

**AMENDMENT TO H.R. 4441**  
**OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

Page 10, strike lines 1 through 6.

Page 27, after line 3, insert the following:

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

5                   “(G) BENEFIT-TO-COST CALCULATION.—  
6           Not later than 90 days after receiving an appli-  
7           cation to the Contract Tower Program, the Sec-  
8           retary shall calculate a benefit-to-cost ratio (as  
9           described in subsection (d)) for the applicable  
10          air traffic control tower for purposes of select-  
11          ing towers for participation in the Contract  
12          Tower Program.”.

Page 38, line 11, after “an air carrier” insert  
“(cargo and passenger)”.

Page 44, line 20, after “Secretary” insert “, to act  
in the public interest”.

Page 47, line 10, strike “unless” and all that follows before the semicolon on line 17.

Page 60, line 8, after “or hire” insert “or that is provided by an aircraft management service, including an aircraft management service provided in support of a fractional aircraft management program”.

Page 60, strike lines 22 through 25 and insert the following:

1           “(6) REMOTE LOCATION.—The term ‘remote lo-  
2           cation’ means a location in—

3           “(A) the United States where alternatives  
4           to transportation by air taxi are unavailable or  
5           infeasible, as determined by the Secretary; and

6           “(B) a noncontiguous State of the United  
7           States.

Page 71, after line 3, insert the following:

8           “(4) SAFETY AIR TRAFFIC SERVICES EQUIP-  
9           MENT IN REMOTE LOCATIONS.—

10           “(A) MAINTENANCE BY CORPORATION.—  
11           Any equipment identified pursuant to sub-  
12           section (a) and conveyed to the Corporation  
13           pursuant to paragraph (1) that is located in a  
14           noncontiguous State of the United States and is  
15           critical to the safe provision of air traffic serv-

1           ices in that State may not be sold and shall be  
2           maintained and, as determined necessary by the  
3           Corporation, upgraded by the Corporation.

4                   “(B) EQUIPMENT CRITICAL TO SAFE PRO-  
5           VISION OF AIR TRAFFIC SERVICES.—For pur-  
6           poses of this paragraph, equipment critical to  
7           the safe provision of air traffic services includes  
8           GPS receivers, data link transceivers, ADSB,  
9           multi-function displays, flight information serv-  
10          ices, moving map displays, terrain databases,  
11          airport lighting, and mountain pass cameras.

Page 74, line 16, after “public interest” insert “, in-  
cluding that such proposal would not materially reduce  
access to an airport”.

Page 77, line 17, after “change” insert “, including  
an airspace reclassification,”.

Page 78, lines 11 and 12, strike “air service to af-  
fected communities” and insert “local communities, in-  
cluding with respect to air service”.

Page 207, lines 8 and 9, strike “approve, dis-  
approve, or request a modification of the application”  
and insert “approve or disapprove of the application or  
to request a modification of the application that is nec-  
essary for approval of the application”.

Page 208, lines 7 and 8, strike “response, or disaster recovery” and insert “emergency response, or disaster recovery efforts, including efforts in connection with natural disasters and severe weather events”.

Page 229, line 10, strike the period and insert “**AND UTILITY RESTORATION.**”.

Page 229, line 11, before “The Administrator” insert “(a) **FIREFIGHTER OPERATIONS.—**”.

Page 229, after line 17, insert the following:

1       (b) **UTILITY RESTORATION.—**The Administrator  
2 shall enter into agreements with the Secretary of Energy,  
3 and with such other agencies or parties, including the Fed-  
4 eral Emergency Management Agency, as are necessary, to  
5 facilitate the expeditious authorization of safe unmanned  
6 aircraft system operations in support of service restoration  
7 efforts of utilities.

8       (c) **DEFINITION OF UTILITY.—**In this section, the  
9 term “utility” shall at a minimum include the definition  
10 in section 3(4) of the Public Utility Regulatory Policies  
11 Act of 1978 (16 U.S.C. 2602(4)).

Page 216, line 18, strike “and”.

Page 216, after line 18, insert the following:

1           “(5) the aircraft is not operated over or within  
2           the property of a fixed site facility that operates  
3           amusement rides available for use by the general  
4           public or the property extending 500 lateral feet be-  
5           yond the perimeter of such facility unless the oper-  
6           ation is authorized by the owner of the amusement  
7           facility; and

Page 220, line 2, strike the closing quotation marks  
and the final period and insert the following (and con-  
form the chapter analysis accordingly):

8   **“§ 45509. Chemical facilities and oil refineries**

9           “(a) REGULATIONS.—Not later than 6 months after  
10          the date of enactment of this section, the Administrator  
11          of the Federal Aviation Administration shall issue final  
12          regulations concerning the operation of small unmanned  
13          aircraft systems in the proximity of chemical facilities and  
14          oil refineries.

15          “(b) CONTENTS.—In issuing the regulations, the Ad-  
16          ministrator shall—

17                 “(1) determine, in consultation with the heads  
18                 of other government agencies that have relevant se-  
19                 curity information, which chemical facilities and oil  
20                 refineries will be subject to the regulations;

21                 “(2) ensure that the chemical facilities and oil  
22                 refineries that are subject to the regulations include

1 facilities subject to other security-related laws, un-  
2 less the Administrator specifically excludes a facility  
3 and provides a justification for the exclusion;

4 “(3) establish boundaries for permissible un-  
5 manned aircraft operation, both for proximity to and  
6 distance above chemical facilities and oil refineries;

7 “(4) ensure that the regulations permit owners  
8 and operators of chemical facilities and oil refineries  
9 to operate small unmanned aircraft on or around the  
10 facilities and refineries for business or site oper-  
11 ational purposes; and

12 “(5) ensure that the regulations establish civil  
13 and criminal penalties for individuals and entities  
14 that violate the regulations.

