

## HR 658

FAA Modernization and Reform Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Transportation and Public Works

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### Sponsor

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**Name:** Rep. Mica, John L. [R-FL-7]

**Party:** Republican • **State:** FL • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
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Rep. Bucshon, Larry [R-IN-8]	R · IN		Feb 11, 2011
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Rep. Rokita, Todd [R-IN-4]	R · IN		Feb 14, 2011
Rep. Guinta, Frank C. [R-NH-1]	R · NH		Mar 2, 2011

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Bills of Interest - Exchange of Letters	Apr 3, 2012
Judiciary Committee	House	Discharged From	Mar 23, 2011
Science, Space, and Technology Committee	House	Discharged From	Mar 23, 2011
Transportation and Infrastructure Committee	House	Reported By	Mar 16, 2011

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

## Related Bills

Bill	Relationship	Last Action
<a href="#">112 HR 3899</a>	Related bill	<b>Feb 3, 2012:</b> Referred to the House Committee on Ways and Means.
<a href="#">112 HRES 533</a>	Procedurally related	<b>Feb 3, 2012:</b> Motion to reconsider laid on the table Agreed to without objection.
<a href="#">112 S 223</a>	Related document	<b>Apr 7, 2011:</b> See also H.R. 658.
<a href="#">112 HR 970</a>	Related bill	<b>Apr 4, 2011:</b> Placed on the Union Calendar, Calendar No. 26.
<a href="#">112 HRES 189</a>	Procedurally related	<b>Mar 31, 2011:</b> On agreeing to the resolution Agreed to by the Yeas and Nays: 249 - 171 (Roll no. 205). (text: CR H2122)

**(This measure has not been amended since the Conference Report was filed in the House on February 1, 2012. The summary of that version is repeated here.)**

FAA Modernization and Reform Act of 2012 - **Title I: Authorizations - Subtitle A: Funding of FAA Programs** - (Sec. 101) Authorizes appropriations to the Secretary of Transportation (DOT) out of the Airport and Airway Trust Fund for FY2012-FY2015 for: (1) airport planning and development and noise compatibility planning programs, (2) Federal Aviation Administration (FAA) air navigation facilities and equipment, and (3) FAA operations.

(Sec. 103) Requires the Secretary, in cases where appropriations are insufficient to meet FAA operations, to reduce nonsafety-related FAA activity expenses to a level to meet such appropriations.

(Sec. 104) Authorizes additional appropriations from the general fund of the Treasury for aviation programs through FY2015.

(Sec. 105) Requires the FAA Administrator to include in the Airway Capital Investment Plan a list of capital projects that are part of the Next Generation Air Transportation System (NextGen).

**Subtitle B: Passenger Facility Charges** - (Sec. 111) Converts to permanent the pilot program for passenger facility charges (PFCs) at nonhub airports.

(Sec. 112) Requires the Comptroller General to study alternative means of collecting PFCs without their being included in the airline ticket price.

(Sec. 113) Expresses the sense of Congress that airports should consider the use of qualifications-based selection in carrying out capital improvement projects funded using PFCs.

**Subtitle C: Fees for FAA Services** - (Sec. 121) Revises requirements for establishment and adjustment of user overflight fees for FAA services.

(Sec. 122) Directs the FAA Administrator to prescribe certain registration, certification, and other specified fees.

**Subtitle D: Airport Improvement Program Modifications** - (Sec. 131) Revises airport improvement program (AIP) requirements. Directs the Secretary to encourage airport sponsors and state and local officials, in the development of their airport master plans, to consider as additional goals passenger convenience, airport ground access, and access to airport facilities.

(Sec. 132) Extends the meaning of "airport development," for AIP project grant purposes, to: (1) construction of mobile refueler parking within a fuel farm at a nonprimary airport meeting specified requirements; (2) terminal development; and (3) acquisition and installation of facilities and equipment to provide air conditioning, heating, or electric power from terminal-based, nonexclusive use facilities to aircraft parked at a public use airport.

(Sec. 133) Requires an airport's master plan to address issues relating to solid waste recycling at the airport as a condition to the approval of an AIP project.

(Sec. 134) Repeals the requirements that competition plans include patterns of air service and airfare levels.

(Sec. 135) Revises requirements for written assurances on AIPs for acquiring land for a noise compatibility or airport

purpose to allow for reinvestment in another specified kind of AIP of proceeds from disposition of the land proportional to the government's share of the cost of acquiring it.

(Sec. 136) Allows a general aviation airport sponsor, without federal sanction, to enter into a through-the-fence agreement granting a person owning residential real property adjacent to the airport access to the airfield for the person's aircraft or an aircraft the person has authorized.

(Sec. 137) Prescribes special rules for the federal share of allowable costs for AIP projects for: (1) transition from a small hub to medium hub airport status (90% share), and (2) economically distressed communities (95% share).

(Sec. 138) Revises or adds new justifications for allowable AIP project costs, including costs incurred: (1) before execution of the grant agreement because the airport has a shortened construction season due to climactic conditions in the airport vicinity, or (2) on a measure to improve the efficiency of an airport building.

Prescribes requirements for allowing the costs of relocating or replacing an airport-owned facility.

Directs the FAA Administrator, upon the conclusion of all planned research regarding avian (bird) radar systems, to: (1) update Advisory Circular No. 150/5220-25 to specify which systems have been studied, and (2) issue a final report on their use in the national airspace system.

(Sec. 139) Adds Afghanistan-Iraq war and Persian Gulf veterans to veterans preference requirements for contracts involving labor on AIP projects. Requires that preference as well be given to the use of small business concerns owned and controlled by disabled veterans.

(Sec. 140) Directs the Secretary to establish a mandatory training program to provide streamlined training for airport owners and operators on how to certify a small business airport concession as one owned and operated by socially and economically disadvantaged individuals under the airport disadvantaged business program.

Requires DOT's Inspector General to report to Congress for FY2013-FY2015 on the number of new small businesses owned and controlled by socially and economically disadvantaged individuals (including those owned by veterans) that participated in FAA programs.

(Sec. 141) Authorizes the Secretary to apportion to an airport sponsor in a fiscal year an amount equal to the minimum amount apportioned to that sponsor in the previous fiscal year if: (1) the airport received scheduled or unscheduled air service from a large certificated air carrier, and (2) the airport had more than 10,000 passenger boardings in the preceding calendar year used to calculate the apportionment.

Prescribes a special rule for FY2012-FY2013. Allows an airport sponsor apportionment in FY2012 or FY2013 equal to the amount apportioned to that sponsor in FY2009 for an airport: (1) that had more than 10,000 passenger boardings and scheduled passenger aircraft service in calendar year 2007; but (2) in either calendar years 2009 or 2010, or both years, the number of passenger boardings at the airport decreased to below 10,000 per year.

(Sec. 142) Requires the Secretary to make minimum supplemental apportionments to Puerto Rico and all other U.S. territories for AIP projects. Declares that nothing in this section shall prohibit the Secretary from making discretionary fund grants for such projects.

(Sec. 143) Revises the formula for reducing the amount apportioned for an AIP in a fiscal year to the sponsor of an airport having at least .25% of the total number of boardings each year in the United States and for which a passenger

facility fee is imposed. Prescribes a special formula for such reductions in Hawaii with respect to an airport sponsor's PFC of \$3.00 or less and a PFC of more than \$3.00.

(Sec. 144) Extends through FY2015 the eligibility of the Marshall Islands, the Federated States of Micronesia, and Palau for AIP grants.

(Sec. 145) Revises requirements for special apportionments for airport noise compatibility planning and program grants to limit the dollar amount of the minimum 35% apportionment to a maximum of \$300 million. Applies the same apportionment, also, to water quality mitigation projects approved in an environmental record of decision for an AIP project.

(Sec. 146) Makes current or former military airports that preserve or enhance minimum airfield infrastructure facilities to support emergency diversionary operations for transoceanic flights eligible for certain discretionary grant funding used to develop current or former such airports.

