AMENDMENT TO H.R. 4
OFFERED BY MS. BONAMICI OF OREGON

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

SEC. 4. AVIATION CONSUMER ADVOCATE AND COM-PLAINT RESOLUTION IMPROVEMENT.

(a) IN GENERAL.—The Secretary of Transportation shall review aviation consumer complaints received that allege a violation of law and, as appropriate, pursue enforcement or corrective actions that would be in the public interest.

(b) CONSIDERATIONS.—In considering which cases to pursue for enforcement or corrective action under subsection (a), the Secretary shall consider—

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

(2) unfair and deceptive practices by air carriers, foreign air carriers, and ticket agents;

(3) the terms and conditions agreed to between passengers and air carriers, foreign air carriers, or ticket agents;
(4) aviation consumer protection and tarmac delay contingency planning requirements for both airports and airlines; and

(5) any other applicable law.

(c) AviATion cOnsuMer AdvoCate.—

(1) In gEnerral.—Within the Aviation Consumer Protection Division of the Department of Transportation, there shall be established the position of Aviation Consumer Advocate.

(2) Functions.—The Aviation Consumer Advocate shall—

(A) assist consumers in resolving carrier service complaints filed with the Aviation Consumer Protection Division;

(B) evaluate the resolution by the Department of Transportation of carrier service complaints;

(C) identify and recommend actions the Department can take to improve the enforcement of aviation consumer protection rules and resolution of carrier service complaints; and

(D) identify and recommend regulations and policies that can be amended to more effectively resolve carrier service complaints.
(d) **ANNUAL REPORTS.**—The Secretary, acting through the Aviation Consumer Advocate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an annual report summarizing the following:

1. The total number of annual complaints received by the Secretary, including the number of complaints by the name of each air carrier and foreign air carrier.
2. The total number of annual complaints by category of complaint.
3. The number of complaints referred in the preceding year for enforcement or correction action by the Secretary.
4. Any recommendations under subparagraphs (C) and (D) of subsection (c)(2).
5. Such other data as the Aviation Consumer Advocate considers appropriate.