier shall—

(1) have approved procedures for dispatch or release and enroute weather evaluation; and

(2) operate under instrument flight rules enroute to the destination.

(c) COVERED AIR CARRIER DEFINED.—In this section, the term “covered air carrier” means an air carrier operating in a noncontiguous State under part 121 of title 14, Code of Federal Regulations.

SEC. 520. FEDERAL AVIATION ADMINISTRATION EMPLOYEES STATIONED ON GUAM.

It is the sense of Congress that—

(1) the Administrator of the Federal Aviation Administration and the Secretary of Defense should seek an agreement that would enable Federal Aviation Administration employees stationed on Guam to have access to Department of Defense hospitals, commissaries, and exchanges on Guam;

(2) access to these facilities is important to ensure the health and well-being of Federal Aviation Administration employees and their families; and

(3) in exchange for this access, the Federal Aviation Administration should make payments to cover the applicable administrative costs incurred by the Department of Defense in carrying out the agreement.

SEC. 521. TECHNICAL CORRECTIONS.

(a) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—Section 40104(c) of title 49, United States Code, is amended by striking “section 47176” and inserting “section 47175”.

(b) PASSENGER FACILITY CHARGES.—Section 40117(a)(5) of title 49, United States Code, is amended by striking “charge or charge” and inserting “charge”.

(c) OVERFLIGHTS OF NATIONAL PARKS.—Section 40128(a)(3) of title 49, United States Code, is amended by striking “under part 91 of the title 14,” and inserting “under part 91 of title 14.”

(d) PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN FOREIGN AIR CARRIER ACCIDENTS.—Section 41313(c)(16) of title 49, United States Code, is amended by striking “An assurance that the foreign air carrier” and inserting “An assurance that”.

(e) OPERATIONS OF CARRIERS.—The analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41718 and inserting the following:

“41718. Special rules for Ronald Reagan Washington National Airport.”

(f) SCHEDULES FOR CERTAIN TRANSPORTATION OF MAIL.—Section 41902(a) of title 49, United States Code, is amended by striking “section 41906” and inserting “section 41905”.

(g) WEIGHING MAIL.—Section 41907 of title 49, United States Code, is amended by striking “and -administrative” and inserting “and administrative”.

(h) STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.—Section 44718(b)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by striking “air navigation facilities and equipment” and inserting “air or space navigation facilities and equipment”; and

(2) in subparagraph (A)—

(A) in clause (v) by striking “and” at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

“(vi) the impact on launch and reentry for launch and reentry vehicles arriving or departing from a launch site or reentry site licensed by the Secretary of Transportation; and”.

(i) FEES INVOLVING AIRCRAFT NOT PROVIDING AIR TRANSPORTATION.—Section 45302 of title 49, United States Code, is amended by striking “44703(f)(2)” each place it appears and inserting “44703(g)(2)”.

(j) CHAPTER 465.—The analysis for chapter 465 of title 49, United States Code, is amended by striking the following:

“46503. Repealed.”

(k) SOLICITATION AND CONSIDERATION OF COMMENTS.—Section 47171(l) of title 49, United States Code, is amended by striking “4371” and inserting “4321”.

(l) ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.—Section 426 of the FAA Modernization and Reform Act of 2012 is amended—

(1) in subsection (a) (49 U.S.C. 41737 note) by striking “Secretary” and inserting “Secretary of Transportation”; and

(2) in subsection (c) (49 U.S.C. 41731 note) by striking “the Secretary may waive” and inserting “the Secretary of Transportation may waive”.

(m) AIRCRAFT DEPARTURE QUEUE MANAGEMENT PILOT PROGRAM.—Section 507(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44505 note) is amended by striking “section 48101(a)” and inserting “section 48101(a) of title 49, United States Code.”

SEC. 522. APPLICATION OF VETERANS’ PREFERENCE TO FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

Section 40122(g)(2)(B) of title 49, United States Code, is amended—

(1) by inserting “3304(f),” before “3308-3320”; and

(2) by inserting “3330a, 3330b, 3330c, and 3330d,” before “relating”.

SEC. 523. PUBLIC AIRCRAFT ELIGIBLE FOR LOGGING FLIGHT TIMES.

The Administrator of the Federal Aviation Administration shall issue regulations modifying section 61.51(j)(4) of title 14, Code of Federal Regulations, so as to include aircraft under the direct operational control of forestry and fire protection agencies as public aircraft eligible for logging flight times.

SEC. 524. FEDERAL AVIATION ADMINISTRATION WORKFORCE REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the Federal Aviation Administration (in this section referred to as the “FAA”) in the anticipated budgetary environment.

(b) CONTENTS.—In conducting the review, the Comptroller General shall—

(1) identify the long-term workforce and training needs of the FAA workforce;

(2) assess the impact of automation, digitalization, and artificial intelligence on the FAA workforce;

(3) analyze the skills and qualifications required of the FAA workforce for successful performance in the current and future projected aviation environment;

(4) review current performance incentive policies of the FAA, including awards for performance;

(5) analyze ways in which the FAA can work with industry and labor, including labor groups representing the FAA workforce, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(6) develop recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation regulatory system in the anticipated budgetary environment.

(c) **REPORT.**—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review.

SEC. 525. STATE TAXATION.

Section 40116(d)(2)(A) of title 49, United States Code, is amended by adding at the end the following:

“(v) except as otherwise provided under section 47133, levy or collect a tax, fee, or charge, first taking effect after the date of enactment of this clause, upon any business located at a commercial service airport or operating as a permittee of such an airport that is not generally imposed on sales or services by that State, political subdivision, or authority unless wholly utilized for airport or aeronautical purposes.”

SEC. 526. AVIATION AND AEROSPACE WORKFORCE OF THE FUTURE.

(a) **FINDINGS.**—Congress finds that—

(1) in 2016, United States air carriers carried a record high number of passengers on domestic flights, 719 million passengers;

(2) the United States aerospace and defense industry employed 1.7 million workers in 2015, or roughly 2 percent of the Nation's total employment base;

(3) the average salary of an employee in the aerospace and defense industry is 44 percent above the national average;

(4) in 2015, the aerospace and defense industry contributed nearly \$202.4 billion in value added to the United States economy;

(5) an effective aviation industry relies on individuals with unique skill sets, many of which can be directly obtained through career and technical education opportunities; and

(6) industry and the Federal Government have taken some actions to attract qualified individuals to careers in aviation and aerospace and to retain qualified individuals in such careers.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) public and private education institutions should make available to students and parents information on approved programs of study and career pathways, including career exploration, work-based learning opportunities, dual and concurrent enrollment opportunities, and guidance and advisement resources;

(2) public and private education institutions should partner with aviation and aerospace companies to promote career paths available within the industry and share in-

formation on the unique benefits and opportunities the career paths offer;

(3) aviation companies, including air carriers, manufacturers, commercial space companies, unmanned aircraft system companies, and repair stations, should create opportunities, through apprenticeships or other mechanisms, to attract young people to aviation and aerospace careers and to enable individuals to gain the critical skills needed to thrive in such professions; and

(4) the Federal Government should consider the needs of men and women interested in pursuing careers in the aviation and aerospace industry, the long-term personnel needs of the aviation and aerospace industry, and the role of aviation in the United States economy in the creation and administration of educational and financial aid programs.

SEC. 527. FUTURE AVIATION AND AEROSPACE WORKFORCE STUDY.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study—

(1) to identify the factors influencing the supply of individuals pursuing a career in the aviation or aerospace industry; and

(2) to identify best practices or programs to incentivize, recruit, and retain young people in aviation and aerospace professions.

(b) **CONSULTATION.**—The Comptroller General shall conduct the study in consultation with—

(1) appropriate Federal agencies; and

(2) the aviation and aerospace industry, institutions of higher education, and labor stakeholders.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study and related recommendations.

SEC. 528. FAA LEADERSHIP ON CIVIL SUPERSONIC AIRCRAFT.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft.

(b) **EXERCISE OF LEADERSHIP.**—In carrying out subsection (a), the Administrator shall—

(1) consider the needs of the aerospace industry and other stakeholders when creating policies, regulations, and standards that enable the safe commercial deployment of civil supersonic aircraft technology and the safe and efficient operation of civil supersonic aircraft; and

(2) obtain the input of aerospace industry stakeholders regarding—

(A) the appropriate regulatory framework and timeline for permitting the safe and efficient operation of civil supersonic aircraft within United States airspace, including updating or modifying existing regulations on such operation;

(B) issues related to standards and regulations for the type certification and safe operation of civil supersonic aircraft, including noise certification, including—

(i) the operational differences between subsonic aircraft and supersonic aircraft;

(ii) costs and benefits associated with landing and takeoff noise requirements for civil supersonic aircraft, including impacts on aircraft emissions;

(iii) public and economic benefits of the operation of civil supersonic aircraft and associated aerospace industry activity; and

(iv) challenges relating to ensuring that standards and regulations aimed at relieving

and protecting the public health and welfare from aircraft noise and sonic booms are economically reasonable, technologically practicable, and appropriate for civil supersonic aircraft; and

(C) other issues identified by the Administrator or the aerospace industry that must be addressed to enable the safe commercial deployment and safe and efficient operation of civil supersonic aircraft.

(c) **INTERNATIONAL LEADERSHIP.**—The Administrator, in the appropriate international forums, shall take actions that—

(1) demonstrate global leadership under subsection (a);

(2) address the needs of the aerospace industry identified under subsection (b); and

(3) protect the public health and welfare.

(d) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(1) the Administrator's actions to exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft;

(2) planned, proposed, and anticipated actions to update or modify existing policies and regulations related to civil supersonic aircraft, including those identified as a result of industry consultation and feedback; and

(3) a timeline for any actions to be taken to update or modify existing policies and regulations related to civil supersonic aircraft.

SEC. 529. OKLAHOMA REGISTRY OFFICE.

The Administrator of the Federal Aviation Administration shall consider the aircraft registry office in Oklahoma City, Oklahoma, as excepted during a Government shutdown or emergency (as it provides excepted services) to ensure that it remains open during any Government shutdown or emergency.

SEC. 530. FOREIGN AIR TRANSPORTATION UNDER UNITED STATES-EUROPEAN UNION AIR TRANSPORT AGREEMENT.

(a) **CERTAIN FOREIGN AIR TRANSPORTATION PERMITS.**—The Secretary of Transportation may not issue a permit under section 41302 of title 49, United States Code, or an exemption under section 40109 of such title, authorizing a person to provide foreign air transportation as a foreign air carrier under the United States-European Union Air Transport Agreement of April 2007 (as amended) in a proceeding in which the applicability of Article 17 bis of such Agreement has been raised by an interested person, unless the Secretary—

(1) finds that issuing the permit or exemption would be consistent with the intent set forth in Article 17 bis of the Agreement, that opportunities created by the Agreement do not undermine labor standards or the labor-related rights and principles contained in the laws of the respective parties to the Agreement; and

(2) imposes on the permit or exemption such conditions as may be necessary to ensure that the person complies with the intent of Article 17 bis.

(b) **PUBLIC INTEREST TEST.**—Section 41302(2) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking “under an agreement with the United States Government; or” and inserting “; and”; and

(2) in subparagraph (B) by striking “the foreign air transportation” and inserting “after considering the totality of the circumstances, including the factors set forth

in section 40101(a), the foreign air transportation”.

(c) **PUBLIC INTEREST REQUIREMENTS.**—

(1) **POLICY.**—Section 40101(a) of title 49, United States Code, is amended by adding at the end the following:

“(17) preventing entry into United States markets by flag of convenience carriers.”.

(2) **INTERNATIONAL AIR TRANSPORTATION.**—Section 40101(e)(9) of title 49, United States Code, is amended—

(A) in subparagraph (D) by striking “and” at the end;

(B) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) erosion of labor standards associated with flag of convenience carriers.”.

(3) **FLAG OF CONVENIENCE CARRIER DEFINED.**—Section 40102(a) of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(48) ‘flag of convenience carrier’ means a foreign air carrier that is established in a country other than the home country of its majority owner or owners in order to avoid regulations of the home country.”.

SEC. 531. TRAINING ON HUMAN TRAFFICKING FOR CERTAIN STAFF.

(a) **IN GENERAL.**—Chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§44737. Training on human trafficking for certain staff

“In addition to other training requirements, each air carrier shall provide training—

“(1) to ticket counter agents, gate agents, and other air carrier workers whose jobs require regular interaction with passengers; and

“(2) on recognizing and responding to potential human trafficking victims.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following: “44737. Training on human trafficking for certain staff.”.

SEC. 532. PART 107 IMPLEMENTATION IMPROVEMENTS.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall publish a direct final rule—

(1) revising section 107.205 of title 14, Code of Federal Regulations, by striking the second sentence of subsections (a) and (c); and

(2) revising section 107.25 of such title by striking “and is not transporting another person’s property for compensation or hire”.

(b) **DETERMINATION OF WAIVER.**—In determining whether to grant a waiver under part 107 of title 14, Code of Federal Regulations, to authorize transportation of another’s property for compensation or hire beyond the visual line of sight of the remote pilot, from a moving vehicle, or over people, the Administrator shall consider the technological capabilities of the unmanned aircraft system, the qualifications of the remote pilot, and the operational environment.

SEC. 533. PART 107 TRANSPARENCY AND TECHNOLOGY IMPROVEMENTS.

(a) **TRANSPARENCY.**—Not later than 30 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish on the Federal Aviation Administration website a representative sample of the safety justifications, offered by applicants for small unmanned aircraft system waivers and airspace authorizations, that have been approved by the Administration for each regulation

waived or class of airspace authorized, except that any published justification shall not reveal proprietary or commercially sensitive information.

(b) **TECHNOLOGY IMPROVEMENTS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall revise the online waiver and certificates of authorization processes—

(1) to provide real time confirmation that an application filed online has been received by the Administration; and

(2) to provide an applicant with an opportunity to review the status of the applicant’s application.

SEC. 534. PROHIBITIONS AGAINST SMOKING ON PASSENGER FLIGHTS.

Section 41706 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) **ELECTRONIC CIGARETTES.**—

“(1) **INCLUSION.**—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

“(2) **ELECTRONIC CIGARETTE DEFINED.**—In this section, the term ‘electronic cigarette’ means a device that delivers nicotine to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.”.

SEC. 535. CONSUMER PROTECTION REQUIREMENTS RELATING TO LARGE TICKET AGENTS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to require large ticket agents to adopt minimum customer service standards.

(b) **PURPOSE.**—The purpose of the final rule shall be to ensure that, to the maximum extent practicable, there is a consistent level of consumer protection regardless of where consumers purchase air fares and related air transportation services.

(c) **STANDARDS.**—In issuing the final rule, the Secretary shall consider, at a minimum, establishing standards for—

(1) providing prompt refunds when ticket refunds are due, including fees for optional services that consumers purchased but were not able to use due to a flight cancellation or oversale situation;

(2) providing an option to hold a reservation at the quoted fare without payment, or to cancel without penalty, for 24 hours;

(3) disclosing cancellation policies, seating configurations, and lavatory availability with respect to flights;

(4) notifying customers in a timely manner of itinerary changes; and

(5) responding promptly to customer complaints.

(d) **DEFINITIONS.**—In this section, the following shall apply:

(1) **TICKET AGENT.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the term “ticket agent” has the meaning given that term in section 40102(a) of title 49, United States Code.

(B) **INCLUSION.**—The term “ticket agent” includes a person who acts as an intermediary involved in the sale of air transportation directly or indirectly to consumers, including by operating an electronic airline information system, if the person—

(i) holds the person out as a source of information about, or reservations for, the air transportation industry; and

(ii) receives compensation in any way related to the sale of air transportation.

(2) **LARGE TICKET AGENT.**—The term “large ticket agent” means a ticket agent with annual revenues of \$100,000,000 or more.

SEC. 536. FAA DATA TRANSPARENCY.

Section 45303 of title 49, United States Code, is amended by adding at the end the following:

“(g) **DATA TRANSPARENCY.**—

“(1) **AIR TRAFFIC SERVICES INITIAL DATA REPORT.**—

“(A) **INITIAL REPORT.**—Not later than 6 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator and the Chief Operating Officer of the Air Traffic Organization shall, based upon the most recently available full fiscal year data, complete the following calculations for each segment of air traffic services users:

“(i) The total costs allocable to the use of air traffic services for that segment during such fiscal year.

“(ii) The total revenues received from that segment during such fiscal year.

“(B) **VALIDATION OF MODEL.**—

“(i) **REVIEW AND DETERMINATION.**—Not later than 3 months after completion of the initial report required under subparagraph (A), the Inspector General of the Department of Transportation shall review and determine the validity of the model used by the Administrator and the Chief Operating Officer to complete the calculations required under subparagraph (A).

“(ii) **VALIDATION PROCESS.**—In the event that the Inspector General determines that the model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A) is not valid—

“(I) the Inspector General shall provide the Administrator and Chief Operating Officer recommendations on how to revise the model;

“(II) the Administrator and the Chief Operating Officer shall complete the calculations required by subparagraph (A) utilizing the revised model and resubmit the revised initial report required under subparagraph (A) to the Inspector General; and

“(III) not later than 3 months after completion of the revised initial report required under subparagraph (A), the Inspector General shall review and determine the validity of the revised model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A).

“(iii) **ACCESS TO DATA.**—The Administrator and the Chief Operating Officer shall provide the Inspector General of the Department of Transportation with unfettered access to all data produced by the cost accounting system operated and maintained pursuant to subsection (e).