(Sec. 147) Prescribes a special rule that, if the Secretary determines that a contract air traffic control tower already operating under the low activity (Visual Flight Rules) Level I contract program has a benefit-to-cost ratio of less than 1.0, the airport sponsor or state or local government with jurisdiction over the airport shall not be required to pay the portion of the costs that exceeds the benefit for a period of 18 months.

Establishes funding levels for FY2012-FY2015 for the air traffic control contract tower program.

Increases the federal share of the cost of construction of a nonapproach control tower under the program.

Directs the Secretary to establish uniform standards and requirements for safety assessments of air traffic control towers that receive funding under such program.

(Sec. 148) Applies to foreign air carriers (under current law, applies only to domestic air carriers) requirements for resolution of airport fee disputes.

(Sec. 149) Revises exceptions to the prohibition against use of local taxes on aviation fuel or the revenues generated by an airport for any purpose (revenue diversion) other than the capital or operating costs of the airport, the local airport system, or any other local facility owned or operated by the airport owner or operator that is directly and substantially related to the air transportation of passengers or property.

Excepts from such prohibition any proceeds from the sale of a privately owned airport to a public sponsor that meets specified criteria, including repayment by the private owner to the Secretary of the remaining unamortized portion of any AIP grant to that airport.

(Sec. 150) Repeals the prohibition against approval of any Metropolitan Washington Airports Authority application: (1) for an airport development project grant; or (2) to impose a PFC.

(Sec. 151) Amends Vision 100-Century of Aviation Reauthorization Act to extend for FY2012- FY2015 the eligibility of Midway Island Airport for an AIP grant.

(Sec. 152) Limits the amount of discretionary funds the Secretary may distribute for terminal development projects at nonhub or small hub airports to \$20 million.

Revises reporting requirements of the Secretary's annual AIP report to Congress, moving its deadline from April 1 to June

1.

(Sec. 153) Extends through FY2015 the authority for grants to state and local governments for compatible land use planning and projects.

(Sec. 154) Directs the FAA Administrator, to the extent practicable, to schedule the review as early as possible of construction projects which cannot be carried out in a state before May 1 because of weather during a typical calendar year.

(Sec. 155) Directs the Secretary to evaluate the formulation of the National Plan of Integrated Airport Systems.

(Sec. 156) Revises certain requirements for approval of applications for exemption from the revenue diversion prohibition under the airport privatization pilot program. Increases from 5 to 10 the number of airport exemption applications the Secretary may approve.

**Title II: NextGen Air Transportation System and Air Traffic Control Modernization** - (Sec. 202) Directs the Secretary to give priority to 18 Next Generation Air Transportation System (NextGen) activities, including demonstrations and infrastructure, trajectory-based operations, and reduced weather impact.

(Sec. 203) Authorizes a federal agency head to transfer non-administrative supplies, personnel, services, and equipment to, or receive them from, the FAA, with or without reimbursement (currently, only without reimbursement).

(Sec. 204) Requires the FAA Administrator to appoint a Chief NextGen Officer to implement all NextGen programs.

(Sec. 205) Extends the meaning of air navigation facility to specify: (1) runway lighting and airport surface visual and other navigation aids; (2) apparatus, equipment, software, or service for distributing aeronautical and meteorological information to air traffic control facilities or aircraft; (3) communication, navigation, or surveillance equipment for air-to-ground or air-to-air applications; and (4) buildings, equipment, and systems dedicated to the national airspace system.

(Sec. 206) Repeals the restriction on the FAA's authority to use noncompetitive procurement of goods and services that allows such procurement only in the kind of situation when the property or services are available from only one responsible source or only from a limited number of responsible sources and no other type of property or services will satisfy FAA needs.

(Sec. 207) Authorizes the FAA Administrator to bid competitively to provide air traffic services to aviation authorities abroad, both public and private, if it promotes aviation safety and efficiency (currently, only safety). Authorizes the FAA Administrator to accept payments for such services in arrears (rather than in advance).

(Sec. 208) Amends the Vision 100-Century of Aviation Reauthorization Act to make the director of the NextGen Joint Planning and Development Office (JPDO) the Associate Administrator for NextGen Planning, Development, and Interagency Coordination within the FAA, to be appointed by the FAA Administrator, with the approval of the Secretary.

Specifies additional JPDO responsibilities.

Requires NextGen partner federal agencies to designate senior officials to carry out NextGen activities at their respective agencies.

Requires the JPDO to coordinate NextGen activities with the Office of Management and Budget (OMB).

Requires the integrated NextGen plan to include a multiagency integrated work plan containing certain elements, including an outline of the activities of partner federal agencies required to achieve the end-state architecture.

(Sec. 209) Requires the Next Generation Air Transportation Senior Policy Committee to meet at least twice each year. Directs the Secretary to report annually to Congress on progress made by NextGen partner federal agencies in implementing the NextGen integrated work plan.

(Sec. 210) Grants the FAA Administrator authority to retain as part of its appropriation any proceeds from the disposal of FAA property.

(Sec. 211) Directs the DOT Inspector General to review the award and oversight of FAA contracts to provide automatic dependent surveillance-broadcast (ADS-B) services for the national airspace system.

(Sec. 212) Directs the FAA Administrator to arrange with the National Research Council to review and report to Congress on the enterprise architecture for the NextGen.

(Sec. 213) Requires the FAA Administrator to: (1) report on navigation performance and area navigation operations and procedures required to maximize the efficiency and capacity of NextGen commercial operations at 35 operational evolution partnership (OEP) airports and 35 non-OEP airports, including any medium or small hub airports within the same metroplex area; (2) establish a plan and schedule for implementing such procedures; and (3) submit to Congress a plan for deploying a nationwide data communications system.

(Sec. 214) Directs the FAA Administrator to establish, track, and report to Congress on specified National Airspace System performance metrics.

(Sec. 215) Requires the FAA Administrator to develop plans to accelerate the process for certification of NextGen technologies.

(Sec. 216) Directs the Chief Operating Officer of the Air Traffic Organization to: (1) evaluate the Airport Surface Detection Equipment-Model X program for its potential contribution to implementation of the NextGen initiative, (2) evaluate airport surveillance technologies and associated collaborative surface management software for potential contributions to implementation of NextGen surface management, and (3) accelerate implementation of the program.

Directs the FAA Administrator to: (1) consider options for expediting the certification of Ground-Based Augmentation System technology, and (2) develop a plan to utilize such a system at the 35 OEP airports.

(Sec. 217) Requires the FAA Administrator to include certain stakeholders to serve in a collaborative capacity in the planning and development of air traffic control modernization projects, including NextGen.

(Sec. 218) Requires the FAA Administrator, in conjunction with the Port Authority of New York and New Jersey and the Philadelphia International Airport, to monitor the noise impacts of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

(Sec. 219) Requires the FAA Administrator to study the feasibility of developing a public website on the height and latitudinal and longitudinal locations of guy-wire and free-standing tower obstructions.

(Sec. 220) Directs the FAA Administrator to enter into an agreement, on a competitive basis, to assist the establishment of a center of excellence for the research and development of NextGen technologies.

(Sec. 221) Authorizes the Secretary to establish an avionics equipage incentive program to equip through public-private partnerships general aviation and commercial aircraft with communications, surveillance, navigation, and other avionics equipment to achieve NextGen capabilities.

(Sec. 222) Requires the FAA Administrator to issue a report that identifies incentive options to encourage the equipage of aircraft with NextGen technologies, including ADS-B technology.

(Sec. 223) Directs the FAA Administrator to make payments to the Department of Defense (DOD) for the education of dependent children of those FAA employees in Puerto Rico and Guam as they are subject to transfer by policy and practice and meet specified eligibility requirements.

