



Below are summaries of the House and Senate FAA reauthorization bills' provisions that impact TWU members and other noteworthy sections.

The House summary reflects the bill passed by the full House in April 2018. The House also adopted more than 100 amendments during its consideration of H.R. 4 on the floor. The list of those amendments can be found [here](#). The Senate bill summary reflects the bill passed by the Senate Commerce Committee in June 2017 but is still awaiting a vote by the full chamber.

The House bill summary immediately follows. Click [here](#) to jump to the Senate summary.

### **House Bill: H.R. 4, FAA Reauthorization Act of 2018**

#### **Sec 136 Buy America Requirements**

If DOT determines it's necessary to waive domestic procurement requirements, the DOT must, at least 10 days before waiver takes effect, make public detailed justification and allow public notice and comment. Report annually on waivers.

#### **Sec 202 Safety Oversight and Certification Advisory Committee**

Directs DOT to create a Safety Oversight and Certification Advisory Committee to advise on issues relating to FAA safety oversight and certification programs. In accomplishing this goal, the Advisory Committee must provide guidance on FAA certification and oversight efforts; make legislative and regulatory recommendations; create recommendations for prioritizing safety rulemaking initiatives, etc. Committee members must include representatives from aviation maintenance (repair stations), labor organizations (FAA safety inspectors), and others.

#### **Sec 231 Flight Standards Performance Objectives and Metrics**

Directs DOT to establish goals related to flight standards activities and track progress toward meeting those objectives to ensure that progress is made toward, at a minimum: increasing accountability for FAA and the industry; fully implementing risk management principles; eliminating inconsistencies in regulatory interpretations and enforcement activities; improving training on oversight including auditing, among others. In fulfilling the requirements of this section, FAA must apply and track the performance metrics established by the Safety Oversight and Certification Advisory Committee created by 202 (above).

#### **Sec 232 FAA Task Force on Flight Standards Reform**

Requires FAA to create a Task Force on Flight Standards Reform to identify best practices and provide recommendations related to simplifying and streamlining flight standards regulatory processes; reorganizing Flight Standard Services to one organized by function rather than geographic region; FAA aviation safety inspector training, standards, and performance; and achieving consistent regulatory interpretations and application of oversight activities. The Task Force must include representatives of repair stations, labor unions (including FAA inspectors),

among others. The Task Force must report to Congress on its findings, including best practices identified and recommendations on regulatory or legislative actions.

### **Sec 302 Safety Critical Staffing**

Requires FAA to update the safety critical staffing model to determine the number of aviation safety inspectors needed to fulfill the safety oversight mission of FAA. The Inspector General must review this model and report to Congress on findings.

### **Sec 307 Cabin Evacuation**

Requires FAA to review evacuation certification regarding emergency conditions, such as water impacts; procedures crewmembers use to evacuate during emergencies; and any relevant changes to passenger demographics that may affect evacuations. The review must be conducted in consultation with certain stakeholder groups, including those representing crewmembers and maintenance employees.

### **Sec 311 Emergency Medical Equipment on Passenger Aircraft**

Directs FAA to review current regulations regarding emergency medical equipment, including first-aid kits, and update the regulations as needed.

### **Sec 313 Acceptance of Voluntarily Provided Safety Information**

Restates the processes of the existing Aviation Safety Action Program (ASAP) that workers' voluntary disclosure of information is assumed accepted under the program; information provided but not yet reviewed by an event review committee must be identified as not having been reviewed; and disclosures not accepted by an event review committee must be rejected from ASAP.

### **Sec 314 Flight Attendant Duty Period Limitations and Rest Requirements**

Directs DOT to modify current regulations so that flight attendants scheduled to a duty period of 14-hours or less are given a scheduled rest period of at least 10 consecutive hours. The rest period must not be reduced. Air carriers must also develop FAA-approved Fatigue Risk Management Plans that: meet the flight time and duty period limitations, and have a rest scheme that enables management of fatigue including training on how to mitigate fatigue.

### **Sec 316 Aviation Maintenance Industry Technical Workforce**

Directs the Government Accountability Office (GAO) to conduct a study on maintenance workers. The study must analyze the system used by the Department of Labor to classify these workers, whether changes to that system would affect government data on these workers' unemployment rates and wages, and whether such changes might affect projections about future workforce shortages. The study must also analyze the impact of FAA regulations governing AMT workers' certification, testing, and education programs and whether they impact the employment levels in the industry; develop recommendations on changes to FAA regulations to meet industry needs for AMT workers; and develop better coordination between the government, educational institutions, and business to support workforce growth.