“(C) **REPORT TO CONGRESS.**—Not later than 60 days after completion of the review and receiving a determination that the model used is valid under subparagraph (B), the Administrator and the Chief Operating Officer shall submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report describing the results of the calculations completed under subparagraph (A).

“(D) **PUBLICATION.**—Not later than 60 days after submission of the report required under subparagraph (C), the Administrator and Chief Operating Officer shall publish the initial report, including any revision thereto if required as a result of the validation process for the model.

“(2) **AIR TRAFFIC SERVICES BIENNIAL DATA REPORTING.**—

“(A) BIENNIAL DATA REPORTING.—Not later than March 31, 2019, and biennially thereafter for 8 years, the Administrator and the Chief Operating Officer shall, using the validated model, complete the following calculations for each segment of air traffic services users for the most recent full fiscal year:

“(i) The total costs allocable to the use of the air traffic services for that segment.

“(ii) The total revenues received from that segment.

“(B) REPORT TO CONGRESS.—Not later than 15 days after completing the calculations under subparagraph (A), the Administrator and the Chief Operating Officer shall complete and submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report containing the results of such calculations.

“(C) PUBLICATION.—Not later than 60 days after completing the calculations pursuant to subparagraph (A), the Administrator and the Chief Operating Officer shall publish the results of such calculations.

“(3) SEGMENTS OF AIR TRAFFIC SERVICES USERS.—

“(A) IN GENERAL.—For purposes of this subsection, each of the following shall constitute a separate segment of air traffic services users:

“(i) Passenger air carriers conducting operations under part 121 of title 14, Code of Federal Regulations.

“(ii) All-cargo air carriers conducting operations under part 121 of such title.

“(iii) Operators covered by part 125 of such title.

“(iv) Air carriers and operators of piston-engine aircraft operating under part 135 of such title.

“(v) Air carriers and operators of turbine-engine aircraft operating under part 135 of such title.

“(vi) Foreign air carriers providing passenger air transportation.

“(vii) Foreign air carriers providing all-cargo air transportation.

“(viii) Operators of turbine-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

“(ix) Operators of piston-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

“(x) Operators covered by subpart (K) of part 91 of such title.

“(xi) Operators covered by part 133 of such title.

“(xii) Operators covered by part 136 of such title.

“(xiii) Operators covered by part 137 of such title.

“(xiv) Operators of public aircraft that qualify under section 40125.

“(xv) Operators of aircraft that neither take off from, nor land in, the United States.

“(B) ADDITIONAL SEGMENTS.—The Secretary may identify and include additional segments of air traffic users under paragraph (A) as revenue and air traffic services cost data becomes available for that additional segment of air traffic services users.

“(4) DEFINITIONS.—For purposes of this subsection:

“(A) AIR TRAFFIC SERVICES.—The term ‘air traffic services’ means services—

“(i) used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and provision of aeronautical information; and

“(ii) provided directly, or contracted for, by the Federal Aviation Administration.

“(B) AIR TRAFFIC SERVICES USER.—The term ‘air traffic services user’ means any individual or entity using air traffic services provided directly, or contracted for, by the Federal Aviation Administration within United States airspace or international airspace delegated to the United States.”

SEC. 537. AGENCY PROCUREMENT REPORTING REQUIREMENTS.

Section 40110(d) of title 49, United States Code, is amended by adding at the end the following:

“(5) ANNUAL REPORT ON THE PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—

“(A) REPORT.—Not later than 90 days after the end of the fiscal year, the Secretary of Transportation shall submit a report to Congress on the dollar amount of the acquisitions made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in such fiscal year.

“(B) CONTENTS.—The report required by subparagraph (A) shall separately indicate—

“(i) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States; and

“(ii) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

“(C) AVAILABILITY OF REPORT.—The Secretary shall make the report under subparagraph (A) publicly available on the agency’s website not later than 30 days after submission to Congress.”

SEC. 538. ZERO-EMISSION VEHICLES AND TECHNOLOGY.

(a) PASSENGER FACILITY CHARGE ELIGIBILITY.—Section 40117(a)(3) of title 49, United States Code, is amended by adding at the end the following:

“(H) A project for—

“(i) converting or retrofitting vehicles and ground support equipment into eligible zero-emission vehicles and equipment (as defined in section 47102); or

“(ii) acquiring, by purchase or lease, eligible zero-emission vehicles and equipment (as defined in section 47102).”

(b) AIRPORT IMPROVEMENT PROGRAM ELIGIBILITY.—

(1) AIRPORT DEVELOPMENT DEFINED.—Section 47102(3) of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(P) converting or retrofitting vehicles and ground support equipment into eligible zero-emission vehicles and equipment or acquiring, by purchase or lease, eligible zero-emission vehicles and equipment.

“(Q) constructing or modifying airport facilities to install a microgrid in order to provide increased resilience to severe weather, terrorism, and other causes of grid failures.”

(2) ADDITIONAL DEFINITIONS.—Section 47102 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(30) ‘eligible zero-emission vehicle and equipment’ means a zero-emission vehicle, equipment related to such a vehicle, and ground support equipment that includes zero-emission technology that is—

“(A) used exclusively at a commercial service airport; or

“(B) used exclusively to transport people or materials to and from a commercial service airport.

“(31) ‘microgrid’ means a localized grouping of electricity sources and loads that normally operates connected to and synchronous with the traditional centralized electrical grid, but can disconnect and func-

tion autonomously as physical or economic conditions dictate.

“(32) ‘zero-emission vehicle’ means a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations, or a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) under any possible operational modes and conditions.”

(3) SPECIAL APPORTIONMENT CATEGORIES.—Section 47117(e)(1)(A) of title 49, United States Code, is amended by inserting “for airport development described in section 47102(3)(P),” after “under section 47141.”

(c) ZERO-EMISSION PROGRAM.—Chapter 471 of title 49, United States Code, is amended—

(1) by striking section 47136;

(2) by redesignating section 47136a as section 47136; and

(3) in section 47136, as so redesignated, by striking subsections (a) and (b) and inserting the following:

“(a) IN GENERAL.—The Secretary of Transportation may establish a pilot program under which the sponsors of not less than 10 public-use airports may use funds made available under this chapter or section 48103 for use at such airports to carry out—

“(1) activities associated with the acquisition, by purchase or lease, and operation of zero-emission vehicles, including removable power sources for such vehicles; and

“(2) the construction or modification of infrastructure to facilitate the delivery of fuel and services necessary for the use of such vehicles.

“(b) ELIGIBILITY.—A public-use airport is eligible for participation in the program if the vehicles or ground support equipment are—

“(1) used exclusively at the airport; or

“(2) used exclusively to transport people or materials to and from the airport.”

(4) in section 47136, as so redesignated, by striking subsections (d) and (e) and inserting the following:

“(d) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program shall be the Federal share specified in section 47109.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The sponsor of a public-use airport may use not more than 10 percent of the amounts made available to the sponsor under the program in any fiscal year for—

“(A) technical assistance; and

“(B) project management support to assist the airport with the solicitation, acquisition, and deployment of zero-emission vehicles, related equipment, and supporting infrastructure.

“(2) PROVIDERS OF TECHNICAL ASSISTANCE.—To receive the technical assistance or project management support described in paragraph (1), participants in the program may use—

“(A) a nonprofit organization selected by the Secretary; or

“(B) a university transportation center receiving grants under section 5505 in the region of the airport.”

(5) in section 47136, as so redesignated, in subsection (f) by striking “section 47136” and inserting “the inherently low emission airport vehicle pilot program”; and

(6) in section 47136, as so redesignated, by adding at the end the following:

“(g) ALLOWABLE PROJECT COST.—The allowable project cost for the acquisition of a zero-emission vehicle shall be the total cost of purchasing or leasing the vehicle, including the cost of technical assistance or project management support described in subsection (e).

“(h) FLEXIBLE PROCUREMENT.—A sponsor of a public-use airport may use funds made available under the program to acquire, by

purchase or lease, a zero-emission vehicle and a removable power source in separate transactions, including transactions by which the airport purchases the vehicle and leases the removable power source.

“(i) TESTING REQUIRED.—A sponsor of a public-use airport may not use funds made available under the program to acquire a zero-emission vehicle unless that make, model, or type of vehicle has been tested by a Federal vehicle testing facility acceptable to the Secretary.

“(j) REMOVABLE POWER SOURCE DEFINED.—In this section, the term ‘removable power source’ means a power source that is separately installed in, and removable from, a zero-emission vehicle and may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero-emission vehicle.”

(d) CLERICAL AMENDMENT.—The analysis for chapter 471 of title 49, United States Code, is amended by striking the items relating to sections 47136 and 47136a and inserting the following:

“47136. Zero-emission airport vehicles and infrastructure.”

SEC. 539. EMPLOYEE ASSAULT PREVENTION AND RESPONSE PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a “part 121 air carrier”), shall submit to the Administrator of the Federal Aviation Administration for review and acceptance an Employee Assault Prevention and Response Plan related to the customer service agents of the air carrier and that is developed in consultation with the labor union representing such agents.

(b) CONTENTS OF PLAN.—An Employee Assault Prevention and Response Plan submitted under subsection (a) shall include the following:

(1) Reporting protocols for air carrier customer service agents who have been the victim of a verbal or physical assault.

(2) Protocols for the immediate notification of law enforcement after an incident of verbal or physical assault committed against an air carrier customer service agent.

(3) Protocols for informing Federal law enforcement with respect to violations of section 46503 of title 49, United States Code.

(4) Protocols for ensuring that a passenger involved in a violent incident with a customer service agent of an air carrier is not allowed to move through airport security or board an aircraft until appropriate law enforcement has had an opportunity to assess the incident and take appropriate action.

(5) Protocols for air carriers to inform passengers of Federal laws protecting Federal, airport, and air carrier employees who have security duties within an airport.

(c) EMPLOYEE TRAINING.—A part 121 air carrier shall conduct initial and recurrent training for all employees, including management, of the air carrier with respect to the plan required under subsection (a), which shall include training on de-escalating hostile situations, written protocols on dealing with hostile situations, and the reporting of relevant incidents.

SEC. 540. STUDY ON TRAINING OF CUSTOMER-FACING AIR CARRIER EMPLOYEES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall conduct a study on the training received by customer-facing employees of air carriers.

(b) CONTENTS.—The study shall include—

(1) an analysis of the training received by customer-facing employees with respect to the management of disputes on aircraft; and

(2) an examination of how institutions of higher learning, in coordination with air car-

riers, customer-facing employees and their representatives, consumer advocacy organizations, and other stakeholders, could—

(A) review such training and related practices;

(B) produce recommendations; and

(C) if determined appropriate, provide supplemental training.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 541. MINIMUM DIMENSIONS FOR PASSENGER SEATS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and after providing notice and an opportunity for comment, the Administrator of the Federal Aviation Administration shall issue regulations that establish minimum dimensions for passenger seats on aircraft operated by air carriers in interstate air transportation or intrastate air transportation, including minimums for seat pitch, width, and length, and that are necessary for the safety and health of passengers.

(b) DEFINITIONS.—The definitions contained in section 40102(a) of title 49, United States Code, apply to this section.

SEC. 542. STUDY OF GROUND TRANSPORTATION OPTIONS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study that examines the ground transportation options at the Nation's 10 busiest airports in order to—

(1) understand the impact of new and emerging transportation options for travelers to get into and out of airports;

(2) determine whether it is appropriate to use airport improvement funds and revenues from passenger facility charges to address traffic congestion and passenger travel times between urban commercial centers and airports; and

(3) review guidelines and requirements for airport improvement funds and passenger facility charges to determine under what conditions such funds may be used to address traffic congestion in urban commercial centers for travel to airports.

TITLE VI—DISASTER RECOVERY REFORM ACT

SEC. 601. APPLICABILITY.

Except as otherwise expressly provided, the amendments in this title to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) apply to each major disaster and emergency declared by the President on or after August 1, 2017, under such Act.

SEC. 602. STATE DEFINED.

In this title, the term “State” has the meaning given that term in section 102(4) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(4)).

SEC. 603. WILDFIRE PREVENTION.

(a) MITIGATION ASSISTANCE.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may provide hazard mitigation assistance in accordance with section 404 in any area affected by a fire for which assistance was provided under this section.”

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a)) (as amended by section 636(a) of this Act)—

(A) by inserting before the first period “, or any area affected by a fire for which assistance was provided under section 420”; and

(B) in the third sentence by inserting “or event under section 420” after “major disaster” each place it appears; and

(2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)), by inserting “or event under section 420” after “major disaster” each place it appears.

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Appropriations Committees of the Senate and the House of Representatives a report containing a summary of any projects carried out, and any funding provided to those projects, under subsection (d) of section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) (as amended by this section).

SEC. 604. ADDITIONAL ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(f) USE OF ASSISTANCE.—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by a wildfire or windstorm, including—

“(1) reseeding ground cover with quick-growing or native species;

“(2) mulching with straw or chipped wood;

“(3) constructing straw, rock, or log dams in small tributaries to prevent flooding;

“(4) placing logs and other erosion barriers to catch sediment on hill slopes;

“(5) installing debris traps to modify road and trail drainage mechanisms;

“(6) modifying or removing culverts to allow drainage to flow freely;

“(7) adding drainage ditches and constructing emergency spillways to keep roads and bridges from washing out during floods;

“(8) planting grass to prevent the spread of noxious weeds;

“(9) installing warning signs;

“(10) establishing defensible space measures;

“(11) reducing hazardous fuels; and

“(12) windstorm damage, including replacing or installing electrical transmission or distribution utility pole structures with poles that are resilient to extreme wind and combined ice and wind loadings for the basic wind speeds and ice conditions associated with the relevant location.”

SEC. 605. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.

Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

“(D) base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes for a period of not more than 180 days after the major disaster is declared.”

SEC. 606. PROGRAM IMPROVEMENTS.

(a) HAZARD MITIGATION.—Section 406(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(c)) is amended—

(1) in paragraph (1)(A), by striking “90 percent of”; and

(2) in paragraph (2)(A), by striking “75 percent of”.

(b) PARTICIPATION.—Section 428(d) of such Act (42 U.S.C. 5189f) is amended—

(1) by inserting “(1) IN GENERAL.—” before “Participation in”; and

(2) by adding at the end the following:

“(2) NO CONDITIONS.—The President may not condition the provision of Federal assistance under this Act on the election by a State, Tribal, or local government, or owner or operator of a private nonprofit facility to participate in the alternative procedures adopted under this section.”.

(c) CERTIFICATION.—Section 428(e)(1) of such Act (42 U.S.C. 5189f(e)(1)) is amended—

(1) in subparagraph (E), by striking “and” at the end;

(2) in subparagraph (F), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(G) once certified by a professionally licensed engineer and accepted by the Administrator, the estimates on which grants made pursuant to this section are based shall be presumed to be reasonable and eligible costs, as long as there is no evidence of fraud.”.

SEC. 607. PRIORITIZATION OF FACILITIES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall provide guidance and training on an annual basis to State, Tribal, and local governments, first responders, and utility companies on—

(1) the need to prioritize assistance to hospitals, nursing homes, and other long-term care facilities to ensure that such health care facilities remain functioning or return to functioning as soon as practicable during power outages caused by natural hazards, including severe weather events; and

(2) how hospitals, nursing homes and other long-term care facilities should adequately prepare for power outages during a major disaster or emergency.

SEC. 608. GUIDANCE ON EVACUATION ROUTES.

(a) IN GENERAL.—

(1) IDENTIFICATION.—The Administrator of the Federal Emergency Management Agency, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Tribal governments regarding the identification of evacuation routes.

(2) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, shall revise existing guidance or issue new guidance as appropriate for State, local, and Tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

(b) CONSIDERATIONS.—

(1) IDENTIFICATION.—In developing the guidance under subsection (a)(1), the Administrator of the Federal Emergency Management Agency shall consider—

(A) whether evacuation routes have resisted impacts and recovered quickly from disasters, regardless of cause;

(B) the need to evacuate special needs populations, including—

(i) individuals with a physical or mental disability;

(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes and other long-term care facilities, and detention centers;

(iii) individuals with limited-English proficiency;

(iv) the elderly; and

(v) individuals who are tourists, seasonal workers, or homeless;

(C) the sharing of information and other public communications with evacuees during evacuations;

(D) the sheltering of evacuees, including the care, protection, and sheltering of animals;

(E) the return of evacuees to their homes; and

(F) such other items the Administrator considers appropriate.

(2) DESIGN, CONSTRUCTION, MAINTENANCE, AND REPAIR.—In revising or issuing guidance under (a)(2), the Administrator of the Federal Highway Administration shall consider—

(A) methods that assist evacuation routes to—

(i) withstand likely risks to viability, including flammability and hydrostatic forces;

(ii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

(iii) provide for long-term cost savings;

(B) the ability of evacuation routes to effectively manage contraflow operations;

(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

(D) such other items the Administrator considers appropriate.

SEC. 609. DUPLICATION OF BENEFITS.

(a) IN GENERAL.—Section 312(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)) is amended by adding at the end the following:

“(4) WAIVER OF GENERAL PROHIBITION.—

“(A) IN GENERAL.—The President may waive the general prohibition provided in subsection (a) upon request of a Governor on behalf of the State or on behalf of a person, business concern, or any other entity suffering losses as a result of a major disaster or emergency, if the President finds such waiver is in the public interest and will not result in waste, fraud, or abuse. In making this decision, the President may consider the following:

“(i) The recommendations of the Administrator of the Federal Emergency Management Agency made in consultation with the Federal agency or agencies administering the duplicative program.

“(ii) If a waiver is granted, the assistance to be funded is cost effective.

“(iii) Equity and good conscience.