(Sec. 224) Directs the FAA Administrator to: (1) ensure a sufficient number of contract instructors, classroom space, and simulators to allow for an increase in the number of air traffic controllers at air traffic control facilities, and (2) initiate an analysis of scheduling processes and practices at those facilities as well as training programs with below-average success rates.

(Sec. 225) Directs the FAA Administrator to report to Congress on the FAA strategy for implementing, on an accelerated basis, the NextGen operational capabilities produced by the Greener Skies project (for reducing environmental impacts of aviation).

**Title III: Safety - Subtitle A: General Provisions -** (Sec. 301) Authorizes a person substantially affected (denied an airman certificate) by an order of the National Transportation Safety Board (NTSB), or the FAA Administrator when an NTSB order will have a significant adverse impact on FAA issuance or renewal of airman certificates, to seek judicial review in the appropriate U.S. Court of Appeals.

(Sec. 302) Prescribes a process under which the FAA may release, without the consent of the aircraft's owner of record, engineering data relating to abandoned aircraft type certificates and supplemental aircraft type certificates for an aircraft, engine, propeller, or appliance to a person seeking to maintain the airworthiness of or develop product improvements to such aircraft or equipment.

(Sec. 303) Revises requirements for FAA issuance of a design organization certificate to a design organization (as under current law), a production organization, or a design and production organization which authorizes the organization to certify compliance of aircraft, aircraft engines, propellers, and appliances with the pertinent requirements and minimum standards. Calls an organization holding such a certificate a certified design and production organization (CDPO).

(Sec. 304) Prohibits anyone from serving as a flight attendant, except solely between points outside the United States, unless he or she has the ability to read, speak, and write English.

(Sec. 305) Repeals the requirement that air carriers evaluate biannually through a line check the performance of their pilots who have attained age 60.

(Sec. 306) Requires part 135 certificate holders providing helicopter air ambulance services to comply with certain weather minimums and flight and duty time regulations whenever medical personnel are onboard the aircraft. Exempts a certificate holder who is training under instrument flight rules from the weather reporting requirement if authorized by the FAA Administrator.

Directs the FAA Administrator to: (1) issue a final rule to improve the safety of flight crewmembers, medical personnel, and passengers onboard helicopters providing helicopter air ambulance services; and (2) ensure that a part 135

certificate holder providing such services to establish a flight risk evaluation program, have an operational control center if 10 or more helicopters are used, and report certain data.

(Sec. 307) Makes it unlawful for a flight crewmember of an aircraft used to provide air transportation to use a personal wireless communications device or laptop computer while at his or her duty station on the aircraft's flight deck while the aircraft is being operated, except for operational, emergency safety-related, or employment-related communications, or another purpose directly related to operation of the aircraft. Directs the FAA Administrator to initiate a rulemaking for implementing regulations.

Directs the FAA Administrator to: (1) review relevant air carrier data, (2) identify common sources of distraction for flight crewmembers on the flight deck, and (3) determine the safety impacts of such distractions.

(Sec. 308) Directs the FAA Administrator to: (1) establish and implement a safety assessment system for all part 145 repair stations located outside the United States that perform maintenance on U.S. aircraft; and (2) require such stations to be inspected as safety concerns warrant.

Requires the safety assessment system also to: (1) consider inspection results and findings submitted by foreign civil aviation authorities operating under a maintenance safety or maintenance implementation agreement with the United States, and (2) require all maintenance safety or maintenance implementation agreements with the United States to provide an opportunity for the FAA to conduct independent inspections of covered part 145 repair stations when safety concerns warrant them.

Directs the Secretaries of State and of Transportation jointly to request foreign countries belonging to the International Civil Aviation Organization to establish standards for alcohol and controlled substances testing of persons who perform safety-sensitive maintenance functions on commercial air carrier aircraft.

Requires the FAA Administrator to promulgate a proposed rule to require alcohol and controlled substances testing of foreign part 145 repair station employees responsible for safety-sensitive maintenance functions on part 121 air carrier aircraft.

(Sec. 309) Requires air carriers to provide initial and annually recurring training for flight attendants they employ or contract with regarding the serving of alcohol to passengers, as well as recognizing and dealing with disruptive passengers.

(Sec. 310) Prohibits the public disclosure of certain safety information (except de-identified information) voluntarily submitted to the FAA.

(Sec. 311) Amends the federal criminal code to prohibit the aiming of the beam of a laser pointer at an aircraft or in its flight path. Imposes a fine and/or prison term of up to five years.

Exempts from such prohibition: (1) individuals conducting research and development or flight test operations for an aircraft manufacturer or the FAA; (2) DOD or Department of Homeland Security (DHS) personnel conducting research, development, operations, testing or training; or (3) an individual using a laser emergency signaling device to send a distress signal.

(Sec. 312) Directs the FAA Administrator to: (1) assess the FAA aircraft certification and approval process, and (2) make recommendations to improve and streamline it.

(Sec. 313) Directs the FAA Administrator to establish an advisory panel to: (1) review the October 2010 report by the Government Accountability Office (GAO) on certification and approval processes (GAO-11-14) and develop related recommendations, (2) determine the causes of inconsistent interpretation of regulations by the FAA Flight Standards Service and Aircraft Certification Service, and (3) develop recommendations to improve the consistency of interpreting such regulations.

(Sec. 314) Directs the FAA Administrator to develop: (1) a strategic runway safety plan; (2) a process for tracking and investigating operational errors, losses of standard separation, and runway incursions; and (3) report a plan for installing systems to alert controllers or flight crew members of potential runway incursions.

(Sec. 315) Requires the FAA Administrator to modify the Flight Standards Evaluation Program to: (1) include periodic and random reviews as part of FAA's oversight of air carriers; and (2) prohibit an individual from participating in the review of an office with responsibility for an air carrier if, for five-years preceding such review, such individual had responsibility for inspecting that carrier's operations.

(Sec. 316) Directs the Comptroller General to study the effectiveness of FAA oversight activities to prevent or mitigate the effects of dense, continuous smoke in the cockpit of a commercial aircraft.

(Sec. 317) Directs the FAA Administrator to: (1) review off-airport, low-altitude aircraft weather observation technologies; and (2) study the feasibility of requiring air ambulance helicopter pilots to use night vision goggles during nighttime operations.

(Sec. 319) Directs the FAA Administrator to issue regulations requiring covered maintenance work on passenger aircraft to be performed by certain authorized individuals employed by: (1) a part 121 (domestic) air carrier; (2) a part 145 repair station or a person holding a valid Transport Canada Civil Aviation Maintenance Engineer license; or (3) a person providing contract maintenance workers, services, or maintenance functions to a part 145 repair station or part 121 air carrier and meeting related requirements.

(Sec. 320) Requires the FAA Administrator to study air quality in aircraft cabins.

(Sec. 321) Requires the FAA Administrator to: (1) issue improved pilot licenses that are tamper-resistant, include a photograph, and are smart cards capable of accommodating iris and fingerprint biometric identifiers; and (2) develop methods to determine whether a license has been tampered with, altered, or counterfeited.

**Subtitle B: Unmanned Aircraft Systems** - (Sec. 332) Requires the Secretary to develop a plan to accelerate safely the integration by September 30, 2015, of civil unmanned aircraft systems (UASes, or drones) into the national airspace system.

Requires the FAA Administrator to establish a pilot program to integrate drones into the national airspace system at six test ranges meeting specified criteria.

Directs the Secretary to develop a plan to designate permanent areas in the Arctic where small drones may operate 24 hours per day for research and commercial purposes.

(Sec. 333) Requires the Secretary to determine if certain drones may operate safely in the national airspace system before completion of the plan.

(Sec. 334) Requires the Secretary to: (1) issue guidance regarding the operation of public drones to expedite the

issuance of a certificate of authorization process, and for other specified reasons; and (2) enter into agreements with appropriate government agencies to simplify the process for issuing certificates of waiver or authorization to operate public drones in such system.

