

AMENDMENT TO RULES COMMITTEE PRINT 115-

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OFFERED BY MS. BONAMICI OF OREGON

At the end of subtitle A of title V, add the following new section:

1 **SEC. 5___ . AVIATION CONSUMER ADVOCATE AND COM-**
2 **PLAINT RESOLUTION IMPROVEMENT.**

3 (a) **IN GENERAL.**—The Secretary of Transportation
4 shall review aviation consumer complaints received that al-
5 lege a violation of law and, as appropriate, pursue enforce-
6 ment or corrective actions that would be in the public in-
7 terest.

8 (b) **CONSIDERATIONS.**—In considering which cases to
9 pursue for enforcement or corrective action under sub-
10 section (a), the Secretary shall consider—

11 (1) the requirements of the Air Carrier Access
12 Act of 1986 (Public Law 99–435; 100 Stat. 1080);

13 (2) unfair and deceptive practices by air car-
14 riers, foreign air carriers, and ticket agents;

15 (3) the terms and conditions agreed to between
16 passengers and air carriers, foreign air carriers, or
17 ticket agents;

1 (4) aviation consumer protection and tarmac
2 delay contingency planning requirements for both
3 airports and airlines; and

4 (5) any other applicable law.

5 (c) AVIATION CONSUMER ADVOCATE.—

6 (1) IN GENERAL.—Within the Aviation Con-
7 sumer Protection Division of the Department of
8 Transportation, there shall be established the posi-
9 tion of Aviation Consumer Advocate.

10 (2) FUNCTIONS.—The Aviation Consumer Ad-
11 vocate shall—

12 (A) assist consumers in resolving carrier
13 service complaints filed with the Aviation Con-
14 sumer Protection Division;

15 (B) evaluate the resolution by the Depart-
16 ment of Transportation of carrier service com-
17 plaints;

18 (C) identify and recommend actions the
19 Department can take to improve the enforce-
20 ment of aviation consumer protection rules and
21 resolution of carrier service complaints; and

22 (D) identify and recommend regulations
23 and policies that can be amended to more effec-
24 tively resolve carrier service complaints.

1 (d) ANNUAL REPORTS.—The Secretary, acting
2 through the Aviation Consumer Advocate, shall submit to
3 the Committee on Commerce, Science, and Transportation
4 of the Senate and the Committee on Transportation and
5 Infrastructure of the House of Representatives an annual
6 report summarizing the following:

7 (1) The total number of annual complaints re-
8 ceived by the Secretary, including the number of
9 complaints by the name of each air carrier and for-
10 eign air carrier.

11 (2) The total number of annual complaints by
12 category of complaint.

13 (3) The number of complaints referred in the
14 preceding year for enforcement or correction action
15 by the Secretary.

16 (4) Any recommendations under subparagraphs
17 (C) and (D) of subsection (c)(2).

18 (5) Such other data as the Aviation Consumer
19 Advocate considers appropriate.