### **Sec 402 Cell Phone Calls Ban**

Directs DOT to issue regulations prohibiting inflight cell phone calls. On-duty flight crews and flight attendants are exempt from this ban.

#### **Sec 404 Improved Notification of Insecticide Use**

Requires air carriers to disclose online that the destination country may require the air carrier to use insecticides in the aircraft cabin.

#### **Sec 405 Advertisements and Disclosure of Fees for Passenger Air Transportation**

Allows air carriers and ticket agents to advertise the base airfare if the total cost of the air transportation and government-imposed fees and taxes are clearly and separately disclosed. However, it is an unfair or deceptive practice when air carriers and ticket agents fail to include, in a fare quote selected by a consumer, a clear and prominent statement that additional fees for checked and carry-on baggage may apply, and a prominent link that directly lists those fees.

#### **Sec 406 Involuntarily Bumping Passengers After Aircraft Boarded**

Makes it an unfair or deceptive practice for an air carrier to involuntarily deplane a revenue passenger onboard an aircraft if that person is traveling on a confirmed reservation and checked-in for the flight prior to the check-in deadline.

#### **Sec 409 Widespread Disruptions**

In the event of a widespread disruption, requires an air carrier to immediately publish online a clear statement indicating whether the air carrier will provide impacted passengers accommodations, meal vouchers, sleeping facilities, or arrange for other air transportation.

#### **Sec 410 Involuntarily Denied Boarding Compensation**

Directs DOT to clarify that there are no limits on the amount of compensation air carriers may pay a passenger who is involuntarily denied boarding as a result of an oversold flight. Requires air carriers to proactively compensate such passengers instead of waiting for them to request compensation.

#### **Sec 411 Consumer Information on Actual Flight Times**

Directs DOT to study whether it's feasible to require air carriers to disclose to consumers, upon reasonable request, the projected period between the actual wheels-off and wheels-on times for a reportable flight, and to require that air carriers display online information about the actual wheels-off and wheels-on times during the most recent calendar month for the reportable flight.

#### **Sec 414 Passenger Rights**

Directs DOT to require air carriers to submit for approval a one-page document describing the rights of passengers, including guidelines for compensation for flight delays, cancellations, mishandled baggage, voluntarily relinquished ticketed seat due to overbooking, and involuntarily denial of boarding and forced removal for whatever reason.

#### **Sec 443 Feasibility Study on In-Cabin Wheelchair Restraint Systems**

Directs DOT to study, within two years, the feasibility of in-cabin wheelchair restraint systems, and, if feasible, ways that those who use wheelchairs can be accommodated with in-cabin wheelchair restraint systems. DOT must report to Congress.

### **Sec 501 Review of FAA Strategic Cybersecurity Plan**

Directs FAA to initiate a review within one year to assess the degree to which the current framework identifies and addresses known cybersecurity risks; review short- and long-term objectives for addressing cybersecurity; and assess coordination with aviation stakeholders to carry-out the framework.

### **Sec 509 Air Transportation of Lithium Cells and Batteries**

Directs to DOT and other federal agencies to ensure shippers who offer lithium ion and lithium metal batteries for air transport to/from the US comply with US Hazardous Materials Regulations and ICAO Technical Instructions (TI). DOT must establish an advisory committee to facilitate communication between manufacturers, air carriers, the government and others about the safe transport of these products. Also directs DOT within 30 days to conform US regulations governing the transport of these materials with the 2015-2016 edition of the ICAO TI.

### **Sec 526 Aviation and Aerospace Workforce of the Future**

States it's the sense of Congress that public and private education institutions should make available information on approved programs of study and career pathways; those institutions partner with aviation and aerospace companies to promote career paths available within the industry; air carriers, repair stations and others should create apprenticeships or other mechanisms to attract young people to aviation and aerospace careers; and the government should consider the needs of those interested in the industry, the long-term personnel needs of the industry, and the role aviation plays in the national economy.

### **Sec 527 Future Aviation and Aerospace Workforce Study**

Directs the GAO to study that identifies the factors influencing the supply of people pursuing an aviation career, and identify best practices to incentivize, recruit, and retain young people in aviation and aerospace careers. GAO shall consult with unions, industry, and federal agencies, and shall report to Congress.

### **Sec 530 Foreign Air Transport Under US-EU Air Transport Agreement**

Prohibits DOT from issuing permits authorizing a foreign air carrier to operate under the US-EU Air Transport Agreement if concerns are raised about whether the permit would undermine labor rights. DOT may issue such a permit if it determines it won't undermine labor standards or rights, or if conditions are included in the permit to ensure labor rights and standards are protected.