Requires the FAA Administrator to develop and implement, by December 31, 2015, operational and certification requirements for the operation of public drones in the national airspace system.

(Sec. 335) Directs the FAA Administrator to carry out all safety studies necessary to support the integration of drones into the national airspace system.

(Sec. 336) Prohibits the FAA Administrator from promulgating rules or regulations on model aircraft flown strictly for hobby or recreational purposes and meeting certain other criteria.

**Subtitle C: Safety and Protections** - (Sec. 341) Establishes in the FAA an Aviation Safety Whistleblower Investigation Office, which shall receive and assess complaints and information relating to possible violations of aviation safety laws and regulations.

(Sec. 342) Prohibits any person holding an air carrier operating certificate from knowingly employing, or contracting with, an individual to act as an agent or representative of the certificate holder in any matter before the FAA if, in the preceding two-year period, the individual: (1) served as, or was responsible for oversight of, a FAA flight standards inspector; and (2) had responsibility to inspect, or oversee inspection of, the operations of the certificate holder.

(Sec. 343) Directs the FAA Administrator to establish a process for the monthly review of the FAA air transportation oversight system database by regional teams of FAA employees, including at least one employee on each team representing aviation safety inspectors.

(Sec. 344) Requires the FAA Administrator to modify the Voluntary Disclosure Reporting Program to require inspectors to: (1) verify that air carriers implement comprehensive solutions to correct the underlying causes of the violations they have voluntarily disclosed; and (2) confirm, before approving a final report of a disclosed violation, that a violation with the same root causes has not previously been discovered by an inspector or self-disclosed by the air carrier.

Requires the FAA Administrator to establish a process for the review and approval of voluntary self-disclosures received from air carriers.

Requires the DOT Inspector General to study the Voluntary Disclosure Reporting Program.

(Sec. 345) Directs the FAA Administrator to initiate rulemaking proceedings regarding duty periods and flight time limitations for flight crew members.

(Sec. 346) Prohibits the FAA Administrator from finalizing a rule regarding flight time and rest period regulations for part 135 certificate holders providing air ambulance services and pilots and flight crewmembers of all-cargo aircraft, as proposed in docket No. FAA-2010-1259, Interpretations of Rest Requirements, published in the Federal Register on December 23, 2010.

(Sec. 347) Requires the FAA Administrator to: (1) require an annual inspection of each emergency locator transmitter (ELT) installed in general aviation aircraft operating in the United States to ensure that it is mounted and retained in accordance with manufacturer's specifications, (2) determine if the ELT mounting requirements and retention tests specified by Technical Standard Orders C91a and C126 are adequate, and (3) make any revisions to the requirements

and tests based on the determination's results.

**Title IV: Air Service Improvements - Subtitle A: Passenger Air Service Improvements - (Sec. 401)** Prohibits an individual from smoking in an aircraft: (1) in scheduled interstate, intrastate, or foreign air passenger transportation; and (2) in nonscheduled intrastate, interstate, or foreign commercial air passenger transportation, if a flight attendant is a required crewmember onboard the aircraft.

(Sec. 402) Requires the Secretary to collect, and publish on the DOT website, data regarding canceled and diverted flights of air carriers.

(Sec. 403) Requires an air carrier to permit an air passenger to carry, without charge, a violin, guitar, or other musical instrument on a passenger aircraft if it can be stowed safely in a suitable baggage compartment or under a passenger seat in accordance with FAA requirements for carry-on baggage or cargo. Sets forth requirements for the carriage of musical instruments as checked baggage or as occupants of a purchased seat.

(Sec. 404) Extends, through FY2014, the requirement that large or medium hub airports file competitive access reports with the Secretary before receiving approval for an AIP grant.

(Sec. 405) Expresses the sense of Congress urging all U.S. commercial air carriers to reduce air fares and eliminate certain fees or charges for members of the Armed Forces who are traveling on leave or liberty at their own expense.

(Sec. 406) Requires the DOT Inspector General to review air carrier flight delays, cancellations, and associated causes to update its 2000 report entitled "Audit of Air Carrier Flight Delays and Cancellations."

(Sec. 407) Directs the Comptroller General to study checked baggage delivery delays and the options and impact of establishing minimum standards to compensate a passenger for an unreasonable delivery delay.

(Sec. 408) Authorizes the Secretary to investigate consumer complaints regarding: (1) flight cancellations; (2) overbooking compliance; (3) lost, damaged, or delayed baggage; (4) fares; (5) incorrect or incomplete fare information; (6) frequent flyer mile rights; and (7) deceptive or misleading advertising.

(Sec. 409) Directs the FAA Administrator to study: (1) commuter and on demand aircraft operators, and (2) the impact of cell phone use in foreign aircraft during flight.

(Sec. 411) Directs the Secretary to establish an advisory committee for aviation consumer protection.

(Sec. 412) Directs the FAA Administrator to prescribe regulations to require each commercial air carrier to post on its website the maximum dimensions of a child safety seat that can be used on its aircraft.

(Sec. 413) Directs the FAA Administrator to convene a meeting of air carriers to reduce, on a voluntary basis, the number of their aircraft operations during any hour at an airport so as not to exceed the maximum departure and arrival rate if: (1) such operations exceed the hourly maximum departure and arrival rate established by the FAA, and (2) such excess operations are likely to have a significant adverse effect on the safe and efficient use of navigable airspace.

(Sec. 414) Requires the Secretary to grant certain air carriers an additional 16 slot exemptions from specified requirements and prohibitions concerning operation of an aircraft nonstop between Ronald Reagan Washington National Airport and another airport more than 1,250 statute miles away (Perimeter Rule limit), or an airport located within such perimeter. Directs the Secretary to make 8 such exemptions available to limited incumbent air carriers or new entrant air

carriers and 8 available to other non-limited incumbent air carriers.

Prohibits an air carrier using such an exemption for beyond-perimeter flight operations from: (1) operating a multi-aisle or widebody aircraft in conducting such operations, or (2) transferring the rights to its beyond-perimeter exemptions.

Prohibits such exemptions: (1) for operations between the hours of 10:00 p.m. and 7:00 a.m., and (2) from increasing the number of operations at Ronald Reagan Washington National Airport in any 1-hour period between the hours of 7:00 a.m. and 9:59 p.m. by more than 5 operations.

(Sec. 415) Requires certain air carriers and airport operators to submit for the Secretary's approval emergency contingency plans for: (1) how adequate food, potable water, restroom facilities, comfortable cabin temperatures, and access to medical treatment will be provided to passengers who are onboard an aircraft at the airport when departure of the flight or disembarkation of passengers is delayed; (2) sharing of facilities and gates during an airport emergency; (3) allowed deplanement of passengers following excessive tarmac delays; (4) a passenger option to deplane and return to the airport terminal when there is an excessive tarmac delay; and (5) the provision of a sterile area following excessive tarmac delays for passengers who have not yet cleared U.S. Customs and Border Protection (CBP).

Requires: (1) the Secretary to establish a consumer complaints toll-free hotline telephone number for use by air passengers; and (2) certain air carriers to include on their websites, and prominently on displayed signs at airport ticket counters and any electronic ticket purchase confirmation issued to a passenger, such hotline number and other air carrier information, including contact information for the DOT Aviation Consumer Protection Division for service complaints.

Requires: (1) the Secretary to make available to the public a website listing countries that may require an air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides before a flight to the country or to apply an aerosol insecticide when the cabin is occupied with passengers; and (2) an air carrier, foreign air carrier, or ticket agent selling a ticket in the United States for foreign air transportation to a country on the list to refer a flight ticket purchaser to the website for additional information.

**Subtitle B: Essential Air Service** - (Sec. 421) Revises Essential Air Service (EAS) program eligibility requirements to limit such service to airports (except those in Alaska or Hawaii and those located more than 175 driving miles from the nearest large or medium hub airport) that had an average of 10 enplanements per service day or more. Authorizes the Secretary to waive such requirements provided certain conditions are met.