“(iv) Other matters of public policy considered appropriate by the President.

“(B) GRANT OR DENIAL OF WAIVER.—A request under subparagraph (A) shall be granted or denied not later than 45 days after submission of such request.

“(C) PROHIBITION ON DETERMINATION THAT LOAN IS A DUPLICATION.—Notwithstanding subsection (c), in carrying out subparagraph (A), the President may not determine that a loan is a duplication of assistance, provided that all Federal assistance is used toward a loss suffered as a result of the major disaster or emergency.”.

(b) FUNDING OF A FEDERALLY AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECT.—

(1) ELIGIBLE ACTIVITIES.—Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and its implementing regulations, assistance provided pursuant to section 404 of such Act may be used to fund activities authorized for construction within the scope of a federally authorized water re-

sources development project of the Army Corps of Engineers if such activities are also eligible activities under such section.

(2) FEDERAL FUNDING.—All Federal funding provided under section 404 pursuant to this section shall be applied toward the Federal share of such project.

(3) NON-FEDERAL MATCH.—All non-Federal matching funds required under section 404 pursuant to this section shall be applied toward the non-Federal share of such project.

(4) TOTAL FEDERAL SHARE.—Funding provided under section 404 pursuant to this section may not exceed the total Federal share for such project.

(5) NO EFFECT.—Nothing in this section shall—

(A) affect the cost-share requirement of a hazard mitigation measure under section 404;

(B) affect the eligibility criteria for a hazard mitigation measure under section 404;

(C) affect the cost share requirements of a federally authorized water resources development project; and

(D) affect the responsibilities of a non-Federal interest with respect to the project, including those related to the provision of lands, easements, rights-of-way, dredge material disposal areas, and necessary relocations.

(c) APPLICABILITY.—This section shall apply to each disaster and emergency declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) after January 1, 2016.

SEC. 610. STATE ADMINISTRATION OF ASSISTANCE FOR DIRECT TEMPORARY HOUSING AND PERMANENT HOUSING CONSTRUCTION.

Section 408(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)) is amended—

(1) in paragraph (1), by striking the paragraph heading and inserting “STATE- OR TRIBAL-ADMINISTERED ASSISTANCE AND OTHER NEEDS ASSISTANCE.”;

(2) in paragraph (1)(A)—

(A) by striking “financial”; and

(B) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e) if the President and the State or Tribal government comply, as determined by the Administrator, with paragraph (3)”;

(3) in paragraph (1)(B)—

(A) by striking “financial”; and

(B) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e)”;

and

(4) by adding at the end the following:

“(3) IN GENERAL.—

“(A) APPLICATION.—A State or Tribal government desiring to provide assistance under subsection (c)(1)(B), (c)(4), or (e) shall submit to the President an application for a grant to provide financial assistance under the program.

“(B) CRITERIA.—The President, in consultation and coordination with State, Tribal, and local governments, shall establish criteria for the approval of applications submitted under subparagraph (A). The criteria shall include, at a minimum—

“(i) the demonstrated ability of the State or Tribal government to manage the program under this section;

“(ii) there being in effect a plan approved by the President as to how the State or Tribal government will comply with applicable Federal laws and regulations and how the State or Tribal government will provide assistance under its plan;

“(iii) a requirement that the State, Tribal, or local government comply with rules and regulations established pursuant to subsection (j); and

“(iv) a requirement that the President, or the designee of the President, comply with subsection (i).

“(C) **QUALITY ASSURANCE.**—Before approving an application submitted under this section, the President, or the designee of the President, shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for this program and for programs under subsections (c)(1)(B), (c)(4), and (e). The President shall monitor and conduct quality assurance activities on a State or Tribal government’s implementation of programs under subsections (c)(1)(B), (c)(4), and (e). If, after approving an application of a State or Tribal government submitted under this section, the President determines that the State or Tribal government is not administering the program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

“(D) **AUDITS.**—The Office of the inspector general shall provide for periodic audits of the programs administered by States and Tribal governments under this subsection.

“(E) **APPLICABLE LAWS.**—All Federal laws applicable to the management, administration, or contracting of the programs by the Federal Emergency Management Agency under this section shall be applicable to the management, administration, or contracting by a non-Federal entity under this section.

“(F) **REPORT.**—Not later than 18 months after the date of enactment of this paragraph, the inspector general of the Department of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the State or Tribal government’s role to provide assistance under this section. The report shall contain an assessment of the effectiveness of the State or Tribal government’s role to provide assistance under this section, including—

“(i) whether the State or Tribal government’s role helped to improve the general speed of disaster recovery;

“(ii) whether the State or Tribal government providing assistance under this section had the capacity to administer this section; and

“(iii) recommendations for changes to improve the program if the State or Tribal government’s role to administer the programs should be continued.

“(G) **PROHIBITION.**—The President may not condition the provision of Federal assistance under this Act by a State or Tribal government requesting a grant under this section.

“(H) **MISCELLANEOUS.**—

“(i) **NOTICE AND COMMENT.**—The Administrator may waive notice and comment rulemaking, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program until such regulations are promulgated.

“(ii) **FINAL RULE.**—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall issue final regulations to implement this subsection as amended by the Disaster Recovery Reform Act.

“(iii) **WAIVER AND EXPIRATION.**—The authority under clause (i) and any pilot program implemented pursuant to such clause shall expire 2 years after the date of enactment of this paragraph or upon issuance of final regulations pursuant to clause (ii), whichever occurs sooner.”

SEC. 611. ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(h) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(h)) is amended—

(1) in paragraph (1), by inserting “, excluding financial assistance to rent alternate housing accommodations under subsection (c)(1)(A)(i) and financial assistance to address other needs under subsection (e)” after “disaster”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

“(2) **OTHER NEEDS ASSISTANCE.**—The maximum financial assistance any individual or household may receive under subsection (e) shall be equivalent to the amount set forth in paragraph (1) with respect to a single major disaster.”;

(4) in paragraph (3) (as so redesignated), by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”;

(5) by inserting after paragraph (3) (as so redesignated) the following:

“(4) **EXCLUSION OF NECESSARY EXPENSES FOR INDIVIDUALS WITH DISABILITIES.**—

“(A) The maximum amount of assistance established under paragraph (1) shall exclude expenses to repair or replace damaged accessibility-related improvements under paragraphs (2), (3), and (4) of subsection (c) for individuals with disabilities.

“(B) The maximum amount of assistance established under paragraph (2) shall exclude expenses to repair or replace accessibility-related personal property under subsection (e)(2) for individuals with disabilities.”.

SEC. 612. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.

(a) **LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.**—Section 408(c)(1)(B)(ii)(II) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(II)) is amended to read as follows:

“(II) **IMPROVEMENTS OR REPAIRS.**—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs shall be deducted from the value of the lease agreement.”.

(b) **RENTAL PROPERTIES IMPACTED.**—Section 408(c)(1)(B)(ii)(I)(aa) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(I)(aa)) is amended to read as follows:

“(aa) enter into lease agreements with owners of multifamily rental property impacted by a major disaster or located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and”.

(c) **INSPECTOR GENERAL REPORT.**—Not later than 2 years after the date of the enactment of this Act, the inspector general of the Department of Homeland Security shall assess the use of the authority provided under section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)), including the adequacy of any benefit-cost analysis done to justify the use of this alternative, and submit a report on the results of that review to the appropriate committees of Congress.

SEC. 613. PRIVATE NONPROFIT FACILITY.

Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended in paragraph (1)(B) by inserting “food banks,” after “shelter workshops.”.

SEC. 614. MANAGEMENT COSTS.

Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b) is amended—

(1) in subsection (a) by striking “any administrative expense, and any other expense

not directly chargeable to” and inserting “direct administrative cost, and any other administrative expense associated with”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) **IN GENERAL.**—Notwithstanding”;

(B) by striking “establish” and inserting the following: “implement”; and

(C) by adding at the end the following:

“(2) **SPECIFIC MANAGEMENT COSTS.**—The Administrator shall provide the following percentage rates, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

“(A) **HAZARD MITIGATION.**—A grantee under section 404 may be reimbursed not more than 15 percent of the total amount of the grant award under such section of which not more than 10 percent may be used by the grantee and 5 percent by the subgrantee for such costs.

“(B) **PUBLIC ASSISTANCE.**—A grantee under sections 403, 406, 407, and 502 may be reimbursed not more than 12 percent of the total award amount under such sections, of which not more than 7 percent may be used by the grantee and 5 percent by the subgrantee for such costs.”.

SEC. 615. FLEXIBILITY.

(a) **DEFINITION.**—In this section, the term “covered assistance” means assistance provided—

(1) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(2) in relation to a major disaster or emergency declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) on or after October 28, 2012.

(b) **WAIVER AUTHORITY.**—Notwithstanding section 3716(e) of title 31, United States Code, the Administrator of the Federal Emergency Management Agency—

(1) subject to paragraph (2), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

(A) the covered assistance was distributed based on an error by the Federal Emergency Management Agency;

(B) there was no fault on behalf of the debtor; and

(C) the collection of the debt would be against equity and good conscience; and

(2) may not waive a debt under paragraph (1) if the debt involves fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim.

(c) **MONITORING OF COVERED ASSISTANCE DISTRIBUTED BASED ON ERROR.**—

(1) **IN GENERAL.**—The inspector general of the Department of Homeland Security shall monitor the distribution of covered assistance to individuals and households to determine the percentage of such assistance distributed based on an error.

(2) **REMOVAL OF WAIVER AUTHORITY BASED ON EXCESSIVE ERROR RATE.**—If the inspector general determines, with respect to any 12-month period, that the amount of covered assistance distributed based on an error by the Federal Emergency Management Agency exceeds 4 percent of the total amount of covered assistance distributed—

(A) the inspector general shall notify the Administrator and publish the determination in the Federal Register; and

(B) with respect to any major disaster or emergency declared by the President under section 401 or section 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42

U.S.C. 5191) after the date on which the determination is published under subparagraph (A), the authority of the Administrator to waive debt under subsection (b) shall no longer be effective.

SEC. 616. ADDITIONAL DISASTER ASSISTANCE.

(a) **DISASTER MITIGATION.**—Section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) is amended by adding at the end the following:

“(e) **DISASTER MITIGATION.**—In providing assistance pursuant to subsection (c)(2), if appropriate and as applicable, the Secretary may encourage hazard mitigation in assistance provided pursuant to such subsection.”.

(b) **EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.**—Section 661(d) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761(d)) is amended by striking “for fiscal year 2008” and inserting “for each of fiscal years 2018 through 2022”.

(c) **EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.**—Section 662(f) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762(f)) is amended by striking “the program” and all that follows through “2012” and inserting “the program, for each of fiscal years 2018 through 2022”.

(d) **TECHNICAL AMENDMENT.**—Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended by striking the second subparagraph (J).

SEC. 617. NATIONAL VETERINARY EMERGENCY TEAMS.

(a) **IN GENERAL.**—The Administrator of the Federal Emergency Management Agency may establish one or more national veterinary emergency teams at accredited colleges of veterinary medicine.

(b) **RESPONSIBILITIES.**—A national veterinary emergency team shall—

(1) deploy with a team of the National Urban Search and Rescue Response System to assist with—

(A) veterinary care of canine search teams;

(B) locating and treating companion animals, service animals, livestock, and other animals; and

(C) surveillance and treatment of zoonotic diseases;

(2) recruit, train, and certify veterinary professionals, including veterinary students, in accordance with an established set of plans and standard operating guidelines to carry out the duties associated with planning for and responding to emergencies as described in paragraph (1);

(3) assist State, Tribal, and local governments and nonprofit organizations in developing emergency management and evacuation plans that account for the care and rescue of animals and in improving local readiness for providing veterinary medical response during a disaster; and

(4) coordinate with the Department of Homeland Security, the Department of Health and Human Services, the Department of Agriculture, State, Tribal, and local governments (including departments of animal and human health), veterinary and health care professionals, and volunteers.

SEC. 618. DISPUTE RESOLUTION PILOT PROGRAM.

Section 1105(c) of the Sandy Recovery Improvement Act of 2013 (42 U.S.C. 5189a note) is amended by striking “2015” and inserting “2022”.

SEC. 619. UNIFIED FEDERAL ENVIRONMENTAL AND HISTORIC PRESERVATION REVIEW.

(a) **REVIEW AND ANALYSIS.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall review the

Unified Federal Environmental and Historic Preservation review process established pursuant to section 429 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189g), and submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes the following:

(1) An analysis of whether and how the unified process has expedited the interagency review process to ensure compliance with the environmental and historic requirements under Federal law relating to disaster recovery projects.

(2) A survey and analysis of categorical exclusions used by other Federal agencies that may be applicable to any activity related to a Presidentially declared major disaster or emergency under such Act.

(3) Recommendations on any further actions, including any legislative proposals, needed to expedite and streamline the review process.

(b) **REGULATIONS.**—After completing the review, survey, and analyses under subsection (a), but not later than 2 years after the date of enactment of this Act, and after providing notice and opportunity for public comment, the Administrator shall issue regulations to implement any regulatory recommendations, including any categorical exclusions identified under subsection (a), to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations, and section II of DHS Instruction Manual 023-01-001-01.

SEC. 620. CLOSEOUT INCENTIVES.

(a) **FACILITATING CLOSEOUT.**—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended by adding at the end the following:

“(d) **FACILITATING CLOSEOUT.**—

“(1) **INCENTIVES.**—The Administrator may develop incentives and penalties that encourage State, Tribal, or local governments to close out expenditures and activities on a timely basis related to disaster or emergency assistance.

“(2) **AGENCY REQUIREMENTS.**—The Agency shall, consistent with applicable regulations and required procedures, meet its responsibilities to improve closeout practices and reduce the time to close disaster program awards.”.

(b) **REGULATIONS.**—The Administrator shall issue regulations to implement this section.

SEC. 621. PERFORMANCE OF SERVICES.

Section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149) is amended by adding at the end the following:

“(c) The Administrator of the Federal Emergency Management Agency is authorized to appoint temporary personnel, after serving continuously for 3 years, to positions in the Agency in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions. An individual appointed under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.”.

SEC. 622. STUDY TO STREAMLINE AND CONSOLIDATE INFORMATION COLLECTION.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall—

(1) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, conduct a study and develop a plan, consistent with law, under which the

collection of information from disaster assistance applicants and grantees will be modified, streamlined, expedited, efficient, flexible, consolidated, and simplified to be less burdensome, duplicative, and time consuming for applicants and grantees;

(2) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, develop a plan for the regular collection and reporting of information on Federal disaster assistance awarded, including the establishment and maintenance of a website for presenting the information to the public; and

(3) submit the plans to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 623. AGENCY ACCOUNTABILITY.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act is amended by adding at the end the following:

“SEC. 430. AGENCY ACCOUNTABILITY.

“(a) **PUBLIC ASSISTANCE.**—Not later than 5 days after an award of a public assistance grant is made under section 406 that is in excess of \$1,000,000, the Administrator shall publish on the Agency’s website the specifics of each such grant award, including—

“(1) identifying the Federal Emergency Management Agency Region;

“(2) the disaster or emergency declaration number;

“(3) the State, county, and applicant name;

“(4) if the applicant is a private nonprofit organization;

“(5) the damage category code;

“(6) the amount of the Federal share obligated; and

“(7) the date of the award.

“(b) **MISSION ASSIGNMENTS.**—

“(1) **IN GENERAL.**—Not later than 5 days after the issuance of a mission assignment or mission assignment task order, the Administrator shall publish on the Agency’s website any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of \$1,000,000, including—

“(A) the name of the impacted State or Tribe;

“(B) the disaster declaration for such State or Tribe;

“(C) the assigned agency;

“(D) the assistance requested;

“(E) a description of the disaster;

“(F) the total cost estimate;

“(G) the amount obligated;

“(H) the State or Tribal cost share, if applicable;

“(I) the authority under which the mission assignment or mission assignment task order was directed; and

“(J) if applicable, the date a State or Tribe requested the mission assignment.

“(2) **RECORDING CHANGES.**—Not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in paragraph (1) is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated.

“(c) **DISASTER RELIEF MONTHLY REPORT.**—Not later than 10 days after the first day of each month, the Administrator shall publish on the Agency’s website reports, including a specific description of the methodology and the source data used in developing such reports, including—

“(1) an estimate of the amounts for the fiscal year covered by the President’s most recent budget pursuant to section 1105(a) of title 31, United States Code, including—

“(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

“(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

“(C) the amount of obligations for non-catastrophic events for the budget year;

“(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

“(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current fiscal year, the budget year, and each fiscal year thereafter;

“(F) the amount of previously obligated funds that will be recovered for the budget year;

“(G) the amount that will be required for obligations for emergencies, as described in section 102(1), major disasters, as described in section 102(2), fire management assistance grants, as described in section 420, surge activities, and disaster readiness and support activities; and

“(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii)); and

“(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, published by the Administrator on the Agency's website not later than the fifth day of each month:

“(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

“(B) A table of disaster relief activity delineated by month, including—

“(i) the beginning and ending balances;

“(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

“(iii) the obligations for catastrophic events delineated by event and by State; and

“(iv) the amount of previously obligated funds that are recovered.

“(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

“(D) The cost of the following categories of spending:

“(i) Public assistance.

“(ii) Individual assistance.

“(iii) Mitigation.

“(iv) Administrative.

“(v) Operations.

“(vi) Any other relevant category (including emergency measures and disaster resources) delineated by disaster.

“(E) The date on which funds appropriated will be exhausted.

