

114TH CONGRESS  
2D SESSION

# S. 3502

To require the Federal Aviation Administration to establish annual performance objectives and to hold the Chief NextGen Officer accountable for meeting such objectives.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 2016

Mr. DAINES (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Federal Aviation Administration to establish annual performance objectives and to hold the Chief NextGen Officer accountable for meeting such objectives.

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 “NextGen Account-  
5 ability Act”.

6 **SEC. 2. NEXTGEN ANNUAL PERFORMANCE GOALS.**

7 Section 214 of the FAA Modernization and Reform  
8 Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note)  
9 is amended—

1           (1) by redesignating subsection (d) as sub-  
2           section (e); and

3           (2) by inserting after subsection (c) the fol-  
4           lowing:

5           “(d) ANNUAL PERFORMANCE GOALS.—The Adminis-  
6           trator shall establish annual NextGen performance goals  
7           for each of the performance metrics set forth in subsection  
8           (a) to meet the performance metric baselines identified  
9           under subsection (b). Such goals shall be established in  
10          consultation with public and private NextGen stake-  
11          holders, including the NextGen Advisory Committee.”.

12          **SEC. 3. NEXTGEN METRICS REPORT.**

13          Section 710(e)(2) of the Vision 100—Century of  
14          Aviation Reauthorization Act (Public Law 108–176; 49  
15          U.S.C. 40101 note) is amended—

16                 (1) in subparagraph (D), by striking “and” at  
17                 the end;

18                 (2) in subparagraph (E), by striking the period  
19                 at the end and inserting “; and”; and

20                 (3) by adding at the end the following:

21                         “(F) a description of the progress made in  
22                         meeting the annual NextGen performance goals  
23                         relative to the performance metrics established  
24                         under section 214 of the FAA Modernization

1           and Reform Act of 2012 (Public Law 112–95;  
2           49 U.S.C. 40101 note).”.

3 **SEC. 4. CHIEF NEXTGEN OFFICER.**

4           Section 106(s) of title 49, United States Code, is  
5 amended—

6           (1) in paragraph (2)(B), by adding at the end  
7           the following: “In evaluating the performance of the  
8           Chief NextGen Officer for the purpose of awarding  
9           a bonus under this subparagraph, the Administrator  
10          shall consider the progress toward meeting the  
11          NextGen performance goals established pursuant to  
12          section 214(d) of the FAA Modernization and Re-  
13          form Act of 2012 (Public Law 112–95; 49 U.S.C.  
14          40101 note)”; and

15          (2) in paragraph (3), by adding at the end the  
16          following: “The annual performance goals set forth  
17          in the agreement shall include quantifiable NextGen  
18          airspace performance objectives regarding efficiency,  
19          productivity, capacity, and safety, which shall be es-  
20          tablished in consultation with public and private  
21          NextGen stakeholders, including the NextGen Advi-  
22          sory Committee.”.

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