(Sec. 422) Makes eligible for EAS communities that, between September 30, 2010, and September 30, 2011, received: (1) EAS for which compensation was provided to an air carrier, or (2) a 90-day notice of intent to terminate EAS but the air carrier was required to continue to provide such service.

(Sec. 423) Requires the Secretary, in selecting an air carrier to provide EAS for compensation to an eligible community, to consider whether an air carrier has a marketing plan.

(Sec. 424) Requires the Secretary to: (1) notify communities before their termination of eligibility for EAS, and (2) establish procedures by which each community notified of an impending loss of subsidy may work directly with an air carrier to ensure that the carrier is able to submit a proposal to the Secretary for EAS to such community for an amount of compensation not exceeding the subsidy cap.

(Sec. 425) Authorizes a state or local government to submit to the Secretary a proposal for restoring EAS subsidies to an air carrier terminated from providing EAS to a small community.

Requires the Secretary to restore eligibility for EAS with compensation to such a community if certain conditions are met.

(Sec. 426) Authorizes the Secretary to: (1) increase EAS subsidies to air carriers on an expedited basis paid to compensate for increased aviation fuel costs; and (2) waive, on a case-by-case basis, the \$200 per passenger subsidy cap.

(Sec. 427) Revises certain guidelines for compensation for continued EAS to small and rural communities. Requires such guidelines to permit the Secretary to: (1) incorporate financial incentives in EAS contracts based on specified performance goals, and (2) execute long-term EAS contracts when in the public interest to do so.

Requires the Secretary to issue revised guidelines governing the rate of compensation paid to an air carrier for EAS.

(Sec. 428) Authorizes appropriations out of the Airport and Airway Trust Fund for the EAS program for FY2012-FY2015.

(Sec. 429) Revises certain priorities in the funding of communities under the small community air service development (SCASD) program to give funding priority to multiple communities that cooperate to submit a regional or multistate application to improve air service under the program.

Authorizes appropriations to the Secretary for FY2012-FY2015 to make agreements to provide SCASD program assistance.

(Sec. 430) Repeals the requirement for a pilot EAS Local Participation Program.

(Sec. 431) Extends through FY2015 the effective period of final orders of the Secretary regarding the eligibility of small communities for EAS subsidies based on the highway mileage of a community from the nearest hub airport.

**Title V: Environmental Streamlining** - (Sec. 501) Exempts from air tour management program requirements a national park that has 50 or fewer commercial air tour flights a year, unless the Director of the National Park Service (NPS) determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment.

Authorizes the NPS Director to deny an application to begin commercial air tour operations at Crater Lake National Park (Oregon) without the establishment of an air tour management plan if the Director determines that such operations would adversely affect park resources or visitor experiences.

Authorizes the NPS Director and the FAA Administrator, as an alternative to an air tour management plan, to enter into a voluntary agreement with a commercial air tour operator to manage commercial air tour operations over a national park.

(Sec. 502) Changes the requirement that the Secretary prescribe regulations for the AIP State Block Grant Program to a requirement that the Secretary issue guidance instead.

Requires the Secretary, in selecting a state for an AIP block grant, to find that the state has agreed to comply with the National Environmental Policy Act of 1969, state and local environmental policy Acts, executive orders, agency regulations and guidance, and other federal environmental requirements.

Requires federal agencies (other than the FAA) that issue approvals, licenses, or permits to states for projects under the AIP State Block Grant Program to: (1) coordinate and consult with the state, and (2) use adequate state environmental review analyses.

(Sec. 503) Authorizes the FAA Administrator to accept funds from an airport sponsor to hire additional staff or obtain the services of consultants to conduct: (1) special environmental studies related to an airport project; (2) special studies or reviews to support approved noise compatibility measures; (3) special studies or reviews to support environmental mitigation in an FAA record of decision or finding of no significant FAA impact; and (4) the timely processing, review, and completion of environmental activities associated with new or amended flight procedures, such as required navigation performance procedures and area navigation procedures.

(Sec. 504) Authorizes the Secretary to make a grant to an airport operator to assist in completing environmental review and assessment activities for proposals to implement flight procedures at an airport that has been approved as part of an airport noise compatibility program.

(Sec. 505) Sets forth requirements with respect to the determination of the fair market value of residential properties acquired for soundproofing purposes under an airport development project.

(Sec. 506) Prohibits, after December 31, 2015, the operation of any civil subsonic turbojet of 75,000 pounds or less operating out of airports in the continental United States unless the aircraft complies with stage three noise levels, with exceptions for specified temporary operations.

(Sec. 507) Directs the Secretary to carry out a pilot program at up to five public-use airports to design, develop, and test new air traffic flow management technology that will allow air traffic controllers to better manage the flow of aircraft on the ground and reduce ground holds and idling times for aircraft. Limits the amount that may be expended at any single public-use airport to \$2.5 million.

(Sec. 508) Authorizes the FAA Administrator to implement practices for the incorporation of energy-efficient measures in the construction and renovation of FAA air traffic control facilities.

(Sec. 509) Expresses the sense of Congress that: (1) the European Union (EU) should work with other contracting states of the International Civil Aviation Organization (ICAO) to develop a consensual approach to addressing aircraft greenhouse gas emissions through the ICAO; and (2) U.S. Government officials, particularly the Secretary and the FAA Administrator, should use all political, diplomatic, and legal tools to ensure that the EU's emissions trading scheme is not applied to U.S. aircraft or the operators of such aircraft, including the mandates that U.S. air carriers provide emissions data to and purchase emissions allowances from or surrender emissions allowances to EU member states.

(Sec. 510) Requires an owner or operator of a large hub airport to publish on its website a telephone number to receive aviation noise complaints related to the airport.

(Sec. 511) Directs the Secretary to establish a pilot program for the acquisition and use of zero-emission vehicles, including the construction of infrastructure to deliver fuel and services to such vehicles, at public-use airports.

(Sec. 512) Directs the Secretary to establish a program to award grants to public-use airport operators to assess airports energy needs and identify opportunities and take specified action to reduce harmful emissions and increase energy efficiency at the airports.

**Title VI: FAA Employees and Organization** - (Sec. 601) Revises requirements for mediation in negotiations over changes to the FAA personnel management system between the FAA Administrator and the exclusive bargaining representatives of FAA employees.

Authorizes the Administrator and employee bargaining representative by mutual agreement to adopt other procedures for

the resolution of negotiation disputes or impasses as an alternative to using the Federal Mediation and Conciliation Service (FMCS).

Requires the negotiating parties, if the services of the FMCS do not lead to an agreement, to submit their controversy to the Federal Service Impasses Panel for binding arbitration. (Currently, the services of the FMCS shall be used and, if their services do not lead to an agreement, the Administrator's proposed change to the personnel management system shall not take effect until 60 days have elapsed after the Administrator has transmitted them to Congress, along with employee objections to the changes, and the reasons for such objections.)

Sec. 602) Allows senior FAA executives and employees to participate in the Presidential Rank Award Program.

(Sec. 603) Directs the Comptroller General to study training options for graduates of the Collegiate Training Initiative (CTI) program.

(Sec. 604) Directs the FAA Administrator to study frontline manager staffing requirements in air traffic control facilities.

(Sec. 605) Requires the FAA Administrator to: (1) assess the adequacy of the FAA technical training strategy and improvement plan for airway transportation systems specialists, and (2) make arrangements with the National Academy of Sciences (NAS) to study FAA assumptions and methods used to determine FAA systems specialist staffing needs.

(Sec. 606) Requires the FAA Administrator to implement by October 1, 2012, the staffing model developed by NAS for aviation safety inspectors.

(Sec. 607) Authorizes the FAA Administrator to appoint air traffic control specialist candidates who have received control tower operator certification and satisfied all other applicable qualifications (including successful completion of orientation training at the FAA Academy) for placement in airport traffic control facilities. Requires the Administrator to increase the number of appointments if it is determined that certified air traffic control specialists are more successful in carrying out their duties than those who are uncertified.