### **Sec 531 Training on Human Trafficking for Certain Staff**

Requires air carriers to provide workers who regularly interact with passengers training to recognize and respond to potential human trafficking victims.

### **Sec 534 Prohibitions Against Smoking on Passenger Flights**

Prohibits electronic cigarettes on flights.

### **Sec 539 Employee Assault Prevention and Response Plan**

Requires air carriers to submit for FAA approval an Employee Assault Prevention and Response Plan relating to customer service agents developed in consultation with labor unions representing these workers. The Plan must include protocols: for reporting assaults; immediately notifying law

enforcement of an assault or interference with security screening personnel; ensuring passengers involved in an assault don't board an aircraft; and informing passengers of laws protecting employees with security clearances. Air carriers must train workers on these protocols.

#### **Sec 540 Study on Training of Customer-Facing Air Carrier Employees**

Directs DOT within 180 days to study the training received by customer-facing air carrier employees with respect to management of disputes on aircraft and whether schools, in coordination with air carriers, employees, and unions, could review such training and make recommendations. DOT must report to Congress within one year.

#### **Sec 744 Single-Piloted Commercial Cargo Aircraft**

Directs FAA to work with NASA and others to establish a research and development program in support of single-piloted cargo aircraft assisted with drone and computer piloting.

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### **Senate Bill: S 1405, the Federal Aviation Administration Reauthorization Act of 2017**

#### **Safety Oversight and Certification Advisory Committee (Sec 2212)**

Directs DOT to create a Safety Oversight and Certification Advisory Committee to advise on issues relating to FAA safety oversight and certification programs. In accomplishing this goal, the Advisory Committee must consult with aviation labor and repair stations, and others; recommend cost-effective and efficient safety oversight and certification processes; make legislative and regulatory recommendations; among other tasks. Committee members must include aviation labor (FAA safety inspectors), repair stations, and others.

#### **Flight Standards Performance Objectives and Metrics (Sec 2231)**

After the Safety Oversight and Certification Advisory Committee (created by Sec 2212, above) is established, FAA must establish performance objectives and track performance metrics relating to flight standard activities. In meeting this goal, FAA shall ensure progress is being made toward, at minimum: implementing risk management principles and a systems safety approach; reducing duplication of effort; improving safety; providing greater training opportunities, etc. To do so, FAA shall consult with the Advisory Committee (Sec 2212), apply and track performance metrics for FAA and industry, and report to Congress.

#### **FAA Task Force on Flight Standards Reform (Sec. 2232)**

Requires FAA to create a Task Force on Flight Standards Reform to identify cost-effective best practices and provide recommendations related to simplifying and streamlining regulatory processes including issuing certificates; reorganizing Flight Standard Services to one organized by function rather than geographic region; FAA aviation safety inspector training, standards, and performance; and achieving consistent regulatory interpretations and application of oversight activities. The Task Force must include representatives of repair stations, labor unions (FAA inspectors), among others. The Task Force must report to Congress on its findings, including best practices identified and recommendations on regulatory or legislative actions.

### **Portability of Repairman Certificates (Sec 2242)**

Directs FAA's Aviation Rulemaking Advisory Committee to make recommendations about what regulatory and policy changes would be needed in order to allow repairman certificates holders to move between repair stations (make repairman certificates portable from one facility to another). FAA must take action on those recommendations as appropriate within one year.

### **Revision of Certain Regulations Relating to Repair Station Certificates (Sec 2242 ctd)**

Directs FAA to amend regulations governing repair stations in order to allow repair stations to surrender their operating certificates (Part 145 certificates) without FAA approval (currently repair stations can only give up their certificates if the FAA okays this). FAA must also amend regulations in order to prevent individuals from re-entering the industry if they've materially contributed to the revocation of a repair station's operating certificate, and to clarify that a repair station that terminates someone who materially contributed the revocation of an operating certificate may reapply for an operating certificate.

### **Flight Attendant Duty Period Limitations and Rest Requirements (Sec 2303)**

Directs FAA to revise regulations to ensure flight attendants scheduled to a duty period of 14 hours or less are given a scheduled rest period of at least 10 consecutive hours. The rest period may be scheduled or reduced to 9 consecutive hours if the flight attendant is provided a subsequent rest period of at least 11 consecutive hours. Air carriers must also develop FAA-approved Fatigue Risk Management Plans that: meet the flight time and duty period limitations, and have a rest scheme that enables management of fatigue including training on how to mitigate fatigue.