15 “(c) CHEMICAL FACILITIES AND OIL REFINERIES  
16 DEFINED.—In this section, the term ‘chemical facilities  
17 and oil refineries’ means—

18 “(1) the facilities regulated pursuant to title  
19 XXI of the Homeland Security Act of 2002 (6  
20 U.S.C. 621 et seq.); and

21 “(2) the facilities regulated under the Maritime  
22 Transportation Security Act of 2002 (Public Law  
23 107–295; 116 Stat. 2064).”.

Page 226, after line 2, insert the following:

24 (d) INDUSTRY LEADERSHIP.—

1           (1) IN GENERAL.—Not later than 30 days after  
2           the date of enactment of this Act, the Administrator  
3           shall establish a UAS Advisory Committee.

4           (2) MEMBERSHIP.—The Advisory Committee  
5           shall consist of not more than 5 individuals.

6           (3) QUALIFICATIONS.—The members of the Ad-  
7           visory Committee established under paragraph (1)  
8           shall—

9                   (A) be selected from the unmanned air-  
10                  craft system industry base;

11                   (B) have extensive experience in develop-  
12                  ment, operations, and Federal Aviation Admin-  
13                  istration regulatory issues relating to unmanned  
14                  aircraft systems; and

15                   (C) represent the different cross-sections of  
16                  the classes of unmanned aircraft systems.

17           (3) DUTIES.—The Advisory Committee estab-  
18           lished under paragraph (1) shall provide guidance  
19           and recommendations to the Federal Aviation Ad-  
20           ministration so that proposed regulations and policy  
21           are consistent with existing technology, infrastruc-  
22           ture, and a phased early approach to integration of  
23           safe flight of unmanned aircraft systems in the na-  
24           tional airspace system.

1 (4) SUNSET.—The Advisory Committee shall  
2 terminate on the last day of the 6-year period begin-  
3 ning on the date of the initial appointment of the  
4 members of the Advisory Committee.

5 (e) UAS ADVISORY AND RULEMAKING COM-  
6 MITTEE.—

7 (1) CHARTER.—The Federal Aviation Adminis-  
8 tration’s unmanned aircraft systems advisory and  
9 rulemaking committee shall continue until Sep-  
10 tember 30, 2022, or until full integration of un-  
11 manned aircraft systems into the national airspace  
12 system is achieved, whichever occurs first.

13 (2) MEMBERSHIP.—A representative of the  
14 Federal Aviation Administration’s unmanned air-  
15 craft system center of excellence shall be added to  
16 the Federal Aviation Administration’s unmanned  
17 aircraft systems advisory and rulemaking committee.

Page 235, after line 18, insert the following:

18 **SEC. 442. LIMITATION ON OPERATION OF UNMANNED AIR-**  
19 **CRAFT SYSTEMS NEAR AMUSEMENT FACILI-**  
20 **TIES.**

21 The Administrator of the Federal Aviation Adminis-  
22 tration shall issue such regulations as are necessary to  
23 prohibit the operation of an unmanned aircraft system  
24 over or within the property of a fixed site facility that op-



1 erates amusement rides available for use by the general  
2 public or the property extending 500 lateral feet beyond  
3 the perimeter of such facility unless the operation is au-  
4 thorized by the owner of the amusement facility.

5 **SEC. 443. EARLY INTEGRATION PROGRAM.**

6 Not later than 60 days after the date of enactment  
7 of this Act, the Administrator of the Federal Aviation Ad-  
8 ministration shall provide to Congress a plan for the early  
9 introduction of unmanned aircraft that weigh greater than  
10 1320 pounds into the national airspace system. The plan  
11 shall include an operational test and evaluation of the  
12 flight of such aircraft in Class A airspace between several  
13 flight test centers. The plan shall provide for the dem-  
14 onstration of a sense-and-avoid system, secure datalink,  
15 and all necessary procedures and contingencies for safe,  
16 cross-country civil flight operations in the national air-  
17 space system.

Page 240, line 24, strike “Secretary” and insert  
“Secretary of Transportation”.

Page 242, strike lines 7 through 18.

Page 242, strike line 19 and all that follows through  
line 16 on page 243 and insert the following:

1 **SEC. 532. ESSENTIAL AIR SERVICE AUTHORIZATION.**

2 Section 41742(a)(2) of title 49, United States Code,  
3 is amended by striking “\$150,000,000 for fiscal year  
4 2011” and all that follows before “to carry out” and in-  
5 serting “\$175,000,000 for fiscal year 2016, \$178,000,000  
6 for fiscal year 2017, \$181,000,000 for fiscal year 2018,  
7 \$185,000,000 for fiscal year 2019, \$189,000,000 for fis-  
8 cal year 2020, \$193,000,000 for fiscal year 2021, and  
9 \$196,000,000 for fiscal year 2022”.

Page 256, line 12, strike “through (6)” and insert  
“through (6),”.

Page 269, line 12, strike “AIRCRAFT.—” and all  
that follows through “The Secretary” on line 13 and in-  
sert “AIRCRAFT.—The Secretary”.

Page 269, line 17, add at the end the following:  
“Section 828 of the FAA Modernization and Reform Act  
of 2012 (49 U.S.C. 44701 note) shall apply to this rule-  
making.”.

Page 269, strike line 18 and all that follows through  
line 2 on page 270.