(Sec. 608) Requires the FAA Administrator to arrange with NAS to study the air traffic controller standards used by the FAA to estimate staffing needs for FAA air traffic controllers.

(Sec. 609) Directs the FAA Administrator to study the adequacy of training programs and improvement plan for air traffic controllers.

Directs the DOT Inspector General to assess FAA's air traffic controller scheduling practices.

(Sec. 610) Directs the Comptroller General to study conditions of a sampling of FAA facilities.

(Sec. 611) Declares that, retroactive to April 1, 1996, the Merit Systems Protection Board (MSPB) shall have the same remedial authority over FAA employee appeals under the FAA personnel management system that the MSPB had as of March 31, 1996.

**Title VII: Aviation Insurance** - (Sec. 701) Extends through FY2013, and authorizes extension through December 31, 2013, existing policies of insurance and reinsurance against loss or damage arising out of any risk from the operation of a domestic or foreign aircraft.

(Sec. 702) Extends through December 31, 2013, the authority to certify that an air carrier is a victim of an act of terrorism and is liable for damages only as specified (thus extends certain limits on the third-party liability of air carriers).

(Sec. 704) Authorizes the Secretary to use a claims adjuster independent of the underwriting agent to adjust aviation insurance claims.

**Title VIII: Miscellaneous** - (Sec. 801) Exempts from Privacy Act requirements regarding government records on individuals any FAA disclosures to any federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.

(Sec. 802) Authorizes the FAA Administrator, for certification purposes only, to conduct criminal history background checks of airmen by submitting positive identification to fingerprint-based criminal repositories of the Federal Bureau of Investigation (FBI) or states. Prohibits the FAA Administrator from using such authority to conduct criminal investigations.

(Sec. 803) Applies certain civil penalties to violations of specified alcohol and controlled substance testing requirements.

(Sec. 804) Directs the FAA Administrator to develop the National Facilities Realignment and Consolidation Report to support the transition to the NextGen System.

Requires the FAA Administrator to: (1) submit the Report to Congress with recommendations on realignment and consolidation of FAA services and facilities, and (2) realign and consolidate such services and facilities in accordance with such recommendations upon congressional approval.

(Sec. 805) Directs the FAA Administrator to assess the feasibility of developing a physical means, or combination of physical and procedural means, to prohibit unauthorized access to flight decks of all-cargo aircraft.

(Sec. 806) Directs the FAA Administrator to report biennially to Congress on the costs savings that would result from eliminating or consolidating any required FAA reports to Congress found to be obsolete or redundant.

Prohibits the FAA from publishing any required FAA report in printed format unless doing so is essential to the FAA mission. Requires the FAA to publish such reports in electronic form on its website, unless publication would violate the Privacy Act or have an adverse impact on aviation safety or security.

(Sec. 807) Prohibits the Secretary from using funds to name, rename, designate, or redesignate any project or program under this Act for a serving Member of Congress, Delegate, Resident Commissioner, or Senator.

(Sec. 808) Directs the Comptroller General to study the impact of increases in aviation fuel prices on the Airport and Airway Trust Fund and the aviation industry in general.

(Sec. 809) Directs the FAA Administrator to study wind turbine lighting systems.

(Sec. 810) Directs the Comptroller General to study: (1) the existing airline and intercity passenger rail code sharing arrangements; and (2) the feasibility, costs to taxpayers and other parties, and benefits of increasing intermodal connectivity of airline and intercity passenger rail facilities and systems to improve passenger travel.

(Sec. 811) Directs the FAA Administrator to submit to Congress a plan outlining changes to the D.C. Metropolitan Area Special Flight Rules Area that will decrease operational impacts and improve general aviation access to National Capital Region airports.

(Sec. 812) Directs the FAA Administrator to: (1) review each FAA program and office (including the Air Traffic Organization) to identify duplicative positions, programs, roles, or offices as well as wasteful practices and inefficient policies; and (2) consolidate, phase-out, eliminate, or streamline anything duplicative, wasteful, redundant, obsolete, or

ineffectual.

(Sec. 813) Authorizes the FAA Administrator to declare certain revenue derived from or generated by the mining of minerals at a general aviation airport to be greater than the revenue needed to carry out the airport's five-year projected maintenance needs in order to comply with FAA design and safety standards.

Allows an airport sponsor in compliance with specified conditions to allocate such revenues for federal, state, or local transportation infrastructure projects carried out by the airport sponsor or by a local governing body.

(Sec. 814) Directs the FAA Administrator when drafting FAA contract proposals for training facilities to ensure: (1) a proposal is drafted so that all parties can fairly compete; and (2) the proposal takes into consideration the most cost-effective location, accessibility, and services options.

(Sec. 815) Directs the FAA Administrator to review the state of preparedness and response capability for airports located in flood plains to respond to and seek assistance in rebuilding after a catastrophic flood.

Amends the National Flood Insurance Act of 1968 to direct the Administrator of the Federal Emergency Management Agency (FEMA) to consider as eligible for mitigation assistance the demolition and rebuilding of properties to at least base flood levels or higher, if required either by FEMA or by any state or local ordinance.

(Sec. 816) Requires the FAA Administrator to take necessary actions to preserve original FAA aircraft type certificate engineering and technical data related to: (1) approved aircraft type certificate numbers ATC 1 through ATC 713; and (2) Group-2 approved aircraft type certificate numbers 2-1 through 2-554.

(Sec. 817) Authorizes the Secretary, subject to certain conditions, to release specified restrictions on the use of property conveyed to an airport, city, or county for airport purposes.

(Sec. 818) Expresses the sense of Congress that Los Angeles World Airports, operator of Los Angeles International Airport (LAX), should consult regularly with representatives of the surrounding community regarding LAX operations and plans to expand.

(Sec. 819) Directs the FAA Administrator to develop a Human Intervention Management Study program for cabin crews employed by U.S. commercial air carriers.

(Sec. 820) Directs the FAA Administrator to report to Congress on aeronautical mobile telemetry services.

(Sec. 821) Directs the FAA Administrator, in administering federal aviation safety regulations, to allow an aircraft owner or operator who has volunteered for the transportation of an individual for medical purposes to accept reimbursement of operational fuel costs from a volunteer pilot organization.

(Sec. 822) Directs the FAA Administrator to establish a pilot program for redevelopment of airport property at up to four public-use airports with an approved noise compatibility program. Makes the federal share of allowable project costs 80%.

(Sec. 823) Directs the FAA Administrator to report to Congress on FAA's staffing and scheduling plans for New York and Newark Region air traffic control facilities.

(Sec. 824) Exempts the transportation within Alaska of cylinders of compressed oxygen or other oxidizing gases aboard aircraft from compliance with FAA and Pipeline and Hazardous Material Safety Administration (PHMSA) standards

requiring that oxidizing gases aboard aircraft be enclosed in flame resistant outer packaging, without regard to their end use, if: (1) transportation by ground or water vessel transportation is unavailable and transportation by aircraft is the only practical means of transporting the cylinders to their destination, (2) the cylinders are secured and covered with a fire-resistant blanket, and (3) the aircraft operator complies with certain federal notification procedures.

(Sec. 825) Rescinds any FAA earmark of funds with more than 90% of the appropriated amount remaining available for obligation at the end of the 9th fiscal year after it was first made available. Permits the FAA Administrator to delay any such rescission if an additional obligation of the earmark is likely to occur during the following 12-month period.

Requires the FAA Administrator to identify and report every FAA earmark with an unobligated balance to the Director of the Office of Management and Budget (OMB), who shall report a listing for such earmarks to Congress and to the public via the OMB website.

(Sec. 826) Directs the Assistant Secretary of Homeland Security (Transportation Security Administration [TSA]) to ensure, beginning June 1, 2012, that any advanced imaging technology used for the screening of air passengers be equipped with automatic target recognition software (software that produces a generic image of the screened individual).

