

# FAA REAUTHORIZATION ACT OF 2016

An [agreement](#) was reached on bipartisan legislation to reauthorize the Federal Aviation Administration (FAA) and related programs through the end of fiscal year 2017 (September 30, 2017). Highlights include:

**ENHANCING AVIATION SECURITY** - Includes several bipartisan provisions authored by members of the Senate and House of Representatives to guard against the threat of international terrorism and improve security screening efficiency for travelers.

**AIRLINE SAFETY IMPROVEMENTS** - Adds new requirements on mental health screening and records retention for commercial pilots, and increases awareness of human trafficking for airline personnel.

**UNMANNED AIRCRAFT SYSTEM (UAS) / DRONE SAFETY & INNOVATION** - Addresses safety issues, and boosts enforcement efforts while creating new opportunities for testing and promoting innovative uses of this technology, subject to FAA approval.

**CONSUMER PROTECTION & AVIATION ACCESS** - Includes new consumer protections for the flying public, maintains access for rural communities, and takes steps to help passengers with disabilities during air travel.

**INFRASTRUCTURE INVESTMENT, GLOBAL COMPETITIVENESS, & GENERAL AVIATION** - Provides funding for infrastructure needs and addresses concerns of the general aviation community by including bipartisan modifications to the Third Class Medical Certificate process for non-commercial pilots.

## **ENHANCING AVIATION SECURITY**

**ADDRESSING THE "INSIDE THREAT" OF TERRORISM** - Includes [S. 2361](#), the Airport Security Enhancement and Oversight Act, which enhances requirements and vetting for airport employees with access to secure areas. It also expands the use of random and physical inspections of airport employees in secure areas and requires a review of perimeter security.

**SAFEGUARDING PASSENGERS IN NON-SECURE AIRPORT AREAS AND DECREASING WAIT TIMES** - Includes [H.R. 2843](#), the TSA PreCheck Enhancement Act, to reduce crowds waiting for security screening by vetting more passengers before they arrive so they clear checkpoints quickly. Provisions require the Transportation Security Administration (TSA) to seek private sector partners for marketing the program and processing applications for public enrollment while also ensuring that PreCheck screening lanes are open during high-volume travel times.

**SECURING INTERNATIONAL FLIGHTS BOUND FOR THE U.S.** - Authorizes TSA to donate unneeded security equipment to foreign airports with direct flights to the U.S., permits increased cooperation between U.S. officials and partner nations to protect routes flown by Americans, and requires a new assessment of foreign cargo security programs.

**USING CANINES AND PERSONNEL TO INCREASE SECURITY** - Expands the number of Visible Intermodal Prevention and Response (VIPR) teams from the current 30 to as many as 60, to enhance the security presence in pre-screening airport areas and other transportation facilities, increases preparedness for active shooter incidents, and makes homeland security grant funding for states available for use in non-secure areas of airports and surface transportation facilities.

**CHECKPOINTS OF THE FUTURE** - Requires TSA to work with the [Aviation Security Advisory Committee](#) to develop recommendations for more efficient and effective passenger screening.

**PILOT PROGRAMS FOR AIRPORT SECURITY SYSTEMS** - Taking provisions from [S. 2987](#), the SCREEN FAST Act, requires TSA to establish a pilot program at three airports to develop and test prototypes of screening security systems and security checkpoint configurations to expedite passenger movement. Also requires TSA to establish a pilot program at three to six airports to reconfigure and install security systems that increase efficiency and reduce vulnerabilities in airport terminals.

**DECREASING CHECKPOINT WAIT TIMES** - Taking provisions from [H.R. 5338](#), the Checkpoint Optimization and Efficiency Act, requires that TSA complete an assessment of the agency's staffing allocation model, and share such information as appropriate. The bill also directs more effective utilization of TSA staffing resources to better accommodate high-volume travel times.

**CYBERSECURITY** - Requires the FAA to facilitate and support efforts to identify and reduce cybersecurity risks to the national airspace system, civil aviation, and agency information systems, including vulnerabilities of in-flight entertainment systems. It also supports FAA efforts to develop a threat model to strengthen cybersecurity across the agency.

## **AIRLINE SAFETY IMPROVEMENTS**

**MENTAL HEALTH SCREENING** - Enhances requirements related to mental health screening for commercial pilots.

**HUMAN TRAFFICKING** - Directs airlines to bolster flight attendant training on how to identify and report incidents of human trafficking.

**PILOT RECORD DATABASE** - Sets a statutory deadline for FAA's pilot record database, required under the Airline Safety Act and Federal Aviation Administration Extension Act of 2010, to ensure that airlines, when hiring, have information regarding pilots training, testing, and employment history.

**AUTOMATION SAFETY ISSUES** - Directs the FAA to update guidance regarding flight deck automation and monitoring, a key factor in recent fatal accidents.