“(d) CONTRACTS.—

“(1) INFORMATION.—Not later than 10 days after the first day of each month, the Administrator shall publish on the Agency's website the specifics of each contract in excess of \$1,000,000 that the Agency enters into, including—

“(A) the name of the party;

“(B) the date the contract was awarded;

“(C) the amount and scope of the contract;

“(D) if the contract was awarded through competitive bidding process;

“(E) if no competitive bidding process was used, the reason why competitive bidding was not used; and

“(F) the authority used to bypass the competitive bidding process.

The information shall be delineated by disaster, if applicable, and specify the damage category code, if applicable.

“(2) REPORT.—Not later than 10 days after the last day of the fiscal year, the Adminis-

trator shall provide a report to the appropriate committees of Congress summarizing the following information for the preceding fiscal year:

“(A) The number of contracts awarded without competitive bidding.

“(B) The reasons why a competitive bidding process was not used.

“(C) The total amount of contracts awarded with no competitive bidding.

“(D) The damage category codes, if applicable, for contracts awarded without competitive bidding.”

SEC. 624. AUDIT OF CONTRACTS.

Notwithstanding any other provision of law, the Administrator of the Federal Emergency Management Agency shall not reimburse a State, Tribe, or local government or the owner or operator of a private nonprofit facility for any activities made pursuant to a contract entered into after August 1, 2017, that prohibits the Administrator or the Comptroller General of the United States from auditing or otherwise reviewing all aspects relating to the contract.

SEC. 625. INSPECTOR GENERAL AUDIT OF FEMA CONTRACTS FOR TARPS AND PLASTIC SHEETING.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the inspector general of the Department of Homeland Security shall initiate an audit of the contracts awarded by the Federal Emergency Management Agency (in this section referred to as “FEMA”) for tarps and plastic sheeting for the Commonwealth of Puerto Rico and the United States Virgin Islands in response to Hurricane Irma and Hurricane Maria.

(b) CONSIDERATIONS.—In carrying out the audit under subsection (a), the inspector general shall review—

(1) the contracting process used by FEMA to evaluate offerors and award the relevant contracts to contractors;

(2) FEMA's assessment of the past performance of the contractors, including any historical information showing that the contractors had supported large-scale delivery quantities in the past;

(3) FEMA's assessment of the capacity of the contractors to carry out the relevant contracts, including with respect to inventory, production, and financial capabilities;

(4) how FEMA ensured that the contractors met the terms of the relevant contracts; and

(5) whether the failure of the contractors to meet the terms of the relevant contracts and FEMA's subsequent cancellation of the relevant contracts affected the provision of tarps and plastic sheeting to the Commonwealth of Puerto Rico and the United States Virgin Islands.

(c) REPORT.—Not later than 270 days after the date of initiation of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the audit, including findings and recommendations.

SEC. 626. RELIEF ORGANIZATIONS.

Section 309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5152) is amended—

(1) in subsection (a), by striking “and other relief or” and inserting “long-term recovery groups, domestic hunger relief, and other relief, or”; and

(2) in subsection (b), by striking “and other relief or” and inserting “long-term recovery groups, domestic hunger relief, and other relief, or”.

SEC. 627. GUIDANCE ON INUNDATED AND SUBMERGED ROADS.

The Administrator of the Federal Emergency Management Agency, in coordination

with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Tribal governments regarding repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster, and for associated expenses incurred by the Government, with respect to roads eligible for assistance under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 628. AUTHORITIES.

Notwithstanding any other provision of law, the non-federally funded actions of private parties and State, local, or Tribal governments, on State, local, Tribal, and private land, and the effects of those actions, shall not be attributed to the Federal Emergency Management Agency's actions under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (subtitle A of title II of division F of Public Law 112-141; 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113-89; 128 Stat. 1020) for the purposes of section 7 (16 U.S.C. 1536) and section 9 (16 U.S.C. 1538) of the Endangered Species Act. Actions taken under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, the Biggert-Waters Flood Insurance Reform Act of 2012, and the Homeowner Flood Insurance Affordability Act of 2014, that may influence private actions do not create a Federal nexus for the purpose of applying the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

SEC. 629. RECOUPMENT OF CERTAIN ASSISTANCE PROHIBITED.

(a) IN GENERAL.—Notwithstanding section 3716(e) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Federal Emergency Management Agency may not take any action to recoup covered assistance from the recipient of such assistance if the receipt of such assistance occurred on a date that is more than 3 years before the date on which the Federal Emergency Management Agency first provides to the recipient written notification of an intent to recoup.

(b) COVERED ASSISTANCE DEFINED.—In this section, the term “covered assistance” means assistance provided—

(1) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(2) in relation to a major disaster or emergency declared by the President under section 401 or 501 of such Act (42 U.S.C. 5170; 42 U.S.C. 5191) on or after January 1, 2012.

SEC. 630. STATUTE OF LIMITATIONS.

(a) IN GENERAL.—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended—

(1) in subsection (a)(1)—

(A) by striking “Except” and inserting “Notwithstanding section 3716(e) of title 31, United States Code, and except”; and

(B) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(2) in subsection (b)—

(A) in paragraph (1) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(B) in paragraph (3) by inserting “for project completion as certified by the grantee” after “final expenditure report”.

(b) APPLICABILITY.—

(1) IN GENERAL.—With respect to disaster or emergency assistance provided to a State or local government on or after January 1, 2004—

(A) no administrative action may be taken to recover a payment of such assistance after the date of enactment of this Act if the action is prohibited under section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205(a)(1)), as amended by subsection (a); and

(B) any administrative action to recover a payment of such assistance that is pending on such date of enactment shall be terminated if the action is prohibited under section 705(a)(1) of that Act, as amended by subsection (a).

(2) **LIMITATION.**—This section, including the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

SEC. 631. TECHNICAL ASSISTANCE AND RECOMMENDATIONS.

(a) **TECHNICAL ASSISTANCE.**—The Administrator of the Federal Emergency Management Agency shall provide technical assistance to a common interest community that provides essential services of a governmental nature on actions that a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from the Agency for certain activities performed after an event that results in a disaster declaration.

(b) **RECOMMENDATIONS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a legislative proposal on how to provide eligibility for disaster assistance with respect to common areas of condominiums and housing cooperatives.

SEC. 632. GUIDANCE ON HAZARD MITIGATION ASSISTANCE.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue guidance regarding the acquisition of property for open space as a mitigation measure under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) that includes—

(1) a process by which the State hazard mitigation officer appointed for such an acquisition shall, not later than 60 days after the applicant for assistance enters into an agreement with the Administrator regarding the acquisition, provide written notification to each affected unit of local government for such acquisition that includes—

- (A) the location of the acquisition;
- (B) the State-local assistance agreement for the hazard mitigation grant program;
- (C) a description of the acquisition; and
- (D) a copy of the deed restriction; and

(2) recommendations for entering into and implementing a memorandum of understanding between units of local government and covered entities that includes provisions to allow an affected unit of local government notified under paragraph (1) to—

(A) use and maintain the open space created by such a project, consistent with section 404 (including related regulations, standards, and guidance) and consistent with all adjoining property, subject to the notification of the adjoining property, so long as the cost of the maintenance is borne by the local government; and

(B) maintain the open space pursuant to standards exceeding any local government standards defined in the agreement with the Administrator described under paragraph (1).

(b) **DEFINITIONS.**—In this section the following definitions apply:

(1) **AFFECTED UNIT OF LOCAL GOVERNMENT.**—The term “affected unit of local govern-

ment” means any entity covered by the definition of local government in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that has jurisdiction over the property subject to the acquisition described in subsection (a).

(2) **COVERED ENTITY.**—The term “covered entity” means—

(A) the grantee or subgrantee receiving assistance for an open space project described in subsection (a);

(B) the State in which such project is located; and

(C) the applicable Regional Administrator of the Federal Emergency Management Agency.

SEC. 633. LOCAL IMPACT.

In making recommendations to the President regarding a major disaster declaration, the Administrator of the Federal Emergency Management Agency shall give greater weight and consideration to severe local impact or recent multiple disasters. Further, the Administrator shall make corresponding adjustments to the Agency’s policies and regulations regarding such consideration. Not later than 1 year after the date of enactment of this section, the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the changes made to regulations and policies and the number of declarations that have been declared based on the new criteria.

SEC. 634. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is further amended by adding at the end the following:

“(g) **USE OF ASSISTANCE.**—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquake hazards, including—

“(1) improvements to regional seismic networks in support of building a capability for earthquake early warning;

“(2) improvements to geodetic networks in support of building a capability for earthquake early warning; and

“(3) improvements to seismometers, Global Positioning System receivers, and associated infrastructure in support of building a capability for earthquake early warning.”.

SEC. 635. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER HAZARD MITIGATION.

(a) **PREDISASTER HAZARD MITIGATION.**—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (c) by inserting “Public Infrastructure” after “the National”;

(2) in subsection (e)(1)(B)—

(A) by striking “or” at the end of clause (ii);

(B) by striking the period at the end of clause (iii) and inserting “; or”;

(C) by adding at the end the following:

“(iv) to establish and carry out enforcement activities to implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters.”;

(3) in subsection (f)—

(A) in paragraph (1) by inserting “for mitigation activities that are cost effective” after “competitive basis”; and

(B) by adding at the end the following:

“(3) **REDISTRIBUTION OF UNOBLIGATED AMOUNTS.**—The President may—

“(A) withdraw amounts of financial assistance made available to a State (including amounts made available to local governments of a State) under this subsection that remain unobligated by the end of the third fiscal year after the fiscal year for which the amounts were allocated; and

“(B) in the fiscal year following a fiscal year in which amounts were withdrawn under subparagraph (A), add the amounts to any other amounts available to be awarded on a competitive basis pursuant to paragraph (1).”;

(4) in subsection (g)—

(A) in paragraph (9) by striking “and” at the end;

(B) by redesignating paragraph (10) as paragraph (12); and

(C) by adding after paragraph (9) the following:

“(10) the extent to which the State or local government has facilitated the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters;

“(11) the extent to which the assistance will fund activities that increase the level of resiliency; and”;

(5) by striking subsection (i) and inserting the following:

“(i) **NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER MITIGATION ASSISTANCE.**—

“(1) **IN GENERAL.**—The President may set aside from the Disaster Relief Fund, with respect to each major disaster, an amount equal to 6 percent of the estimated aggregate amount of the grants to be made pursuant to sections 403, 406, 407, 408, 410, and 416 for the major disaster in order to provide technical and financial assistance under this section.

“(2) **ESTIMATED AGGREGATE AMOUNT.**—Not later than 180 days after each major disaster declaration pursuant to this Act, the estimated aggregate amount of grants for purposes of paragraph (1) shall be determined by the President and such estimated amount need not be reduced, increased, or changed due to variations in estimates.

“(3) **NO REDUCTION IN AMOUNTS.**—The amount set aside pursuant to paragraph (1) shall not reduce the amounts otherwise made available for sections 403, 404, 406, 407, 408, 410, and 416 under this Act.”;

(6) by striking subsections (j) and (m) and redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively.

(b) **APPLICABILITY.**—The amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by paragraphs (3) and (5) of subsection (a) shall apply to funds appropriated after the date of enactment of this Act.

SEC. 636. ADDITIONAL MITIGATION ACTIVITIES.

(a) **HAZARD MITIGATION CLARIFICATION.**—Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended by striking the first sentence and inserting the following: “The President may contribute up to 75 percent of the cost of hazard mitigation measures which the President has determined are cost effective and which substantially reduce the risk of, or increase resiliency to, future damage, hardship, loss, or

suffering in any area affected by a major disaster.”.

(b) ELIGIBLE COST.—Section 406(e)(1)(A) of such Act (42 U.S.C. 5172(e)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting after “section,” the following: “for disasters declared on or after August 1, 2017, or a disaster in which a cost estimate has not yet been finalized for a project.”;

(2) in clause (i), by striking “and”;

(3) in clause (ii)—

(A) by striking “codes, specifications, and standards” and inserting “the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purposes of protecting the health, safety, and general welfare of a facility’s users against disasters”;

(B) by striking “applicable at the time at which the disaster occurred”;

(C) by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(iii) in a manner that allows the facility to meet the definition of resilient developed pursuant to this subsection.”.

(c) OTHER ELIGIBLE COST.—Section 406(e)(1) of such Act (42 U.S.C. 5172(e)(1)) is further amended by inserting at the end the following:

“(C) CONTRIBUTIONS.—Contributions for the eligible cost made under this section may be provided on an actual cost basis or on cost-estimation procedures.”.

(d) NEW RULES.—Section 406(e) of such Act (42 U.S.C. 5172(e)) is further amended by adding at the end the following:

“(5) NEW RULES.—

“(A) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the President, acting through the Administrator of the Federal Emergency Management Agency, shall issue a final rulemaking that defines the terms ‘resilient’ and ‘resiliency’ for purposes of this subsection.

“(B) INTERIM GUIDANCE.—Not later than 60 days after the date of enactment of this paragraph, the Administrator shall issue interim guidance to implement this subsection. Such interim guidance shall expire 18 months after the date of enactment of this paragraph or upon issuance of final regulations pursuant to subparagraph (A), whichever occurs first.

“(C) GUIDANCE.—Not later than 90 days after the date on which the Administrator issues the final rulemaking under this paragraph, the Administrator shall issue any necessary guidance related to the rulemaking.

“(D) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall submit to Congress a report summarizing the regulations and guidance issued pursuant to this paragraph.”.

(e) CONFORMING AMENDMENT.—Section 205(d)(2) of the Disaster Mitigation Act of 2000 (Public Law 106-390) is amended by inserting “(B)” after “except that paragraph (1)”.

TITLE VII—FLIGHT R&D ACT

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the “FAA Leadership in Groundbreaking High-Tech Research and Development Act” or the “FLIGHT R&D Act”.

SEC. 702. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) FAA.—The term “FAA” means the Federal Aviation Administration.

(3) NASA.—The term “NASA” means the National Aeronautics and Space Administration.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—Section 48102(a) of title 49, United States Code, is amended—

(1) in the matter before paragraph (1) by striking “and, for each of fiscal years 2012 through 2015, under subsection (g)”;

(2) at the end of paragraph (9), by striking “and”;

(3) by striking paragraph (10) and inserting the following:

“(10) for fiscal year 2018, \$181,000,000, including—

“(A) \$128,500,000 for Safety Research and Development programs, including—

“(i) Fire Research and Safety;

“(ii) Propulsion and Fuel Systems;

“(iii) Advanced Materials/Structural Safety;

“(iv) Aircraft Icing/Digital System Safety;

“(v) Continued Airworthiness;

“(vi) Aircraft Catastrophic Failure Prevention Research;

“(vii) Flightdeck/Maintenance/System Integration Human Factors;

“(viii) System Safety Management;

“(ix) Air Traffic Control/Technical Operations Human Factors;

“(x) Aeromedical Research;

“(xi) Weather Program;

“(xii) Unmanned Aircraft Systems Research;

“(xiii) NextGen-Alternative Fuels for General Aviation;

“(xiv) Joint Planning and Development Office;

“(xv) Ocean and Other Remote Locations ATS Research Program;

“(xvi) Cybersecurity Research Program;

“(xvii) Cybersecurity Threat Modeling Program;

“(xviii) Single Piloted Commercial Cargo Aircraft Program; and

“(xix) UAV-Manned Aircraft Collision Research Program;

“(B) \$26,000,000 for Economic Competitiveness Research and Development programs, including—

“(i) NextGen-Wake Turbulence;

“(ii) NextGen-Air Ground Integration Human Factors;

“(iii) Next Gen-Weather Technology in the Cockpit; and

“(iv) Commercial Space Transportation Safety;

“(C) \$20,000,000 for Environmental Sustainability Research and Development programs, including—

“(i) Environment and Energy; and

“(ii) NextGen-Environmental Research-Aircraft Technologies, Fuels and Metrics; and

“(D) \$6,500,000 for Mission Support programs, including—

“(i) System Planning and Resource Management; and

“(ii) William J. Hughes Technical Center Laboratory Facility;

“(11) for fiscal year 2019, \$186,000,000, including—

“(A) \$131,000,000 for Safety Research and Development programs, including—

“(i) Fire Research and Safety;

“(ii) Propulsion and Fuel Systems;

“(iii) Advanced Materials/Structural Safety;

“(iv) Aircraft Icing/Digital System Safety;

“(v) Continued Airworthiness;

“(vi) Aircraft Catastrophic Failure Prevention Research;

“(vii) Flightdeck/Maintenance/System Integration Human Factors;

“(viii) System Safety Management;

“(ix) Air Traffic Control/Technical Operations Human Factors;

“(x) Aeromedical Research;

“(xi) Weather Program;

“(xii) Unmanned Aircraft Systems Research;

“(xiii) NextGen-Alternative Fuels for General Aviation;

“(xiv) Joint Planning and Development Office;

“(xv) Ocean and Other Remote Locations ATS Research Program;

“(xvi) Cybersecurity Research Program;

“(xvii) Cybersecurity Threat Modeling Program;

“(xviii) Single Piloted Commercial Cargo Aircraft Program; and

“(xix) UAV-Manned Aircraft Collision Research Program;

“(B) \$28,000,000 for Economic Competitiveness Research and Development programs, including—

“(i) NextGen-Wake Turbulence;

“(ii) NextGen-Air Ground Integration Human Factors;

“(iii) Next Gen-Weather Technology in the Cockpit; and

“(iv) Commercial Space Transportation Safety;

“(C) \$20,000,000 for Environmental Sustainability Research and Development programs, including—

“(i) Environment and Energy; and

“(ii) NextGen-Environmental Research-Aircraft Technologies, Fuels and Metrics; and

“(D) \$7,000,000 for Mission Support programs, including—

“(i) System Planning and Resource Management; and

“(ii) William J. Hughes Technical Center Laboratory Facility;

“(12) for fiscal year 2020, \$190,000,000, including—

“(A) \$133,500,000 for Safety Research and Development programs, including—

“(i) Fire Research and Safety;

“(ii) Propulsion and Fuel Systems;

“(iii) Advanced Materials/Structural Safety;

“(iv) Aircraft Icing/Digital System Safety;

“(v) Continued Airworthiness;

“(vi) Aircraft Catastrophic Failure Prevention Research;

“(vii) Flightdeck/Maintenance/System Integration Human Factors;

“(viii) System Safety Management;

“(ix) Air Traffic Control/Technical Operations Human Factors;

“(x) Aeromedical Research;

“(xi) Weather Program;

“(xii) Unmanned Aircraft Systems Research;

“(xiii) NextGen-Alternative Fuels for General Aviation;

“(xiv) Joint Planning and Development Office;

“(xv) Ocean and Other Remote Locations ATS Research Program;

“(xvi) Cybersecurity Research Program;

“(xvii) Cybersecurity Threat Modeling Program;

“(xviii) Single Piloted Commercial Cargo Aircraft Program; and

“(xix) UAV-Manned Aircraft Collision Research Program;

“(B) \$29,000,000 for Economic Competitiveness Research and Development programs, including—

“(i) NextGen-Wake Turbulence;

“(ii) NextGen-Air Ground Integration Human Factors;

“(iii) Next Gen–Weather Technology in the Cockpit; and

“(iv) Commercial Space Transportation Safety;

“(C) \$20,000,000 for Environmental Sustainability Research and Development programs, including—

“(i) Environment and Energy; and

“(ii) NextGen–Environmental Research–Aircraft Technologies, Fuels and Metrics; and

“(D) \$7,500,000 for Mission Support programs, including—

“(i) System Planning and Resource Management; and

“(ii) William J. Hughes Technical Center Laboratory Facility;

“(13) for fiscal year 2021, \$195,000,000;

“(14) for fiscal year 2022, \$200,000,000; and

“(15) for fiscal year 2023, \$204,000,000.”