### **Safe Air Transportation of Lithium Cells and Batteries (Sec 2312)**

Directs DOT to, within 90 days, conform US regulations on transporting lithium cells and batteries with the 2015-2016 edition of the ICAO TI.

### **Aircraft Cabin Evacuation Procedures (Sec 2313)**

Directs FAA to review crewmember emergency evacuation procedures. The review shall be conducted in consultation with various groups, including those representing crewmembers and maintenance employees.

### **Aircraft Air Quality (Sec 2315)**

Directs FAA to consult with stakeholders to create and make publicly available on FAA's website, educational material for flight attendants, aircraft maintenance technicians, and others on how to respond to incidents on board aircraft involving smoke or fumes. FAA must also issue guidance for workers and air carriers regarding how to report such incidents. FAA must also commission a study to identify and assess the potential health effects of bleed air in aircraft cabins and ways to mitigate those effects.

### **Safety Critical Staffing (Sec 2502)**

DOT Inspector General must audit the FAA staffing model to determine the number of aviation safety inspectors that are needed to fulfill the mission of the FAA and adequately ensure aviation safety.

### **Causes of Air Carrier Delays or Cancellation (Sec 3101)**

Directs DOT to review the categories of flight delays and cancellations and consider, at a minimum, whether those attributed to weather were unavoidable or disproportionately impacted service to smaller airports. DOT must also review whether it's an unfair or deceptive practice for an air carrier to inform passengers that a flight's been delayed or cancelled due to weather, without any context or explanation, when the air carrier has discretion to delay or cancel the flight. DOT must report to Congress on the findings of the review.

### **Involuntary Changes to Itineraries (Sec 3102)**

Requires DOT to review whether it's an unfair or deceptive practice for an air carrier to change a passenger's itinerary, more than 24 hours before departure, if the new itinerary involves additional stops or departs three hours earlier or later without compensation to the passenger.

### **Refunds for Other Fees that are Not Honored by a Covered Air Carrier (Sec 3107)**

Directs DOT to issue regulations within one year to require air carriers to promptly provide an automatic refund of any ancillary fees paid for services that the passenger does not receive on a subsequent replacement itinerary if there's been rescheduling, or for a flight not taken by the passenger.

### **Disclosure of Fees to Consumers (Sec 3108)**

Requires DOT to issue regulations requiring air carriers and ticket agents to disclose in a standardized format the baggage fee, cancellation fee, change fee, ticketing fee, and seat selection fee of the air carrier. Disclosures must be prominently displayed to a consumer prior to the point of purchase in clear and plain language and in an easily readable font size.

### **Seat Assignments (Sec 3109)**

Directs DOT to require air carriers and ticket agents to disclose to consumers that paying a fee to select a seat is optional, and that, if a consumer does not pay for a preferred seat, a seat will be assigned to the consumer from available inventory.

### **Consumer Complaint Process Improvement (Sec 3111)**

Requires air carriers and ticket agents to notify consumers at the point of sale that they can file a complaint about that service with the air carrier and DOT's Aviation Consumer Protection Division. Information on submitting complaints must be provided on their air carrier and agents' websites or mobile applications.

### **Study on In Cabin Wheelchair Restrain Systems (Sec 3113)**

Directs FAA to study ways in which individuals with significant disabilities who use wheelchairs can be safely accommodated through in-cabin wheelchair restrain systems.

### **Cell Phone Calls Ban (Sec 3117)**

Directs DOT to issue regulations prohibiting inflight cell phone calls. On-duty flight crews and flight attendants are exempt from this ban.

**Tickets Act (Sec 3118)**

Once a revenue passenger is approved by a gate attendant to board an aircraft, the air carrier may not deny that passenger permission to board without the passenger's consent unless the individual poses a safety, security, or health risk or engages in obscene, disruptive, or otherwise unlawful behavior. DOT must eliminate the dollar amount limitations on compensation to passengers who are denied boarding involuntarily.

**Emergency Medical Equipment on Passenger Aircraft (Sec 3120)**

Directs FAA to review current regulations regarding emergency medical equipment, including first-aid kits, and update the regulations as needed.

**Interference with Airline Employees (Sec 5006)**

Directs the Government Accountability Office (GAO) to study violence committed against customer service representatives. The study must assess if state and local laws and resources adequately deter or address these crimes, and provide recommendations on how to address any shortcomings. GAO must report its findings to Congress.

**GAO Study of Illegal Drugs Seized at International Airports in US (Sec 5011)**

Directs the Government Accountability Office (GAO) to conduct a study of illegal drugs (including heroin, fentanyl, and cocaine) seized by federal authorities at US international airports.