(Sec. 827) Postpones until FY2016 the Secretary's authority to propose, without regard to specified constraints, any regulations governing the design or operation of a commercial space launch vehicle to protect the health and safety of crew and space flight participants.

(Sec. 828) Prohibits the Secretary, with a specified exceptions, from issuing or enforcing regulations for the transportation of lithium metal or ion cells or batteries by aircraft that are more stringent than the requirements of the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air, as amended.

(Sec. 829) Requires the FAA Administrator to establish milestones and a policy statement for the completion of certain work with the Occupational Safety and Health Administration (OSHA) under a specified August 2000 memorandum of understanding regarding application of OSHA requirements to crewmembers while working in an aircraft.

(Sec. 830) Authorizes the Under Secretary of Transportation for Security (Department of Transportation [DOT]) to approve or deny within 120 days after receipt the application of an airport operator to have the airport screening of passengers and property be carried out by the screening personnel of a qualified private screening company (security screening opt-out program).

Requires the Under Secretary to: (1) reconsider and approve applications pending between January 1, 2011, and February 3, 2011, that demonstrate the level of screening of passengers and property by private personnel is equal to or greater than that provided by federal personnel; and (2) report to the airport operator and Congress the reasons for the denial of an application.

**Title IX: Federal Aviation Research and Development** - (Sec. 901) Authorizes appropriations for FY2012-FY2015 for civil aviation research and development, including specified research, engineering, and development projects.

(Sec. 903) Requires the FAA Administrator to conduct or supervise specified research to develop technologies and methods to assess the risk of and prevent defects, failures, and malfunctions in all classes of drones.

(Sec. 904) Directs the FAA Administrator to continue to conduct, through grants and cooperative agreements, research on: (1) the design, construction, rehabilitation, and repair of airfield pavements as well as engineered material restraining systems for such runways at both general aviation and commercial airports, and (2) methods and procedures to improve

certification of new technologies for introduction into the national airspace system.

(Sec. 906) Converts the airport cooperative research program from a four-year pilot into a permanent program.

(Sec. 907) Authorizes the FAA Administrator to increase the federal share of costs of operating regional centers of air transportation excellence and related research activities from a maximum of 50% to a maximum of 75% for any fiscal year if a center is unable to carry out authorized activities without additional funding.

(Sec. 908) Authorizes the FAA Administrator to establish a center of excellence for aviation human resource research on:

- (1) human performance in the air transportation environment, including air traffic controllers, pilots, and technicians; and
- (2) any other aviation human resource issues pertinent to developing and maintaining a safe and efficient air transportation system.

(Sec. 909) Authorizes the FAA Administrator, in coordination with the Administrator of the National Aeronautics and Space Administration (NASA), to: (1) maintain a research program to assess the potential effect of aviation on the environment and, if warranted, to evaluate approaches to address such effect; and (2) continue research and development into the qualification of and safe transition to the use of unleaded aviation fuel by the fleet of piston engine aircraft.

(Sec. 911) Directs the FAA Administrator to establish a research grant program that includes participation of Centers of Excellence for Alternative Jet-Fuel Research in Civil Aircraft to develop technologies that produce jet fuel from alternative sources such as natural gas, biomass, ethanol, butanol, hydrogen and other renewable sources.

(Sec. 912) Directs the FAA Administrator to arrange for an independent external review of FAA energy-, environment-, and aviation safety-related research programs.

(Sec. 914) Directs the the FAA Administrator to establish a research program that includes participation of Centers of Excellence for Coal-to-Jet-Fuel Research to develop technologies that produce jet fuel from clean coal.

(Sec. 915) Requires the FAA Administrator to conduct aviation safety research to reduce the dangers of wake turbulence, volcanic ash, and weather on aircraft.

(Sec. 916) Amends the Vision 100--Century of Aviation Reauthorization Act to reauthorize through FY2015 the FAA Center for Excellence for Applied Research and Training in the Use of Advanced Materials in Transport Aircraft.

(Sec. 917) Directs the FAA Administrator to implement a research program for the development of air cleaning technology and sensor technology for the engine and auxiliary power unit (APU) bleed air supplied to passenger cabin and flight deck of all pressurized aircraft.

(Sec. 918) Directs the FAA Administrator to arrange for an independent external review of the enterprise architecture for the NextGen System.

(Sec. 919) Directs the FAA Administrator to prepare and submit a problem statement to the Transportation Research Board for the purpose of initiating a study under the Airport Cooperative Research Program of the best sustainability practices for the design, construction, planning, and operation of an airport.

**Title X: National Mediation Board** - (Sec. 1001) Amends the Railway Labor Act to grant the National Mediation Board (NMB) the authority to make, amend, and rescind such rules and regulations as may be necessary to carry out the

provisions of that Act.

(Sec. 1002) Revises requirements for a secret ballot to ascertain rail carrier employee choice of authorized representatives without interference, influence, or coercion by the carrier. Requires the NMB, in cases where there are three or more options (including the option of not being represented by any labor organization) on the ballot that do not receive a majority of the valid votes cast, to arrange for a second (runoff) election between those options receiving the largest and the second largest number of votes.

(Sec. 1003) Prohibits the NMB from directing an election or using any other method to determine the representative of a craft or class unless the application for representative certification is supported by a showing of interest from at least 50% of the employees in the craft or class.

(Sec. 1004) Requires the Comptroller General to evaluate and audit NMB programs and expenditures.

**Title XI: Airport and Airway Trust Fund Provisions and Related Taxes** - (Sec. 1101) Amends the Internal Revenue Code to extend through FY2015: (1) excise taxes on aviation fuels and air transportation of persons and property, and (2) authority for expenditures from the Airport and Airway Trust Fund.

(Sec. 1103) Imposes through FY2015 a surtax of 14

## Actions Timeline

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- **Feb 14, 2012:** Signed by President.
- **Feb 14, 2012:** Became Public Law No: 112-95.
- **Feb 8, 2012:** Presented to President.
- **Feb 6, 2012:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Feb 6, 2012:** Conference report considered in Senate. (consideration: CR S333-344)
- **Feb 6, 2012:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 75 - 20. Record Vote Number: 15.(consideration: CR S343-344)
- **Feb 6, 2012:** Senate agreed to conference report by Yea-Nay Vote. 75 - 20. Record Vote Number: 15. (consideration: CR S343-344)
- **Feb 6, 2012:** Having achieved 60 votes in the affirmative, the conference report was agreed to.
- **Feb 6, 2012:** Message on Senate action sent to the House.
- **Feb 3, 2012:** Rule H. Res. 533 passed House.
- **Feb 3, 2012:** Mr. Mica brought up conference report H. Rept. 112-381 for consideration under the provisions of H. Res. 533. (consideration: CR H447-456)
- **Feb 3, 2012:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 658.
- **Feb 3, 2012:** The previous question was ordered pursuant to the rule. (consideration: CR H456)
- **Feb 3, 2012:** POSTPONED PROCEEDINGS - At the conclusion of debate on the conference report to H.R. 658, the Chair put the question on agreeing to the conference report and by voice vote, announced that the ayes had prevailed. Mr. Petri demanded the yeas and nays and the Chair postponed further proceedings on the question of agreeing to the conference report until later in the legislative day.
- **Feb 3, 2012:** The House proceeded to consider the conference report H.Rept. 112-381 as unfinished business. (consideration: CR H459)
- **Feb 3, 2012:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 248 - 169 (Roll no. 33).
- **Feb 3, 2012:** Motions to reconsider laid on the table Agreed to without objection.
- **Feb 3, 2012:** On agreeing to the conference report Agreed to by the Yeas and Nays: 248 - 169 (Roll no. 33).
- **Feb 1, 2012:** Conference committee actions: Conferees agreed to file conference report.
- **Feb 1, 2012:** Conferees agreed to file conference report.
- **Feb 1, 2012:** Conference report filed: Conference report H. Rept. 112-381 filed.(text of conference report: CR H230-304)
- **Feb 1, 2012:** Conference report H. Rept. 112-381 filed. (text of conference report: CR H230-304)
- **Feb 1, 2012:** Rules Committee Resolution H. Res. 533 Reported to House. Rule provides for consideration of the conference report to H.R. 658. The resolution waives all points of order against the conference report and against its consideration. The conference report shall be considered as read and shall be debatable for not to exceed one hour.
- **Jan 31, 2012:** Conference committee actions: Conference held.
- **Jan 31, 2012:** Conference held.
- **Jan 31, 2012:** Mr. Cravaack asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H192)
- **Jan 31, 2012:** On motion that the House disagree to the Senate amendment, and agree to a conference. Agreed to without objection. (consideration: CR H192)
- **Jan 31, 2012:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mica, Petri, Duncan (TN), Graves (MO), Shuster, Schmidt, Cravaack, Rahall, DeFazio, Costello, Boswell, and Carnahan. (consideration: CR H192)
- **Jan 31, 2012:** The Speaker appointed conferees - from the Committee on Science, Space, and Technology for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference: Hall, Palazzo, and Johnson, E. B. (consideration: CR H192)
- **Jan 31, 2012:** The Speaker appointed conferees - from the Committee on Ways and Means for consideration of title XI of the House bill and titles VIII and XI of the Senate amendment, and modifications committed to conference: Camp,