(b) CONTINGENCY FUNDING.—Section 48102(b) of title 49, United States Code, is amended by inserting after paragraph (3) the following:

“(4) Notwithstanding subsection (a), no funds are authorized for a fiscal year for Environmental Sustainability Research and Development programs unless the full amount authorized for that fiscal year under subsection (a) for the all of the following programs is appropriated for that fiscal year:

“(A) Safety Research and Development programs.

“(B) Economic Competitiveness Research and Development programs.

“(C) Mission Support programs.”

(c) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—Section 48102(g) of title 49, United States Code, is amended to read as follows:

“(g) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—Notwithstanding subsection (a), no funds are authorized to be appropriated for the Office of the Administrator for a fiscal year unless the Secretary has submitted the national aviation research plan to Congress no later than the date of submission of the President’s budget request to Congress for that fiscal year, as required under section 44501(c).”

Subtitle B—FAA Research and Development Organization

SEC. 711. ASSOCIATE ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT.

(a) APPOINTMENT.—Not later than 3 months after the date of enactment of this Act, the Administrator shall appoint an Associate Administrator for Research and Development.

(b) SENIOR EXECUTIVE SERVICE.—The Associate Administrator for Research and Development shall be a Senior Executive Service position.

(c) RESPONSIBILITIES.—The Associate Administrator for Research and Development shall, at a minimum, be responsible for—

(1) management and oversight of all the FAA’s research and development programs and activities; and

(2) production of all congressional reports from the FAA relevant to research and development, including the national aviation research plan required under section 44501(c) of title 49, United States Code.

(d) DUAL APPOINTMENT.—The Associate Administrator for Research and Development may be a dual-appointment, holding the responsibilities of another Associate Administrator.

SEC. 712. RESEARCH ADVISORY COMMITTEE.

(a) ADVICE AND RECOMMENDATIONS.—Section 44508(a)(1)(A) of title 49, United States Code, is amended to read as follows:

“(A) provide advice and recommendations to the Administrator of the Federal Aviation Administration and Congress about needs, objectives, plans, approaches, content, and

accomplishments of all aviation research and development activities and programs carried out, including those under sections 40119, 44504, 44505, 44507, 44511–44513, and 44912 of this title;”.

(b) WRITTEN REPLY TO RESEARCH ADVISORY COMMITTEE.—Section 44508 of title 49, United States Code, is amended by adding at the end the following:

“(f) WRITTEN REPLY.—

“(1) IN GENERAL.—Not later than 60 days after receiving any recommendation from the research advisory committee, the Administrator shall provide a written reply to the research advisory committee that, at a minimum—

“(A) clearly states whether the Administrator accepts or rejects the recommendations;

“(B) explains the rationale for the Administrator’s decision;

“(C) sets forth the timeframe in which the Administrator will implement the recommendation; and

“(D) describes the steps the Administrator will take to implement the recommendation.

“(2) TRANSPARENCY.—The written reply to the research advisory committee, when transmitted to the research advisory committee, shall be—

“(A) made publicly available on the research advisory committee website; and

“(B) transmitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(3) NATIONAL AVIATION RESEARCH PLAN.—The national aviation research plan required under section 44501(c) shall include a summary of all research advisory committee recommendations and a description of the status of their implementation.”

Subtitle C—Unmanned Aircraft Systems

SEC. 721. UNMANNED AIRCRAFT SYSTEMS RESEARCH AND DEVELOPMENT ROADMAP.

No funds are authorized to be appropriated for the Office of the Administrator for a fiscal year unless the Secretary has submitted the unmanned aircraft systems roadmap to Congress on an annual basis as required under section 44502(a) of title 49, United States Code, (as added by this Act).

SEC. 722. PROBABILISTIC METRICS FOR EXEMPTIONS.

(a) STUDY.—Not later than 30 days after the date of enactment of this Act, the Administrator shall commission an independent study to—

(1) develop parameters to conduct research and development for probabilistic metrics to enable the identification of hazards and the assessment of risks as necessary to make determinations under section 44505(a) of title 49, United States Code, (as added by this Act) that certain unmanned aircraft systems may operate safely in the national airspace system;

(2) identify additional research needed to more effectively develop and use such metrics and make such determinations; and

(3) in developing parameters for probabilistic metrics, this study shall take into account the utility of performance standards to make determinations under section 44505(a) of title 49, United States Code, (as added by this Act).

(b) CONSIDERATION OF RESULTS.—The Administrator shall consider the results of the study conducted under subsection (a) when making a determination described in subsection (a)(1).

(c) REPORT.—Not later than 9 months after the date of enactment of this Act, the Administrator shall transmit the results of the study conducted under subsection (a) to the

Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 723. PROBABILISTIC ASSESSMENT OF RISKS.

The Administrator shall conduct research and development to enable a probabilistic assessment of risks to inform requirements for standards for operational certification of public unmanned aircraft systems in the national airspace.

SEC. 724. UNMANNED AERIAL VEHICLE-MANNED AIRCRAFT COLLISION RESEARCH.

(a) RESEARCH.—The Administrator shall coordinate with NASA to conduct comprehensive testing of unmanned aerial vehicles colliding with a manned aircraft, including—

(1) collisions between unmanned aerial vehicles of various sizes, traveling at various speeds, and commercial jet airliners of various sizes, traveling at various speeds;

(2) collisions between unmanned aerial vehicles of various sizes, traveling at various speeds, and propeller planes of various sizes, traveling at various speeds;

(3) collisions between unmanned aerial vehicles of various sizes, traveling at various speeds, and blimps of various sizes, traveling at various speeds;

(4) collisions between unmanned aerial vehicles of various sizes, traveling at various speeds, and rotorcraft of various sizes, traveling at various speeds; and

(5) collisions between unmanned aerial vehicles and various parts of the aforementioned aircraft, including—

(A) windshields;

(B) noses;

(C) engines;

(D) radomes;

(E) propellers; and

(F) wings.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall transmit a report summarizing the costs and results of research under this section to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 725. SPECIAL RULE FOR RESEARCH AND DEVELOPMENT.

Except as necessary to support enforcement action under applicable provisions of law against persons operating unmanned aircraft in a manner that endangers the safety of the national airspace system, notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into FAA plans and policies, the Administrator may not promulgate any rule or regulation regarding the operation of an unmanned aircraft system—

(1) that is flown strictly for research and development use;

(2) that is operated less than 400 feet above the ground and in Class G airspace;

(3) that is operated in a manner that does not interfere with and gives way to any manned aircraft; and

(4) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (unmanned aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).

SEC. 726. BEYOND LINE-OF-SIGHT RESEARCH AND DEVELOPMENT.

(a) AMENDMENTS.—Section 332(c)(2) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended—

(1) by striking “Administrator shall” and inserting “Administrator”;

(2) at the beginning of each of subparagraphs (A) through (F), by inserting “shall”;

(3) at the end of subparagraph (E), by striking “and”;

(4) at the end of subparagraph (F), by striking the period and inserting a semicolon; and

(5) by adding at the end the following new subparagraphs:

“(G) shall allow beyond line-of-sight operation of unmanned aircraft systems to be flown within the boundaries of a test range established under this subsection;

“(H) may promulgate regulations governing beyond line-of-sight operation of unmanned aircraft systems flown within the boundaries of a test range established under this subsection for the purposes of public safety; and

“(I) shall allow NASA to authorize operation of beyond line-of-sight unmanned aircraft systems within the boundaries of any NASA center or facility.”.

(b) STATUTORY CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed to limit the authority of the Administrator to pursue enforcement action under applicable provisions of law against persons operating unmanned aircraft in a manner that endangers the safety of the national airspace system.

Subtitle D—Cybersecurity**SEC. 731. CYBER TESTBED.**

Not later than 6 months after the date of enactment of this Act, the Administrator shall develop an integrated Cyber Testbed for research, development, evaluation, and validation of air traffic control modernization programs or technologies, before they enter the national airspace system, as being compliant with FAA data security regulations. The Cyber Testbed shall be part of an integrated research and development test environment capable of creating, identifying, defending, and solving cybersecurity-related problems for the national airspace system. This integrated test environment shall incorporate integrated test capacities within the FAA related to the national airspace system and NextGen.

SEC. 732. CABIN COMMUNICATIONS, ENTERTAINMENT, AND INFORMATION TECHNOLOGY SYSTEMS CYBERSECURITY VULNERABILITIES.

(a) EVALUATION.—The Administrator shall evaluate and determine the research and development needs associated with cybersecurity vulnerabilities of cabin communications, entertainment, and information technology systems on civil passenger aircraft. This evaluation shall include research and development to address—

(1) technical risks and vulnerabilities;

(2) potential impacts on the national airspace and public safety; and

(3) identification of deficiencies in cabin-based cybersecurity.

(b) ASSESSMENT.—The Administrator shall—

(1) conduct an assessment of opportunities to cooperate with the private sector in conducting aircraft in-cabin cybersecurity research and development; and

(2) provide recommendations to improve research and development on cabin-based cybersecurity vulnerabilities.

(c) REPORT.—Not later than 9 months after the date of enactment of this Act, the Administrator shall transmit a report on the results of activities under this section to the Committee on Science, Space, and Tech-

nology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. This report may contain classified annexes.

SEC. 733. CYBERSECURITY THREAT MODELING.

(a) PROGRAM.—

(1) IN GENERAL.—The Administrator shall consult the National Institute of Standards and Technology to research and develop an internal FAA cybersecurity threat modeling program to detect cybersecurity vulnerabilities, track how those vulnerabilities might be exploited, and assess the magnitude of harm that could be caused by the exploitation of those vulnerabilities.

(2) UPDATES.—This program shall be updated regularly, not less than once every 5 years.

(b) REPORT.—Not later than one year after the date of enactment of this Act, and within 7 days of each threat modeling program update under subsection (a)(2), the Administrator shall transmit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing the status, results, and composition of the threat modeling program.

SEC. 734. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY STANDARDS.

Not later than 6 months after the date of enactment of this Act, the FAA shall, in consultation with the National Institute of Standards and Technology, transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a cybersecurity standards plan to implement National Institute of Standards and Technology revisions to cybersecurity guidance documents within timeframes set by the Office of Management and Budget; and

(2) an explanation of why any such recommendations are not incorporated in the plan or are not incorporated within such timeframes.

SEC. 735. CYBERSECURITY RESEARCH COORDINATION.

The Administrator shall, where feasible, cooperate on cybersecurity research and development with other international air traffic management organizations, including the European Aviation Safety Agency, the United Kingdom Civil Aviation Authority, Nav Canada, and Aircservices Australia.

SEC. 736. CYBERSECURITY RESEARCH AND DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the FAA, in consultation with other agencies as appropriate, shall establish a research and development program to improve the cybersecurity of civil aircraft and the national airspace system.

(b) PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the FAA shall develop a plan for the research and development program established under subsection (a) that contains objectives, proposed tasks, milestones, and a 5-year budgetary profile.

(2) NATIONAL ACADEMIES’ STUDY.—The Administrator shall—

(A) enter into an arrangement with the National Academies for a study of the plan developed under paragraph (1); and

(B) provide the results of that study to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than

18 months after the date of enactment of this Act.

Subtitle E—FAA Research and Development Activities**SEC. 741. RESEARCH PLAN FOR THE CERTIFICATION OF NEW TECHNOLOGIES INTO THE NATIONAL AIRSPACE SYSTEM.**

Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with NASA, shall transmit a comprehensive research plan for the certification of new technologies into the national airspace system to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. This plan shall identify research necessary to support the certification and implementation of NextGen, including both ground and air elements, and explain the plan’s relationship to other activities and procedures required for certification and implementation of new technologies into the national airspace system. This plan shall be informed by and conform to the recommendations of the National Research Council report titled “Transformation in the Air—A Review of the FAA Research Plan”, issued on June 8, 2015. This report shall include, at a minimum—

(1) a description of the strategic and prescriptive value of the research plan;

(2) an explanation of the expected outcomes from executing the plan;

(3) an assessment of the FAA’s plan to use research and development to improve cybersecurity over the next 5 years, taking into account the cybersecurity research and development plan developed under section 736(b);

(4) an assessment of the current software assurance practices, and the desired level or attributes to target in the software assurance program;

(5) cost estimates, planned schedules, and performance benchmarks, including specific tasks, milestones, and timelines and including an identification of cost and schedule reserves, for the certification of new technologies into the national airspace system, including NextGen, Automatic Dependent Surveillance-Broadcast, Data Communications, National Airspace System Voice System, Collaborative Air Traffic Management Technologies, NextGen Weather, and System Wide Information Management;

(6) methods for integrating emerging technologies throughout NextGen’s development, certification, and implementation process; and

(7) best practices in research and development used by other organizations, such as NASA, NavCanada, and Eurocontrol.

SEC. 742. AVIATION FUEL RESEARCH, DEVELOPMENT, AND USAGE.

The Administrator may conduct or supervise research, development, and service testing, currently being conducted under the Piston Aviation Fuels Initiative (PAFI) unleaded avgas program, that is required to allow the use of an unleaded aviation gasoline in existing aircraft as a replacement for leaded gasoline.

SEC. 743. AIR TRAFFIC SURVEILLANCE OVER OCEANS AND OTHER REMOTE LOCATIONS.

(a) ESTABLISHMENT OF PROGRAM.—The Administrator, in consultation with NASA and other relevant agencies, shall establish a research and development program on civilian air traffic surveillance over oceans and other remote locations. Such program shall—

(1) take into account the need for international interoperability of technologies and air traffic control systems; and

(2) recognize that Automatic Dependent Surveillance-Broadcast (ADS-B) is an element of the Next Generation Air Transportation System.

(b) **PILOT PROGRAM.**—The Administrator shall establish a pilot program to test, evaluate, and certify for integration into the national airspace system air traffic surveillance equipment for oceans and other remote locations.

(c) **PARTNERSHIP WITH PRIVATE INDUSTRY.**—The Administrator shall partner with private industry on the research, development, testing, and evaluation under this section.

(d) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall transmit a report on activities under this section to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 744. SINGLE-PILOTED COMMERCIAL CARGO AIRCRAFT.

(a) **PROGRAM.**—The FAA, in consultation with NASA and other relevant agencies, shall establish a research and development program in support of single-piloted cargo aircraft assisted with remote piloting and computer piloting.

(b) **REVIEW.**—The FAA, in consultation with NASA, shall conduct a review of FAA research and development activities in support of single-piloted cargo aircraft assisted with remote piloting and computer piloting.

(c) **REPORT.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall transmit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that describes—

(1) the program established under subsection (a); and

(2) the results of the review conducted under subsection (b).

SEC. 745. ELECTROMAGNETIC SPECTRUM RESEARCH AND DEVELOPMENT.

The Administrator shall develop a program to research the use of spectrum in the civil aviation domain, including aircraft and unmanned aircraft systems. This research shall, at a minimum, address—

(1) how, operating within an Unmanned Aircraft System Traffic Management system, unmanned aircraft systems can safely use, for control link, tracking, diagnostics, payload communication, collaborative-collision avoidance (e.g. vehicle-to-vehicle communications), and other purposes—

(A) aviation-protected spectrum;

(B) commercial communications networks, such as mobile communications networks; and

(C) any other licensed or unlicensed spectrum;

(2) how the reallocation of spectrum assigned for use within frequency bands adjacent to those allocated for position, navigation, and timing may impact the safety of civil aviation; and

(3) measures to protect and mitigate against spectrum interference in frequency bands used by the civil aviation community to ensure public safety.

