

107TH CONGRESS  
1ST SESSION

# H. R. 903

To establish a commission to review the Federal Aviation Administration.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2001

Mr. WOLF introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish a commission to review the Federal Aviation Administration.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Commission for Com-  
5       prehensive Review of the Federal Aviation Administration  
6       Act”.

7       **SEC. 2. COMMISSION.**

8       (a) ESTABLISHMENT.—There is established a com-  
9       mission to be known as the Commission for Comprehen-  
10      sive Review of the Federal Aviation Administration (re-  
11      ferred to in this section as the “Commission”).

1 (b) FUNCTIONS.—The functions of the Commission  
2 shall be—

3 (1) to review existing and alternative options  
4 for organizational structure of air traffic services, in-  
5 cluding a government corporation and incentive  
6 based fees for services;

7 (2) to provide recommendations for any nec-  
8 essary changes in structure of the Federal Aviation  
9 Administration so that it will be able to support the  
10 future growth in the national aviation and airport  
11 system; except that the Commission may only rec-  
12 ommend changes to the structure and organization  
13 of the Federal Aviation Administration that are  
14 within the existing structure of the Federal Govern-  
15 ment;

16 (3) to review air traffic management system  
17 performance and to identify appropriate levels of  
18 cost accountability for air traffic management serv-  
19 ices;

20 (4) to review aviation safety and make rec-  
21 ommendations for the long-term improvement of  
22 safety; and

23 (5) to make additional recommendations that  
24 would advance more efficient and effective Federal  
25 Aviation Administration for the benefit of the gen-

1 eral traveling public and the aviation transportation  
2 industry.

3 (c) MEMBERSHIP.—

4 (1) APPOINTMENTS.—The Commission shall be  
5 composed of 24 members appointed by the President  
6 as follows:

7 (A) 8 individuals with no personal or busi-  
8 ness financial interest in the airline or aero-  
9 space industry to represent the traveling public.  
10 Of these, 1 shall be a nationally recognized ex-  
11 pert in finance, 1 in corporate management and  
12 1 in human resources management.

13 (B) 6 individuals from the airline industry.  
14 Of these, 1 shall be from a major national air  
15 carrier, 1 from an unaffiliated regional air car-  
16 rier, 1 from a cargo air carrier, 1 from the Air-  
17 craft Owners and Pilots Association, and 1  
18 from the National Association of State Aviation  
19 Officials.

20 (C) 3 individuals representing labor and  
21 professional associations. Of these, 1 shall be  
22 from National Air Traffic Controllers Associa-  
23 tion, 1 from the Air Line Pilots Association,  
24 and 1 from the Professional Airways Systems  
25 Specialists.

1 (D) 2 individuals representing airports and  
2 airport authorities. Of these, 1 shall be rep-  
3 resent a large hub airport.

4 (E) 1 individual representing the aerospace  
5 and aircraft manufacturers industries.

6 (F) 1 individual from the Department of  
7 Defense.

8 (G) 1 individual from the National Aero-  
9 nautics and Space Administration.

10 (H) 2 individuals from the Department of  
11 Transportation. Of these, 1 shall be from the  
12 Federal Aviation Administration and 1 from the  
13 Office of the Secretary of Transportation.

14 (2) TERMS.—Each member shall be appointed  
15 for a term of 18 months.

16 (d) FIRST MEETING.—The Commission may conduct  
17 its first meeting as soon as a majority of the members  
18 of the Commission are appointed.

19 (e) HEARINGS AND CONSULTATION.—

20 (1) HEARINGS.—The Commission shall take  
21 such testimony and solicit and receive such com-  
22 ments from the public and other interested parties  
23 as it considers appropriate, shall conduct at least 2  
24 public hearings after affording adequate notice to

1 the public thereof, and may conduct such additional  
2 hearings as may be necessary.

3 (2) CONSULTATION.—The Commission shall  
4 consult on a regular and frequent basis with the  
5 Secretary of Transportation, the Secretary of De-  
6 fense, the Committee on Commerce, Science, and  
7 Transportation, the Committee on Appropriations  
8 and the Committee on Finance of the Senate, and  
9 the Committee on Transportation and Infrastruc-  
10 ture, the Committee on Appropriations and the  
11 Committee on Ways and Means of the House of  
12 Representatives.

13 (3) FACA NOT TO APPLY.—The Commission  
14 shall not be considered an advisory committee for  
15 purposes of the Federal Advisory Committee Act (5  
16 U.S.C. App.).

17 (f) ACCESS TO DOCUMENTS AND STAFF.—The Fed-  
18 eral Aviation Administration may give the Commission ap-  
19 propriate access to relevant documents and personnel and  
20 shall make available, consistent with the authority to with-  
21 hold commercial and other proprietary information under  
22 section 552 of title 5, United States Code (commonly  
23 known as the “Freedom of Information Act”), cost data  
24 associated with the acquisition and operation of air traffic  
25 service systems. Any member of the Commission who re-

1 ceives commercial or other proprietary data from the Fed-  
2 eral Aviation Administration shall be subject to the provi-  
3 sions of section 1905 of title 18, United States Code, per-  
4 taining to unauthorized disclosure of such information.

5 (g) TRAVEL AND PER DIEM.—Each member of the  
6 Commission shall be paid actual travel expenses, and per  
7 diem in lieu of subsistence expenses when away from such  
8 member's usual place of residence, in accordance with sec-  
9 tion 5703 of title 5, United States Code.

10 (h) DETAIL OF PERSONNEL FROM THE FEDERAL  
11 AVIATION ADMINISTRATION.—The Administrator of the  
12 Federal Aviation Administration shall make available to  
13 the Commission such staff, administrative services, and  
14 other personnel assistance as may reasonably be required  
15 to enable the Commission to carry out its responsibilities  
16 under this section.

17 **SEC. 3. REPORT OF THE COMMISSION.**

18 (a) REPORT TO CONGRESS.—Not later than 30 days  
19 after receiving the final report of the Commission and in  
20 no event more than 1 year after the date of the enactment  
21 of this Act, the Secretary of Transportation, after con-  
22 sulting the Secretary of Defense, shall transmit a report  
23 to the Committees on Commerce, Science, and Transpor-  
24 tation, Appropriations, and Finance of the Senate and the  
25 Committees on Transportation and Infrastructure, Appro-

1 priations, and Ways and Means of the House of Rep-  
2 resentatives.

3 (b) CONTENTS.—The Secretary shall include in the  
4 report to Congress under subsection (a) a final report of  
5 findings and recommendations of the Commission under  
6 section 2(b), including any necessary changes to current  
7 law to carry out these recommendations in the form of  
8 proposed legislation.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated such sums as  
11 may be necessary to carry out this Act.

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