Tiberi, and Levin. (consideration: CR H192)

- **May 9, 2011:** Message on Senate action sent to the House.
- **May 5, 2011:** Senate appointed conferee(s) Isakson.
- **May 3, 2011:** Senator(s) Ensign removed as conferee(s).
- **Apr 8, 2011:** Message on Senate action sent to the House.
- **Apr 7, 2011:** Measure laid before Senate by unanimous consent. (consideration: CR S2285)
- **Apr 7, 2011:** Senate struck all after the Enacting Clause and substituted the language of S. 223 amended, pursuant to the order of 2/17/2011.
- **Apr 7, 2011:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Apr 7, 2011:** Passed Senate with an amendment by Unanimous Consent.
- **Apr 7, 2011:** Senate insists on its amendment, asks for a conference, appoints conferees Rockefeller; Boxer; Nelson FL; Cantwell; Hutchison; Ensign; DeMint. (consideration: CR S2285)
- **Apr 7, 2011:** Senate requests a conference. Appoints conferees. Baucus; Hatch. from the Committee on Finance.
- **Apr 7, 2011:** See also S. 223.
- **Apr 4, 2011:** Received in the Senate.
- **Apr 1, 2011:** Considered as unfinished business. (consideration: CR H2232-2237)
- **Apr 1, 2011:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Apr 1, 2011:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 658.
- **Apr 1, 2011:** The previous question was ordered pursuant to the rule. (consideration: CR H2235)
- **Apr 1, 2011:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 1, 2011:** Ms. Sanchez, Loretta moved to recommit with instructions to Transportation. (consideration: CR H2235-2237; text: CR H2235)
- **Apr 1, 2011:** DEBATE - The House proceeded with 10 minutes of debate on the Loretta Sanchez motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment adding Title XIII- Security of Highest-Risk Airline Passenger Flights. A point of order was reserved, but was subsequently removed.
- **Apr 1, 2011:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H2236)
- **Apr 1, 2011:** On motion to recommit with instructions Failed by the Yeas and Nays: 184 - 235 (Roll no. 219).
- **Apr 1, 2011:** Passed/agreed to in House: On passage Passed by recorded vote: 223 - 196 (Roll no. 220).
- **Apr 1, 2011:** On passage Passed by recorded vote: 223 - 196 (Roll no. 220).
- **Apr 1, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 31, 2011:** Rule H. Res. 189 passed House.
- **Mar 31, 2011:** Considered under the provisions of rule H. Res. 189. (consideration: CR H2130-2198, H2198-2212; text of amendment in the nature of a substitute: CR H2141-2170)
- **Mar 31, 2011:** Rule provides for consideration of H.R. 658 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated March 22, 2011.
- **Mar 31, 2011:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 189 and Rule XVIII.
- **Mar 31, 2011:** The Speaker designated the Honorable Jo Ann Emerson to act as Chairwoman of the Committee.
- **Mar 31, 2011:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 658.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Mica amendment.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Mica amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Rahall demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the

amendment until a time to be announced.

- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Waters amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Pierluisi amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Hirono amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Neugebauer amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the LoBiondo amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Garrett (NJ) amendment.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Garrett (NJ) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Garrett (NJ) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the DeFazio amendment.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the DeFazio amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. DeFazio demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Hirono amendment no.10.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hirono amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Hirono demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson Lee amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Miller (MI) amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Woodall amendment.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Pierluisi amendment no. 14.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Schweikert amendment no. 15.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Richardson amendment no. 16.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Capuano amendment no. 17.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Capuano amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Capuano demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Gingrey amendment no. 18.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Gingrey amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Costello demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on

adoption of amendments which had been debated earlier and on which further proceedings had been postponed.

- **Mar 31, 2011:** Mr. Woodall moved that the Committee now rise.
- **Mar 31, 2011:** On motion that the Committee now rise Agreed to by voice vote.
- **Mar 31, 2011:** Considered as unfinished business. (consideration: CR H2198-2212)
- **Mar 31, 2011:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Graves (MO) amendment no. 19.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Sessions amendment no. 20.
- **Mar 31, 2011:** POSTPONED POSTPONED - At the conclusion of debate on the Sessions amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Sessions demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the LaTourette amendment no. 21.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the LaTourette amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Mica demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Graves (MO) amendment no. 22.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Waxman amendment no. 23.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H.Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Shuster amendment no. 24.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Shuster amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Rahall demanded a recorded vote and the Chair postponed further proceedings on the question of the adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Moore (WI) amendment no. 25.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Graves (MO) amendment no. 26.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Pearce amendment no. 27.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Pearce amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Rahall demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Schiff amendment no. 29.
- **Mar 31, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Schiff amendment, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Schiff demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Matheson amendment no. 30.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Schiff amendment no. 31.
- **Mar 31, 2011:** DEBATE - Pursuant to the provisions of H. Res. 189, the Committee of the Whole proceeded with 10 minutes of debate on the Moore (WI) amendment no. 32.
- **Mar 31, 2011:** Mr. Mica moved that the Committee rise.
- **Mar 31, 2011:** On motion that the Committee rise Agreed to by voice vote.

- Mar 31, 2011:** Committee of the Whole House on the state of the Union rises leaving H.R. 658 as unfinished business.
- **Mar 30, 2011:** Rules Committee Resolution H. Res. 189 Reported to House. Rule provides for consideration of H.R. 658 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated March 22, 2011.
  - **Mar 23, 2011:** Committee on Science, Space, and Technology discharged.
  - **Mar 23, 2011:** Committee on Judiciary discharged.
  - **Mar 23, 2011:** Placed on the Union Calendar, Calendar No. 19.
  - **Mar 16, 2011:** Supplemental report filed by the Committee on Transportation, H. Rept. 112-29, Part II.
  - **Mar 10, 2011:** Reported (Amended) by the Committee on 112-29, Part I.
  - **Mar 10, 2011:** Referred jointly and sequentially to the House Committee on Science, Space, and Technology for a period ending not later than March 23, 2011 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X.
  - **Mar 10, 2011:** Referred jointly and sequentially to the House Committee on the Judiciary for a period ending not later than March 23, 2011 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X.
  - **Feb 16, 2011:** Committee Consideration and Mark-up Session Held.
  - **Feb 16, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 34 - 25.
  - **Feb 11, 2011:** Introduced in House
  - **Feb 11, 2011:** Referred to the House Committee on Transportation and Infrastructure.