TITLE VIII—AVIATION REVENUE PROVISIONS

SEC. 801. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) **IN GENERAL.**—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking “October 1, 2018” and inserting “October 1, 2023”; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting “or the FAA Reauthorization Act of 2018;”.

(b) **CONFORMING AMENDMENT.**—Section 9502(e)(2) of such Code is amended by striking “October 1, 2018” and inserting “October 1, 2023”.

SEC. 802. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) **FUEL TAXES.**—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(b) **TICKET TAXES.**—

(1) **PERSONS.**—Section 4261(k)(1)(A)(ii) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(2) **PROPERTY.**—Section 4271(d)(1)(A)(ii) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(c) **FRACTIONAL OWNERSHIP PROGRAMS.**—

(1) **FUEL TAX.**—Section 4043(d) of such Code is amended by striking “September 30, 2021” and inserting “September 30, 2023”.

(2) **TREATMENT AS NONCOMMERCIAL AVIATION.**—Section 4083(b) of such Code is amended by striking “October 1, 2018” and inserting “October 1, 2023”.

(3) **EXEMPTION FROM TICKET TAXES.**—Section 4261(j) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in part A of House Report 115-650 and amendments en bloc described in House Resolution 839.

Each such amendment printed in part A of the report may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1330

AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115-650.

Mr. SHUSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, strike lines 19 through 22 and insert the following:

(b) **AUTHORIZED EXPENDITURES.**—Section 48101(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking “Automated Surface Observation System/Automated Weather Observing System Upgrade” and inserting “Authorized Expenditures”; and

(2) by striking “may be used for the implementation” and all that follows through the period at the end and inserting the following: “may be used for the following:

“(1) The implementation and use of upgrades to the current automated surface observation system/automated weather observing system, if the upgrade is successfully demonstrated.

“(2) The acquisition and construction of remote air traffic control towers (as defined in section 510 of the FAA Reauthorization Act of 2018).

“(3) The remediation and elimination of identified cybersecurity vulnerabilities in the air traffic control system.

“(4) The construction of facilities dedicated to improving the cybersecurity of the National Airspace System.

“(5) Systems associated with the Data Communications program.

“(6) The infrastructure, sustainment, and the elimination of the deferred maintenance backlog of air navigation facilities and other facilities for which the Federal Aviation Administration is responsible.

“(7) The modernization and digitization of the Civil Aviation Registry.

“(8) The construction of necessary Priority 1 National Airspace System facilities.

“(9) Cost-beneficial construction, rehabilitation, or retrofitting programs designed to reduce Federal Aviation Administration facility operating costs.”.

Page 8, line 13, strike “\$2,920,000,000” and insert “\$3,330,000,000”.

Page 8, line 14, strike “\$2,984,000,000” and insert “\$3,398,000,000”.

Page 8, line 15, strike “\$3,049,000,000” and insert “\$3,469,000,000”.

Page 8, line 16, strike “\$3,118,000,000” and insert “\$3,547,000,000”.

Page 8, line 17, strike “\$3,190,000,000” and insert “\$3,624,000,000”.

Page 8, line 18, strike “\$3,263,000,000” and insert “\$3,701,000,000”.

Page 9, line 5, strike “\$10,231,000,000” and insert “\$10,247,000,000”.

Page 9, line 6, strike “\$10,434,000,000” and insert “\$10,486,000,000”.

Page 9, line 7, strike “\$10,639,000,000” and insert “\$10,732,000,000”.

Page 9, line 8, strike “\$10,861,000,000” and insert “\$11,000,000,000”.

Page 9, line 10, strike “\$11,095,000,000” and insert “\$11,269,000,000”.

Page 9, line 12, strike “\$11,329,000,000” and insert “\$11,537,000,000”.

Page 9, after line 13, insert the following:

(b) **AUTHORIZED EXPENDITURES.**—Section 106(k)(2) of title 49, United States Code, is amended by adding at the end the following:

“(D) Not more than the following amounts for commercial space transportation activities:

“(i) \$22,587,000 for fiscal year 2018.

“(ii) \$33,038,000 for fiscal year 2019.

“(iii) \$43,500,000 for fiscal year 2020.

“(iv) \$54,970,000 for fiscal year 2021.

“(v) \$64,449,000 for fiscal year 2022.

“(vi) \$75,938,000 for fiscal year 2023.”.

Page 9, line 14, strike “(b)” and insert “(c)”.

At the end of subtitle C of title I, add the following:

SEC. 1. SUPPLEMENTAL DISCRETIONARY FUNDS.

Section 47115 of title 49, United States Code, is further amended by adding at the end the following:

“(j) **SUPPLEMENTAL DISCRETIONARY FUNDS.**—

“(1) **IN GENERAL.**—The Secretary shall establish a program to provide grants, subject to the conditions of this subsection, for any purpose for which amounts are made available under section 48103 that the Secretary considers most appropriate to carry out this subchapter.

“(2) **TREATMENT OF GRANTS.**—

“(A) **IN GENERAL.**—A grant made under this subsection shall be treated as having been made pursuant to the Secretary’s authority under section 47104(a) and from the Secretary’s discretionary fund under subsection (a) of this section.

“(B) **EXCEPTION.**—Except as otherwise provided in this subsection, grants made under this subsection shall not be subject to subsection (c), section 47117(e), or any other apportionment formula, special apportionment

category, or minimum percentage set forth in this chapter.

“(3) **ELIGIBILITY.**—The Secretary may provide grants under this subsection only for projects—

“(A) at a nonprimary airport that—

“(i) is classified as a regional, local, or basic airport, as determined using the Department of Transportation’s most recently published classification; and

“(ii) is not located within a Metropolitan Statistical Area (as defined by the Office of Management and Budget);

“(B) at a nonhub, small hub, or medium hub airport; or

“(C) at an airport receiving an exemption under section 47134.

“(4) **FEDERAL SHARE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Government’s share of allowable project costs under this subsection is 80 percent.

“(B) **SUBMISSION.**—In applying for a grant under this subsection, an airport sponsor that proposes a lower Government share of allowable project costs than the share specified in subparagraph (A) shall receive priority commensurate with the reduction in such share. Projects shall receive equal priority consideration if such project—

“(i) has a proposed Government cost share of 50 percent or less; or

“(ii) is at an airport receiving an exemption under section 47134.

“(5) **AUTHORIZATION.**—

“(A) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out this subsection the following amounts:

“(i) \$1,020,000,000 for fiscal year 2019.

“(ii) \$1,041,000,000 for fiscal year 2020.

“(iii) \$1,064,000,000 for fiscal year 2021.

“(iv) \$1,087,000,000 for fiscal year 2022.

“(v) \$1,110,000,000 for fiscal year 2023.

“(B) **AVAILABILITY.**—Sums authorized to be appropriated under subparagraph (A) shall remain available for 2 fiscal years.”.

SEC. 1. SAFETY EQUIPMENT.

Section 47102(3)(B)(ii) of title 49, United States Code, is amended by striking “and emergency call boxes,” and inserting “emergency call boxes, and counter-UAS systems (as defined in section 40102).”.

Page 100, strike line 17 and all that follows through page 103, line 19.

At the end of subtitle A of title III, add the following:

SEC. 3. FAA AND NTSB REVIEW OF GENERAL AVIATION SAFETY.

(a) **STUDY REQUIRED.**—Not later than 30 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Chairman of the National Transportation Safety Board, shall initiate a study of general aviation safety.

(b) **STUDY CONTENTS.**—The study required under subsection (a) shall include—

(1) a review of all general aviation accidents since 2000, including a review of—

(A) the number of such accidents;

(B) the number of injuries and fatalities, including with respect to both occupants of aircraft and individuals on the ground, as a result of such accidents;

(C) the number of such accidents investigated by the National Transportation Safety Board;

(D) the number of such accidents investigated by the Federal Aviation Administration; and

(E) a summary of the factual findings and probable cause determinations with respect to such accidents;

(2) an assessment of the most common probable cause determinations issued for general aviation accidents since 2000;

(3) an assessment of the most common facts analyzed by the Federal Aviation Administration and the National Transportation Safety Board in the course of investigations of general aviation accidents since 2000, including operational details;

(4) a review of the safety recommendations of the National Transportation Safety Board related to general aviation accidents since 2000;

(5) an assessment of the responses of the Federal Aviation Administration and the general aviation community to the safety recommendations of the National Transportation Safety Board related to general aviation accidents since 2000;

(6) an assessment of the most common general aviation safety issues;

(7) a review of the total costs to the Federal Government to conduct investigations of general aviation accidents over the last 10 years; and

(8) other matters the Administrator or the Chairman considers appropriate.

(c) **RECOMMENDATIONS AND ACTIONS TO ADDRESS GENERAL AVIATION SAFETY.**—Based on the results of the study required under subsection (a), the Administrator, in consultation with the Chairman, shall make such recommendations, including with respect to regulations and enforcement activities, as the Administrator considers necessary to—

(1) address general aviation safety issues identified under the study;

(2) protect persons and property on the ground; and

(3) improve the safety of general aviation operators in the United States.

(d) **AUTHORITY.**—Notwithstanding any other provision of law, the Administrator shall have the authority to undertake actions to address the recommendations made under subsection (c).

(e) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study required under subsection (a), including the recommendations described in subsection (c).

(f) **GENERAL AVIATION DEFINED.**—In this section, the term “general aviation” means aircraft operation for personal, recreational, or other noncommercial purposes.

SEC. 3. CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.

(a) **CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a Call to Action safety review on airline engine safety in order to bring stakeholders together to share best practices and implement actions to address airline engine safety.

(b) **CONTENTS.**—The Call to Action safety review required pursuant to subsection (a) shall include—

(1) a review of Administration regulations, guidance, and directives related to airline engines during design and production, including the oversight of those processes;

(2) a review of Administration regulations, guidance, and directives related to airline engine operation and maintenance and the oversight of those processes;

(3) a review of reportable accidents and incidents involving airline engines during calendar years 2014 through 2018, including any identified contributing factors to the reportable accident or incident; and

(4) a process for stakeholders, including inspectors, manufacturers, maintenance providers, airlines, and aviation safety experts, to provide feedback and share best practices.

(c) **REPORT AND RECOMMENDATIONS.**—Not later than 90 days after the conclusion of the Call to Action safety review pursuant to subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review and any recommendations for actions or best practices to improve airline engine safety.

SEC. 3. SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS.

(a) **IN GENERAL.**—Chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 44737. Special rule for certain aircraft operations

“(a) **IN GENERAL.**—The operator of an aircraft with a special airworthiness certificate in the experimental category may—

“(1) operate the aircraft for the purpose of conducting a commercial space transportation support flight; and

“(2) conduct such flight under such certificate carrying persons or property for compensation or hire notwithstanding any rule or term of a certificate issued by the Administrator of the Federal Aviation Administration that would prohibit flight for compensation or hire.

“(b) **LIMITED APPLICABILITY.**—Subsection (a) shall apply only to a commercial space transportation support flight that satisfies each of the following:

“(1) The aircraft conducting the commercial space transportation support flight—

“(A) takes flight and lands at a single site that is licensed for operation under chapter 509 of title 51; and

“(B) is used only to simulate space flight conditions in support of—

“(i) training for potential space flight participants or crew (as those terms are defined in chapter 509 of title 51); or

“(ii) the testing of hardware to be used in space flight.

“(2) The operator of the commercial space transportation support flight—

“(A) informs, in writing, any individual serving as crew of the aircraft that the United States Government has not certified the aircraft as safe for carrying crew or passengers prior to executing any contract or other arrangement to employ that individual (or, in the case of an individual already employed as of the date of enactment of this section, prior to any commercial space transportation support flight in which the individual will participate as crew);

“(B) prior to receiving any compensation for carrying any passengers on the aircraft—

“(i) informs, in writing, the passengers about the risks of the aircraft and commercial space transportation support flight, including the safety record for the operator’s fleet of similar vehicle types and information sufficient to adequately describe the safety record for the vehicle type regardless of operator; and

“(ii) informs, in writing, any passenger that the United States Government has not certified the aircraft as safe for carrying crew or passengers;

“(C) provides any passenger an opportunity to ask questions orally to acquire a better understanding of the safety record of the aircraft and commercial space transportation support flight; and

“(D) obtains written informed consent from any individual serving as crew and all passengers of the commercial space transportation support flight that—

“(i) identifies the specific aircraft the consent covers;

“(ii) states that the individual understands the risk and that the presence of the individual on board the aircraft is voluntary; and

“(iii) is signed and dated by the individual.

“(3) When the aircraft is also a launch vehicle, reentry vehicle, or component of a launch or reentry vehicle, the operator of the aircraft holds a license or permit issued under chapter 509 of title 51 for that vehicle or vehicle component.

“(4) Any other requirements that the Administrator may prescribe to permit a commercial space transportation support flight under this section.

“(C) RULES OF CONSTRUCTION.—

“(1) Section 44711(a)(1) shall not apply to a person conducting a commercial space transportation support flight under this section only to the extent that a term of the experimental certificate under which the person is operating the aircraft prohibits the carriage of persons or property for compensation or hire.

“(2) Nothing in this section shall be construed to limit the authority of the Administrator to exempt a person from a regulatory prohibition on the carriage of persons or property for compensation or hire subject to terms and conditions other than those described in this section.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following: “44737. Special rule for certain aircraft operations.”.

At the end of subtitle B of title III, add the following:

SEC. 3 . DEFINITIONS.

Section 40102(a) of title 49, United States Code, is amended by adding at the end the following:

“(48) ‘counter-UAS system’ means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system.

“(49) ‘public unmanned aircraft system’ means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft.

“(50) ‘small unmanned aircraft’ means an unmanned aircraft weighing less than 55 pounds, including everything that is on board or otherwise attached to the aircraft.

“(51) ‘unmanned aircraft’ means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

“(52) ‘unmanned aircraft system’ means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system.

“(53) ‘UTM’ means an unmanned aircraft traffic management system or service.”.

Page 176, strike line 9 (and redesignate accordingly).

Page 176, after line 12, insert the following:

(3) 3 representatives, to be appointed by the Secretary, to represent the various segments of the air ambulance industry.

At the end of subtitle A of title IV, insert the following:

SEC. 4 . ENHANCED TRAINING OF FLIGHT ATTENDANTS.

Section 44734(a) of title 49, United States Code, is amended—

(1) in paragraph (3) by striking “and” at the end;

(2) in paragraph (4) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5) dealing with allegations of sexual misconduct.”.

SEC. 4 . ADDRESSING SEXUAL MISCONDUCT ON FLIGHTS.

(a) ESTABLISHMENT OF WORKING GROUP.—The Secretary of Transportation shall establish a sexual misconduct incident working group composed of aviation industry stakeholders, relevant Federal agencies, national organizations that specialize in providing services to victims of sexual misconduct, labor organizations that represent relevant aviation employees, and State and local law enforcement agencies.

(b) PURPOSE OF WORKING GROUP.—The purpose of the working group shall be to develop best practices for—

(1) addressing sexual misconduct on flights;

(2) airline employee training; and

(3) protocols for law enforcement notification.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group shall submit a report describing the best practices developed pursuant to subsection (b) to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(d) SUNSET.—The working group established pursuant to subsection (a) shall terminate 60 days after the submission of the report pursuant to subsection (c).

At the end of subtitle B of title IV, insert the following:

SEC. 4 . AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.

(a) IN GENERAL.—Chapter 423 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 42305. Airline Passengers With Disabilities Bill of Rights

“(a) IN GENERAL.—The Secretary of Transportation shall develop a document, to be known as the ‘Airline Passengers With Disabilities Bill of Rights’, that describes in plain language—

“(1) the basic responsibilities of covered carriers, including their employees and contractors, under section 41705; and

“(2) the protections of air passengers with disabilities under section 41705.

“(b) CONTENT.—In developing the Bill of Rights, the Secretary shall include, at a minimum, plain language descriptions of responsibilities and protections provided in law related to—

“(1) the right of passengers with disabilities to be treated with dignity and respect;

“(2) the right of passengers with disabilities to receive timely assistance, if requested, from properly trained personnel of covered carriers and their contractors;

“(3) the right of passengers with disabilities to travel with and stow wheelchairs, mobility aids, and other assistive devices, including necessary medications and medical supplies;

“(4) the right of passengers with disabilities to receive seating accommodations, if requested, to accommodate a disability;

“(5) the right of passengers with disabilities to speak with a complaint resolution officer or to file a complaint with a covered carrier or the Department of Transportation; and

“(6) the right of passengers with disabilities to communications in an accessible format as required under Federal regulations.

“(c) RULE OF CONSTRUCTION.—The development of the Bill of Rights may not be construed as expanding or restricting the rights available to passengers with disabilities on

the day before the date of enactment of this section pursuant to any statute or regulation.

“(d) CONSULTATIONS.—In developing the Bill of Rights, the Secretary shall consult with appropriate stakeholders, including disability organizations and covered carriers.

“(e) DISPLAY.—Each covered carrier shall include the Bill of Rights—

“(1) on a publicly available internet website of the covered carrier; and

“(2) in any pre-flight notification or communication provided to a passenger who alerts the covered carrier in advance of the need for accommodations relating to a disability.

“(f) TRAINING.—Covered carriers shall submit to the Secretary plans to ensure that their employees and contractors receive training on the responsibilities and protections described in the Bill of Rights. The Secretary shall review such plans to ensure the plans address the matters described in subsection (b).