**LASER POINTERS** - Requires the FAA to provide quarterly updates to Congress regarding the number of incidents involving laser pointers being aimed at aircraft, and the number of civil or criminal enforcement actions taken by federal authorities with regard to these incidents.

**FOREIGN REPAIR STATIONS** - Requires the FAA to take measures to ensure that the safety assessment system established for foreign repair stations places particular consideration on inspections of those stations that conduct scheduled heavy maintenance work on large commercial passenger aircraft.

## **UNMANNED AIRCRAFT SYSTEM (UAS) / DRONE SAFETY & INNOVATION**

**AIRPORT PROTECTION** - Authorizes FAA pilot programs and funds to detect and mitigate drones near airports and critical infrastructure.

**DRONE NO-FLY ZONES** - Establishes a process for the FAA to designate areas where drones may not fly, for example around critical infrastructure, chemical facilities, or amusement parks.

**IDENTIFICATION & SAFETY INFORMATION** - Directs the FAA to facilitate the development of consensus standards for remote identification of UAS. Requires UAS manufacturers to provide safety information in UAS product packaging.

**UAS INTERFERENCE WITH EMERGENCY SERVICES** - Prohibits UAS users from interfering with emergency response activities, including wildfire suppression, and raises civil penalties to not more than \$20,000 for those found in violation.

**EMERGENCY UAS OPERATIONS** - Requires the FAA to establish a process for public and commercial operators seeking to utilize UAS systems in support of emergency response efforts (e.g. utility restoration, insurance surveys). Also requires the FAA to enter into agreements with other federal agencies to facilitate UAS operations in support of those agencies' firefighting and utility restoration efforts.

**OPPORTUNITIES FOR INNOVATION** - Fosters innovation by authorizing expanded case by case exemptions for beyond visual line of sight and nighttime operations. Also reauthorizes UAS test sites, first authorized in 2012.

**TRAFFIC MANAGEMENT** - Directs FAA/NASA to carry out research and a pilot program to test UAS traffic management, known as "UTM."

## **CONSUMER PROTECTION & AVIATION ACCESS**

**NOTICE TO FAMILIES WITH CHILDREN** - Requires airlines to generally ensure that children 13 years of age or under are seated adjacent to an adult or older child traveling with them.

**REFUNDS FOR DELAYED BAGGAGE** - Requires airlines to generally provide an automated refund of paid baggage fees when items are lost or delayed for more than 12 hours for domestic flights and 15 hours for international flights.

**TARMAC DELAYS** – Clarifies current rule that prohibits tarmac delays beyond 3 hours for domestic air travel and 4 hours for international air travel to help avoid situations where a flight might otherwise be cancelled.

**PROTECTING RURAL AIR SERVICE** - Maintains access to our nation’s aviation system for millions of Americans in rural areas by reauthorizing the [Essential Air Service Program](#) and the [Small Community Air Service Development Program](#). Also, establishes a high-level working group to recommend ways to improve small community air service

**AMERICANS WITH DISABILITIES** - Takes steps to improve air travel for persons with disabilities by requiring a review of training and best practices by airports and airlines, and by requiring DOT to accelerate a rulemaking to address several issues of concern to the disabled community, including service animal exclusion from certain foreign carriers, the provision of in-flight oxygen, and accessibility to in-flight entertainment for passengers with disabilities.

**CONSUMER ADVISORY COMMITTEE** - Extends authority for the DOT’s [Advisory Committee for Aviation Consumer Protection](#) through September 30, 2017.

## **INFRASTRUCTURE INVESTMENT, GLOBAL COMPETITIVENESS, & GENERAL AVIATION**

**AIRPORT IMPROVEMENT PROGRAM** - Supports jobs and improves safety with infrastructure investment by authorizing funding for the [Airport Improvement Program](#) (AIP) at \$3.35 billion. Provides relief to small airports that have experienced passenger declines to ensure adequate funding for critical projects, including safety improvements.

**CONTRACT WEATHER OBSERVERS** - Requires the FAA to issue a report outlining the safety risks, hazard effects, and operational effects that could result from the loss of the Contract Weather Observer service at airports with this service. Prohibits the FAA from cutting services in FY 2017.

**AEROSPACE COMPETITIVENESS** - Allows the FAA to enter into reimbursement agreements with U.S. aerospace manufacturers for reasonable expenses associated with certain agency efforts to explain FAA aerospace certificate or design approval decisions to foreign regulators. This change enhances the ability of U.S. aerospace manufacturers to complete sales to foreign customers.

**MEDICAL CERTIFICATION** - Assists general aviation with modifications to the Third Class Medical Certificate process for non-commercial pilots.

**SMALL TOWER MARKINGS** - Enhances safety for low-altitude general aviation flying, like agricultural-applicators, by requiring marking of certain small towers.

**CRASH-RESISTANT FUEL SYSTEMS** - Requires the FAA to evaluate and update, as necessary, the standards for crash-resistant fuel systems for civilian helicopters.