AMENDMENT TO H.R. 4
OFFERED BY MR. SHUSTER OF PENNSYLVANIA

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. 15. 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 Sec-
etary’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 sub-
section (c), section 47117(e), or any other ap-
portionment 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 re-
cently 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. 117. 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;
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 contrib-
uting 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.

(e) 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. 44. 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”;

(3) by adding at the end the following:

“(5) dealing with allegations of sexual misconduct.”.

SEC. 44. 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 rule-making 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 miti-
gating task or tasks a service animal provides

to its owner; and

(D) whether to allow a passenger to be ac-

companied by more than 1 service animal;

(3) reasonable measures to ensure the safety of

all passengers, such as—

(A) whether to require health and vaccina-

tion 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 serv-

ice animals could have on access to air transpor-

tation 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 fis-
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(e), 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 Com-
merce, 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 re-
requested by the Administrator and the Chief Op-
erating 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 Mod-
ernization 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 Organi-
zation 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 im-
ages, 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.

(e) 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 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, includ-
ing 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 initi-
ated;

(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 seg-
ments 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 Ad-
administration tracked and ensured compliance
with those metrics, milestones, and deadlines;

(O) how the Administration conducted
oversight of the program or project and any re-
lated 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 com-
plete; 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 re-
port 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, non-governmental 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. REGION 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.”.