“(g) DEFINITIONS.—In this section, the following definitions apply:

“(1) BILL OF RIGHTS.—The term ‘Bill of Rights’ means the ‘Airline Passengers With Disabilities Bill of Rights’ developed under subsection (a).

“(2) COVERED CARRIER.—The term ‘covered carrier’ means an air carrier or foreign air carrier, as those terms are defined in section 40102(a).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 423 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“42305. Airline Passengers With Disabilities Bill of Rights.”.

SEC. 4 . CIVIL PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.

Section 46301(a) of title 49, United States Code, is further amended by adding at the end the following:

“(7) PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.—

“(A) PENALTY FOR BODILY HARM OR DAMAGE TO WHEELCHAIR OR OTHER MOBILITY AID.—The amount of a civil penalty assessed under this section for a violation of section 41705 may be increased above the otherwise applicable maximum amount under this section to an amount not to exceed 3 times the maximum civil penalty otherwise allowed if the violation involves—

“(i) injury to a passenger with a disability; or

“(ii) damage to the passenger’s wheelchair or other mobility aid.

“(B) SEPARATE OFFENCES.—Notwithstanding paragraph (2), a separate violation of section 41705 occurs for each act of discrimination prohibited by that section.”.

SEC. 4 . HARMONIZATION OF SERVICE ANIMAL STANDARDS.

(a) RULEMAKING.—The Secretary of Transportation shall conduct a rulemaking proceeding—

(1) to define the term “service animal” for purposes of air transportation; and

(2) to develop minimum standards for what is required for service and emotional support animals carried in aircraft cabins.

(b) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum—

(1) whether to align the definition of “service animal” with the definition of that term in regulations of the Department of Justice implementing the Americans with Disabilities Act of 1990 (Public Law 101-336);

(2) reasonable measures to ensure pets are not claimed as service animals, such as—

(A) whether to require photo identification for a service animal identifying the type of

animal, the breed of animal, and the service the animal provides to the passenger;

(B) whether to require documentation indicating whether or not a service animal was trained by the owner or an approved training organization;

(C) whether to require, from a licensed physician, documentation indicating the mitigating task or tasks a service animal provides to its owner; and

(D) whether to allow a passenger to be accompanied by more than 1 service animal;

(3) reasonable measures to ensure the safety of all passengers, such as—

(A) whether to require health and vaccination records for a service animal; and

(B) whether to require third-party proof of behavioral training for a service animal;

(4) the impact additional requirements on service animals could have on access to air transportation for passengers with disabilities; and

(5) if impacts on access to air transportation for passengers with disabilities are found, ways to eliminate or mitigate those impacts.

(c) **FINAL RULE.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

Page 188, strike lines 1 through 15.

Page 188, beginning on line 21, strike “inserting” and all that follows through the period at the end and insert “inserting ‘\$155,000,000 for fiscal year 2018, \$158,000,000 for fiscal year 2019, \$161,000,000 for fiscal year 2020, \$165,000,000 for fiscal year 2021, \$168,000,000 for fiscal year 2022, and \$172,000,000 for fiscal year 2023.’”.

Page 197, line 3, strike “Section” and insert the following:

(a) **PURPOSE AND INPUT.**—Section

Page 197, after line 17, insert the following:

(b) **MILITARY OPERATIONS EXCLUSION.**—Section 804 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) **MILITARY OPERATIONS EXCLUSION.**—

“(1) **IN GENERAL.**—The Administrator may not realign or consolidate a combined TRACON and tower with radar facility of the FAA under this section if, in 2015, the total annual military operations at the facility comprised at least 40 percent of the total annual TRACON operations at the facility.

“(2) **TRACON DEFINED.**—In this subsection, the term ‘TRACON’ means terminal radar approach control.”.

Page 230, strike lines 12 and 13 and insert the following: “United States Code, is amended by striking ‘and’ and all that follows through ‘administrative’ and inserting ‘and administrative’.”.

Page 243, line 20, strike “(48)” and insert “(54)”.

Page 244, line 6, strike “44737” and insert “44738”.

Page 244, in the matter following line 18, strike “44737” and insert “44738”.

At the end of title V, add the following:

SEC. 5 . FAA EMPLOYEES IN GUAM.

(a) **IN GENERAL.**—The Secretary of Transportation shall enter into an agreement with the Secretary of Defense—

(1) to allow Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children access to Department of Defense hospitals located in Guam on a space available basis; and

(2) to provide for payments by the Federal Aviation Administration to the Department of Defense for the administrative costs associated with—

(A) enrolling Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children in any Department of Defense system necessary to allow access pursuant to paragraph (1); and

(B) billing an insurance company for any medical costs incurred as a result of Federal Aviation Administration employees, their spouses, or their dependent children accessing and receiving medical treatment or services at a Department of Defense hospital located in Guam.

(b) **FUNDS SUBJECT TO APPROPRIATIONS.**—Funds for payments by the Federal Aviation Administration described in subsection (a)(2) are subject to the availability of amounts specifically provided in advance for that purpose in appropriations Acts.

SEC. 5 . CLARIFICATION OF REQUIREMENTS FOR LIVING HISTORY FLIGHTS.

(a) **IN GENERAL.**—Notwithstanding any other law or regulation, in administering sections 61.113(c), 91.9, 91.315, 91.319(a)(1), 91.319(a)(2), 119.5(g), and 119.21(a) of title 14, Code of Federal Regulations (or any successor regulations), the Administrator of the Federal Aviation Administration shall allow an aircraft owner or operator to accept monetary or in-kind donations for a flight operated by a living history flight experience provider, if the aircraft owner or operator has—

(1) volunteered to provide such transportation; and

(2) notified any individual that will be on the flight, at the time of inquiry about the flight, that the flight operation is for charitable purposes and is not subject to the same requirements as a commercial flight.

(b) **CONDITIONS TO ENSURE PUBLIC SAFETY.**—The Administrator, consistent with current standards of the Administration for such operations, shall impose minimum standards with respect to training and flight hours for operations conducted by an owner or operator of an aircraft providing living history flight experience operations, including mandating that the pilot in command of such aircraft hold a commercial pilot certificate with instrument rating and be current and qualified with respect to all ratings or authorizations applicable to the specific aircraft being flown to ensure the safety of flight operations described in subsection (a).

(c) **LIVING HISTORY FLIGHT EXPERIENCE PROVIDER DEFINED.**—In this section, the term “living history flight experience provider” means an aircraft owner, aircraft operator, or organization that provides, arranges, or otherwise fosters living history flight experiences for the purpose of fulfilling its mission.

SEC. 5 . FAA ORGANIZATIONAL REFORM.

(a) **CHIEF TECHNOLOGY OFFICER.**—Section 106(s) of title 49, United States Code, is amended to read as follows:

“(s) **CHIEF TECHNOLOGY OFFICER.**—

“(1) **IN GENERAL.**—

“(A) **APPOINTMENT.**—There shall be a Chief Technology Officer appointed by the Chief Operating Officer, with the approval of the Secretary. The Chief Technology Officer shall report directly to the Chief Operating Officer and shall be subject to the authority of the Chief Operating Officer.

“(B) **MINIMUM QUALIFICATIONS.**—The Chief Technology Officer shall have—

“(i) at least 10 years experience in engineering management or another relevant technical management field; and

“(ii) knowledge of or experience in the aviation industry.

“(C) **REMOVAL.**—The Chief Technology Officer shall serve at the pleasure of the Chief Operating Officer.

“(D) **RESTRICTION.**—The Chief Technology Officer may not also be the Deputy Administrator.

“(2) **RESPONSIBILITIES.**—The responsibilities of the Chief Technology Officer shall include—

“(A) ensuring the proper operation, maintenance, and cybersecurity of technology systems relating to the air traffic control system across all program offices of the Administration;

“(B) coordinating the implementation, operation, maintenance, and cybersecurity of technology programs relating to the air traffic control system with the aerospace industry and other Federal agencies;

“(C) reviewing and providing advice to the Secretary, the Administrator, and the Chief Operating Officer on the Administration’s budget, cost accounting system, and benefit-cost analyses with respect to technology programs relating to the air traffic control system;

“(D) consulting with the Administrator on the Capital Investment Plan of the Administration prior to its submission to Congress;

“(E) developing an annual air traffic control system technology operation and maintenance plan that is consistent with the annual performance targets established under paragraph (4); and

“(F) ensuring that the air traffic control system architecture remains, to the maximum extent practicable, flexible enough to incorporate future technological advances developed and directly procured by aircraft operators.

“(3) **COMPENSATION.**—

“(A) **IN GENERAL.**—The Chief Technology Officer shall be paid at an annual rate of basic pay to be determined by the Secretary, in consultation with the Chief Operating Officer. The annual rate may not exceed the annual compensation paid under section 102 of title 3. The Chief Technology Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief Technology Officer were described in section 207(c)(2)(A)(i) of that title.

“(B) **BONUS.**—In addition to the annual rate of basic pay authorized by subparagraph (A), the Chief Technology Officer may receive a bonus for any calendar year not to exceed 30 percent of the annual rate of basic pay, based upon the Secretary’s evaluation of the Chief Technology Officer’s performance in relation to the performance targets established under paragraph (4).

“(4) **ANNUAL PERFORMANCE TARGETS.**—

“(A) **IN GENERAL.**—The Administrator and the Chief Operating Officer, in consultation with the Chief Technology Officer, shall establish measurable annual performance targets for the Chief Technology Officer in key operational areas.

“(B) **REPORT.**—The Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the annual performance targets established under subparagraph (A).

“(5) **ANNUAL PERFORMANCE REPORT.**—The Chief Technology Officer shall prepare and transmit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual report containing—

“(A) detailed descriptions and metrics of how successful the Chief Technology Officer was in meeting the annual performance targets established under paragraph (4); and

“(B) other information as may be requested by the Administrator and the Chief Operating Officer.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 709(a)(3)(L) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking “Chief NextGen Officer” and inserting “Chief Technology Officer”.

(2) Section 804(a)(4)(A) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended by striking “Chief NextGen Officer” and inserting “Chief Technology Officer”.

SEC. 5. INTRA-AGENCY COORDINATION.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall direct the Administrator of the Federal Aviation Administration and the Chief Operating Officer of the Air Traffic Organization to implement policies that—

(1) designate the Associate Administrator for Commercial Space Transportation as the primary liaison between the commercial space transportation industry and the Administration;

(2) recognize the necessity of, and set forth processes for, launch license and permit holder coordination with the Air Traffic Organization on matters including—

(A) the use of air navigation facilities;

(B) airspace safety; and

(C) planning of commercial space launch and launch support activities;

(3) designate a single point of contact within the Air Traffic Organization who is responsible for—

(A) maintaining letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility;

(B) making such letters of agreement available to the Associate Administrator for Commercial Space Transportation;

(C) ensuring that a facility that has entered into such a letter of agreement is aware of and fulfills its responsibilities under the letter; and

(D) liaising between the Air Traffic Organization and the Associate Administrator for Commercial Space Transportation on any matter relating to such a letter of agreement; and

(4) require the Associate Administrator for Commercial Space Transportation to facilitate, upon the request of a launch license or permit holder—

(A) coordination between a launch license and permit holder and the Air Traffic Organization; and

(B) the negotiation of letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility or the Air Traffic Organization.

SEC. 5. FAA CIVIL AVIATION REGISTRY UPGRADE.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete covered upgrades of the Administration’s Civil Aviation Registry (in this section referred to as the “Registry”).

(b) COVERED UPGRADE DEFINED.—In this section, the term “covered upgrades” means—

(1) the digitization of nondigital Registry information, including paper documents, microfilm images, and photographs, from an analog or nondigital format to a digital format;

(2) the digitalization of Registry manual and paper-based processes, business operations, and functions by leveraging digital technologies and a broader use of digitized data;

(3) the implementation of systems allowing a member of the public to submit any information or form to the Registry and conduct any transaction with the Registry by electronic or other remote means; and

(4) allowing more efficient, broader, and remote access to the Registry.

(c) APPLICABILITY.—The requirements of subsection (a) shall apply to the entire Civil Aviation Registry, including the Aircraft Registration Branch and the Airmen Certification Branch.

(d) MANUAL SURCHARGE.—Chapter 453 of title 49, United States Code, is amended by adding at the end the following:

“§ 45306. Manual surcharge

“(a) IN GENERAL.—Not later 6 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall impose and collect a surcharge on a Civil Aviation Registry transaction that—

“(1) is conducted in person at the Civil Aviation Registry;

“(2) could be conducted, as determined by the Administrator, with the same or greater level of efficiency by electronic or other remote means; and

“(3) is not related to research or other non-commercial activities.

“(b) MAXIMUM SURCHARGE.—A surcharge imposed and collected under subsection (a) shall not exceed twice the maximum fee the Administrator is authorized to charge for the registration of an aircraft, not used to provide air transportation, after the transfer of ownership under section 45302(b)(2).

“(c) CREDIT TO ACCOUNT AND AVAILABILITY.—Monies collected from a surcharge imposed under subsection (a) shall be treated as monies collected under section 45302 and subject to the terms and conditions set forth in section 45302(d).”.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the covered upgrades required under subsection (a) are complete, the Administrator shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate describing—

(1) the schedule for the covered upgrades to the Registry;

(2) the office responsible for the implementation of the such covered upgrades;

(3) the metrics being used to measure progress in implementing the covered upgrades; and

(4) the status of the covered upgrades as of the date of the report.

SEC. 5. REGULATORY STREAMLINING.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final regulation revising section 121.333(c)(3) of title 14, Code of Federal Regulations, to apply only to flight altitudes above flight level 410.

SEC. 5. ADMINISTRATIVE SERVICES FRANCHISE FUND.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the inspector general of the Department of Transportation shall initiate an audit of the Administrative Services Franchise Fund of the FAA (in this section referred to as the “Franchise Fund”).

(b) CONSIDERATIONS.—In conducting the audit pursuant to subsection (a), the inspector general shall—

(1) review the history, intended purpose, and objectives of the Franchise Fund;

(2) describe and assess each program, service, or activity that uses the Franchise Fund, including—

(A) the agencies or government bodies that use each program, service, or activity;

(B) the number of employees, including full-time equivalents and contractors, associated with each program, service, or activity;

(C) the costs associated with the employees described in subparagraph (B) and the extent to which such costs are covered by Federal appropriations or Franchise Fund revenue;

(D) the revenue, expenses, and profits or losses associated with each program, service, or activity;

(E) overhead rates associated with each program, service, or activity; and

(F) a breakdown of the revenue collected from services provided to the FAA, Department of Transportation, other Federal entities, and non-Federal entities;

(3) assess the FAA’s governance and oversight of the Franchise Fund and the programs, service, and activities that use the Franchise Fund, including the use of internal and publicly available performance metrics;

(4) evaluate the current and historical unobligated and unexpended balances of the Franchise Fund; and

(5) assess the degree to which FAA policies and controls associated with the Franchise Fund conform with generally accepted accounting principles, Federal policies, best practices, or other guidance relating to revolving funds.

(c) REPORT.—Not later than 180 days after the date of initiation of the audit described in subsection (a), the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the audit, including findings and recommendations.

(d) DEFINITION.—In this section, the term “FAA” means the Federal Aviation Administration.

SEC. 5. REPORT ON AIR TRAFFIC CONTROL MODERNIZATION.

(a) FAA REPORT.—Not later than 180 days after the date of enactment of this Act, the Chief Operating Officer of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the multiyear effort of the Administration to modernize the air transportation system (in this section referred to as the “modernization effort”), including—

(1) the number of years that the modernization effort has been underway as of the date of the report;

(2) the total amount of money expended on the modernization effort as of the date of the report (including a description of how that amount was calculated);

(3) the net present value of the benefits reported from aircraft operators resulting from the money expended on the modernization effort as of the date of the report;

(4) a definition for the Next Generation Air Transportation System (in this section referred to as “NextGen”), including a description of any changes to that definition that occurred between 2003 and the date of the report;

(5) the net present value of the money expended on NextGen as of the date of the report if such money had been deposited into a Government trust fund instead of being expended on NextGen;

(6) a description of the benefits promised and benefits delivered with respect to NextGen as of the date of the report;

(7) any changes to the benefits promised with respect to NextGen between the date on which NextGen began and the date of the report;

(8) a description of each program or project that comprises NextGen, including—

(A) when the program or project was initiated;

(B) the total budget for the program or project;

(C) the initial budget for the program or project;

(D) the acquisition program baseline for the program or project;

(E) whether the program or project has ever breached the acquisition program baseline and, if so, a description of when, why, and how the breach was resolved;

(F) whether the program or project has been re-baselined or divided into smaller segments and, if so, a description of when, why, and the impact to the cost of the program or project;

(G) the initial schedule for the program or project;

(H) whether the program or project was delayed and, if so, a description of how long, why, and the impact to the cost of the program or project;

(I) whether the Administration changed any contract term or deliverable for the program or project and, if so, a description of the change, why it happened, and the impact to the cost of the program or project;

(J) benefits promised with respect to the program or project at initiation;

(K) benefits delivered with respect to the program or project as of the date of the report;

(L) whether the program or project was cancelled and, if so, a description of why and when;

(M) for cancelled programs or projects, whether there were any costs associated with the decision to cancel and, if so, a description of the amount of the costs (including for both the Administration and the private sector);

(N) the metrics, milestones, and deadlines set for the program or project and how the Administration tracked and ensured compliance with those metrics, milestones, and deadlines;

(O) how the Administration conducted oversight of the program or project and any related stakeholder collaboration efforts; and

(P) the status of the program or project as of the date of the report;

(9) the date upon which, or milestone by which, the Administration anticipates NextGen will be complete; and

(10) any lessons learned during the NextGen effort, and whether, how, and to what effect those lessons have been applied.

(b) **INSPECTOR GENERAL REPORT.**—Not later than 270 days after the date on which the report required under subsection (a) is submitted, the inspector general of the Department of Transportation shall review the report and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a statement of the inspector general that—

(1) determines the accuracy of the information reported;

(2) describes any concerns with the accuracy of the information reported;

(3) summarizes concerns raised by the inspector general, the Government Accountability Office, and other sources with respect to the Administration's implementation and oversight of NextGen since the date on which NextGen began;

(4) describes—

(A) any pertinent recommendations made by the inspector general related to the Administration's implementation and oversight of NextGen since the date on which NextGen began; and

(B) whether and how the Administration addressed the recommendations; and

(5) provides any other information that the inspector general determines is appropriate.

SEC. 5. AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST.

Section 211(b) of the FAA Modernization and Reform Act (49 U.S.C. 40101 note) is repealed. The Administrator of the Federal Aviation Administration shall ensure that any regulation issued pursuant to such subsection has no force or effect.

SEC. 5. YOUTH ACCESS TO AMERICAN JOBS IN AVIATION TASK FORCE.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Youth Access to American Jobs in Aviation Task Force (in this section referred to as the “Task Force”).

(b) **DUTIES.**—Not later than 12 months after its establishment under subsection (a), the Task Force shall develop and submit to the Administrator recommendations and strategies for the Administration to—

(1) facilitate and encourage high school students in the United States, beginning in their junior year, to enroll in and complete career and technical education courses, including STEM, that would prepare them to enroll in a course of study related to an aviation career at an institution of higher education, including a community college or trade school;

(2) facilitate and encourage the students described in paragraph (1) to enroll in a course of study related to an aviation career, including aviation manufacturing, engineering and maintenance, at an institution of higher education, including a community college or trade school; and

(3) identify and develop pathways for students who complete a course of study described in paragraph (2) to secure registered apprenticeships, workforce development programs, or careers in the aviation industry of the United States.

(c) **CONSIDERATIONS.**—When developing recommendations and strategies under subsection (b), the Task Force shall—

(1) identify industry trends that encourage or discourage youth in the United States from pursuing careers in aviation;

(2) consider how the Administration; air carriers; aircraft, powerplant, and avionics manufacturers; aircraft repair stations; and other aviation stakeholders can coordinate efforts to support youth in pursuing careers in aviation;

(3) identify methods of enhancing aviation apprenticeships, job skills training, mentorship, education, and outreach programs that are exclusive to youth in the United States; and

(4) identify potential sources of government and private sector funding, including grants and scholarships, that may be used to carry out the recommendations and strategies described in subsection (b) and to support youth in pursuing careers in aviation.

(d) **REPORT.**—Not later than 30 days after submission of the recommendations and strategies under subsection (b), the Task Force shall submit to the Committee on Transportation and Infrastructure in the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report outlining such recommendations and strategies.

(e) **COMPOSITION OF TASK FORCE.**—The Administrator shall appoint members of the Task Force, including representatives from the following:

(1) Air carriers.

(2) Aircraft, powerplant, and avionics manufacturers.

(3) Aircraft repair stations.

(4) Local educational agencies or high schools.

(5) Institutions of higher education, including community colleges and aviation trade schools.

(6) Such other aviation and educational stakeholders and experts as the Administrator considers appropriate.

(f) **PERIOD OF APPOINTMENT.**—Members shall be appointed to the Task Force for the duration of the existence of the Task Force.

(g) **COMPENSATION.**—Task Force members shall serve without compensation.

(h) **SUNSET.**—The Task Force shall terminate upon the submittal of the report pursuant to subsection (d).

(i) **DEFINITION OF STEM.**—The term “STEM” means—

(1) science, technology, engineering, and mathematics; and

(2) other career and technical education subjects that build on the subjects described in paragraph (1).

SEC. 5. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.

(a) **IN GENERAL.**—Section 47134 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting “**Airport investment partnership program**”;

(2) in subsection (b), by striking “, with respect to not more than 10 airports,”;

(3) in subsection (b)(2), by striking “The Secretary may grant an exemption to a sponsor” and inserting “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the sponsor”;

(4) in subsection (b)(3), by striking “The Secretary may grant an exemption to a purchaser or lessee” and inserting “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the corresponding purchaser or lessee”;

(5) by striking subsection (d) and inserting the following:

“(d) **PROGRAM PARTICIPATION.**—

“(1) **MULTIPLE AIRPORTS.**—The Secretary may consider applications under this section submitted by a public airport sponsor for multiple airports under the control of the sponsor.

“(2) **PARTIAL PRIVATIZATION.**—A purchaser or lessee may be an entity in which a sponsor has an interest.”; and

(6) by striking subsections (l) and (m) and inserting the following:

“(l) **PREDEVELOPMENT LIMITATION.**—A grant to an airport sponsor under this subchapter for predevelopment planning costs relating to the preparation of an application or proposed application under this section may not exceed \$750,000 per application or proposed application.”.

(b) **AIRPORT DEVELOPMENT.**—Section 47102(3) of title 49, United States Code, is amended by adding at the end the following:

“(P) predevelopment planning, including financial, legal, or procurement consulting services, related to an application or proposed application for an exemption under section 47134.”.

(c) **CLERICAL AMENDMENT.**—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47134 and inserting the following:

“47134. Airport investment partnership program.”.

SEC. 5. REVIEW AND REFORM OF FAA PERFORMANCE MANAGEMENT SYSTEM.

(a) **ESTABLISHMENT OF ADVISORY PANEL.**—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall establish an advisory panel comprising no more than 7 independent, nongovernmental experts in budget, finance, or personnel management to review and evaluate the effectiveness of the FAA's personnel management system and performance management program for employees

not covered by collective bargaining agreements.

(b) **REVIEW, EVALUATION, AND RECOMMENDATIONS.**—The advisory panel shall, at a minimum—

(1) review all appropriate FAA orders, policies, procedures, guidance, and the Human Resources Policy Manual;

(2) review any applicable reports regarding FAA's personnel management system, including reports of the Department of Transportation Office of Inspector General, Government Accountability Office, and National Academy of Public Administration, and determine the status of recommendations made in those reports;

(3) review the personnel management system of any other agency or governmental entity with a similar system to the FAA for best practices with regard to personnel management;

(4) assess the unique personnel authorities granted to the FAA, determine whether the FAA has taken full advantage of those authorities, and identify those authorities the FAA has not fully taken advantage of;

(5) review and determine the overall effectiveness of the FAA's compensation, bonus pay, performance metrics, and evaluation processes for employees not covered by collective bargaining agreements;

(6) review whether existing performance metrics and bonus pay practices align with the FAA's mission and significantly improve the FAA's provision of air traffic services, implementation of air traffic control modernization initiatives, and accomplishment of other FAA operational objectives;

(7) identify the highest, lowest, and average complete compensation for each position of employees not covered by collective bargaining agreements;

(8) survey interested parties and stakeholders, including representatives of the aviation industry, for their views and recommendations regarding improvements to the FAA's personnel management system and performance management program;

(9) develop recommendations to address the findings of the work done pursuant to paragraphs (1) through (7), and to address views and recommendations raised by interested parties pursuant to paragraph (8); and

(10) develop recommendations to improve the FAA's personnel management system and performance management program, including the compensation, bonus pay, performance metrics, and evaluation processes, for employees not covered by collective bargaining agreements.

(c) **REPORT.**—Not later than 1 year after initiating the review and evaluation pursuant to subsection (a), the advisory panel shall submit a report on the results of the review and evaluation and its recommendations to the Secretary, the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **REPORT TO CONGRESS.**—Not later than 3 months after submittal of the report pursuant to subsection (c), the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the findings of the advisory panel that—

(1) contains an explanation of how the Administrator will implement the recommendations of the advisory panel and measure the effectiveness of the recommendations; and

(2) specifies any recommendations that the Administrator will not implement and the reasons for not implementing such recommendations.

(e) **AUTHORITY.**—Notwithstanding any other provision of law, the Administrator has the authority to put in place any recommendations of the advisory panel.

(f) **SUNSET.**—The advisory panel shall terminate on the date that is 60 days after the transmittal of the report pursuant to subsection (d).

(g) **DEFINITION.**—In this section, the term “FAA” means the Federal Aviation Administration.

SEC. 5. CONTRACT WEATHER OBSERVERS.

Section 2306(b) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 641) is amended by striking “2018” and inserting “2023”.

SEC. 5. REGIONS AND CENTERS.

(a) **IN GENERAL.**—Section 44507 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting “**Regions and centers**”;

(2) by striking “The Civil Aeromedical Institute” and inserting the following:

“(a) **CIVIL AEROMEDICAL INSTITUTE.**—The Civil Aeromedical Institute”; and

(3) by adding at the end the following:

“(b) **WILLIAM J. HUGHES TECHNICAL CENTER.**—The Secretary of Transportation shall define the roles and responsibilities of the William J. Hughes Technical Center in a manner that is consistent with the defined roles and responsibilities of the Civil Aeromedical Institute under subsection (a).”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 445 of title 49, United States Code, is amended by striking the item relating to section 44507 and inserting the following:

“44507. Regions and centers.”.

The Acting CHAIR. Pursuant to House Resolution 839, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I rise in support of the manager's amendment. A vote for this amendment is a vote for positive change. A vote against it would be a real missed opportunity to make the bill better.

This amendment enhances the training of flight attendants so they are better equipped to deal with sexual misconduct. It also establishes working groups to develop best practices on how to address sexual misconduct on flights and improve airline employee training.

The amendment addresses an issue which is important to the traveling public and our constituents, and to each of us, in a thoughtful and respectful way.

The amendment adds to the provisions included in H.R. 4 to improve the air travel experience of disabled Americans. It establishes an Airline Passengers with Disabilities Bill of Rights to clarify the rights of passengers with disabilities and the responsibilities of airlines and airports.

The amendment also strengthens the civil penalties for violations that involve injury to a passenger with a disability or damage to a passenger's wheelchair or other mobility aid.

Finally, the amendment will make it better for both passengers and service animals by harmonizing standards. This will provide much-needed clarity

in an area where there is real confusion.

We worked closely with organizations representing persons with disabilities, as well as with the airline industry, and I want to thank all those who were willing to come to the table to make those improvements.

Last week, we witnessed a tragedy when an engine exploded in midair, killing a passenger. A far bigger tragedy was averted thanks again to the professionalism of the flight crew and to the pilot, which I talked about earlier.

The same airline experienced a similar incident 2 years ago, and while the FAA and industry have begun inspections, we must ensure that the airline engine safety is thoroughly assessed, and this amendment mandates a call to action to bring relevant people together to examine and address any risk associated with airline engines.

The amendment also requires a deep-dive study of general aviation. This sector of aviation has the highest number of accidents, injuries, and fatalities.

While general aviation safety has improved in recent years, in fiscal year 2016, there were still 213 fatal accidents and 379 fatalities.

We must improve the safety of the general aviation community. They share the skies with other airspace users and operate above our neighborhoods. We can and must do better.

Again, the amendment also provides for the direction on how the FAA should spend the additional general fund, operations, airport infrastructure, and F&E money in 2019 and thereafter.

It also revises the FAA authorization levels to reflect the updated CBO baselines for fiscal year 2018.

In response to the drone sightings around airports, the amendment makes counter-drone systems AIP eligible.

It makes improvement to the Airport Investment Partnership Program so that we can leverage private sector money for our airport infrastructure needs.

There are some good government reforms in here. The amendment repeals a costly mandate for aircraft avionics that have not yet proven to be beneficial. This will relieve a future burden on aircraft operators.

The amendment would bring certain FAA processes into the digital age and review agency practices.

Some other important changes are:

The amendment authorizes expenditures for commercial space transportation activities of the FAA;

It also requires better intra-FAA coordination on commercial space transportation's use of the national airspace and addresses the industry's support aircraft;

Commercial space transportation operators, like other users of the airspace, must coordinate and follow instructions of air traffic controllers;

Air traffic controllers keep us moving safely across this country, but they

also work in far-off places, including Guam. This amendment requires the FAA workers to work with the Department of Defense so that these folks and their families can get good medical care on the island of Guam;

Finally, the amendment establishes the Youth in Aviation Task Force to attract young people to aviation jobs. This is critical to ensure that our aviation system prospers in the years ahead.

Mr. Chairman, this amendment is a good amendment, it has bipartisan support and will improve the underlying bill. I urge all Members to support the amendment, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I certainly support the amendment offered by the gentleman. He listed a number of provisions. I don't want to be repetitive, but I think the call to action regarding uncontained airliner engine failures is critical. That is actually the second uncontained failure of that engine with Southwest Airlines in 18 months, which means that somewhere turbine blades are not a life-limited part. There is something amiss in the manufacturing process, and we need to get to the bottom of that.

We also need to be sure that the proper testing is being done to ensure their integrity as the planes continue to fly.

It also has some language regarding incidents of sexual misconduct on flights I support, but I am preparing and will offer a broader stand-alone provision bill on that subject in the near future.

It modestly increases funding levels for aviation programs and includes a \$1 billion annual infusion from the general fund for certain AIP projects, principally for small airports in rural communities.

This falls far short of meeting the needs of all airports and all the gates and terminal work we need, as I mentioned earlier in discussing the lack of a PFC in this bill.

Finally, it creates a newly named position in the FAA, that would be chief technology officer. Currently, the department administrator acts as the chief technology officer. So I am not quite certain what that accomplishes, but I will certainly look forward to monitoring that position and the progress and reports on NextGen that that person produces in the near future.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES), the chairman of the Subcommittee on Highways and Transit, our general aviation pilot.

Mr. GRAVES of Missouri. Mr. Chairman, I thank the chairman for his

work on putting together a long-term bill.

Mr. Chairman, one of the priorities which was included in the manager's amendment is a program to invest in our small airports.

As part of the increased investment in transportation programs that was provided in the fiscal year 2018 omnibus, we provided an additional \$1 billion to the FAA in discretionary grants to small airports. Now airports across the country are going to have the opportunity to compete for additional dollars to carry out the larger projects.

We also have some very important accountability measures. As such, we are asking to review all the FAA's efforts to date on NextGen. This is pure and simple accountability to ensure our tax dollars are being spent to execute the important goals of NextGen.

Mr. Chairman, I ask all of my colleagues to support the manager's amendment, obviously, and the underlying bill. This is a good bill.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL), a member of the Committee on Transportation and Infrastructure.

Ms. FRANKEL of Florida. Mr. Chairman, I thank the leadership of this committee for their work.

Mr. Chairman, I rise to support the en bloc amendment, and I wanted to specifically mention a provision that is very important to the folks who are in Palm Beach County and also Bedminster, New Jersey, which is this constituency of Mr. LANCE.

Mr. Chairman, regardless of what your political ideology is, it is very important for the President to be safe whenever he travels, and this often results in travel restrictions in the locality he visits.

In terms of my locality, Palm Beach County, Florida, Mr. Trump has spent 70 days this year at Mar-a-Lago, dubbed as the winter White House. But here is what happens when he visits a small business operating airport called Lantana Airport, which is 10 miles from Mar-a-Lago: It is completely shut down, which means basically there is a lot of lost income. It is estimated almost \$1 million a year.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Chairman, I yield an additional 1 minute to the gentlewoman.

Ms. FRANKEL of Florida. Mr. Chairman, if you translate that out, that would be \$4 million.

As I said, the President's safety is paramount, and the impact to the local business is a problem. So there is a provision in this amendment that requires the FAA to study the economic impact of flight restrictions, which I think is a good thing, and to analyze the possibilities of some other options.

Mr. Chairman, again, I do support this amendment.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. GOSAR) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2758. An act to amend title 36, United States Code, to provide for the display of the National League of Families POW/MIA flag at the World War I Memorials.

The SPEAKER pro tempore. The Committee will resume its sitting.

FAA REAUTHORIZATION ACT OF 2018

The Committee resumed its sitting.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Mr. SHUSTER. Mr. Chairman, pursuant to House Resolution 839, I offer amendments en bloc.

The Acting CHAIR (Mr. PALMER). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 printed in part A of HOUSE REPORT 115-650, offered by Mr. SHUSTER of Pennsylvania:

AMENDMENT NO. 2 OFFERED BY MR. LEWIS OF GEORGIA

Page 11, after line 7, insert the following:

SEC. 1. USE OF FUNDS FROM PASSENGER FACILITY CHARGES TO PREVENT POWER OUTAGES.

Section 40117(a)(3) of title 49, United States Code, is amended by adding at the end the following:

“(H) An on-airport project to purchase and install generators to prevent power outages in passenger areas of the airport, to separate an airport's redundant power supply and its main power supply, or for any other on-airport project to prevent power outages or damage to the airport's power supply.”.

Page 32, after line 9, insert the following:

SEC. 1. USE OF AIRPORT IMPROVEMENT FUNDS TO PREVENT POWER OUTAGES.

Section 47102(3) of title 49, United States Code, is amended by adding at the end the following:

“(P) an on-airport project to purchase and install generators to prevent power outages in the passenger areas of the airport, separate an airport's redundant power supply and its main power supply, or prevent power outages in the airport or damage to the airport's power supply.”.

AMENDMENT NO. 3 OFFERED BY MR. SOTO OF FLORIDA

Page 12, line 23, insert “a sink or sanitizing equipment,” after “surface.”.

AMENDMENT NO. 4 OFFERED BY MRS. WATSON COLEMAN OF NEW JERSEY

Page 13, line 19, strike “building.” and insert “building and will maintain a baby