

AMENDMENT TO H.R. 4441
OFFERED BY MR. BABIN OF TEXAS

Page 220, line 2, strike the closing quotation marks and the final period and insert the following (and conform the chapter analysis accordingly):

1 “§ 45509. Critical infrastructure

2 “(a) REGULATIONS.—Not later than 6 months after
3 the date of enactment of this section, the Administrator
4 of the Federal Aviation Administrator shall issue final reg-
5 ulations concerning the operation of small unmanned air-
6 craft systems in the proximity of critical infrastructure fa-
7 cilities.

8 “(b) CONTENTS.—In issuing the regulations, the Ad-
9 ministrator shall—

10 “(1) subject to subsection (c)—

11 “(A) determine, in collaboration with the
12 Secretary of Homeland Security and the heads
13 of other government agencies that have relevant
14 security information, the critical infrastructure
15 facilities that will be subject to the regulations;
16 and

17 “(B) ensure that the critical infrastructure
18 facilities that are subject to the regulations in-

1 clude facilities subject to other security-related
2 laws, unless the Administrator specifically ex-
3 cludes a facility and provides a justification for
4 the exclusion;

5 “(2) establish boundaries for permissible un-
6 manned aircraft operation, both for proximity to and
7 distance above critical infrastructure facilities;

8 “(3) ensure that the regulations permit owners
9 and operators of critical infrastructure facilities to
10 operate small unmanned aircraft on or around the
11 facilities for business or site operational purposes;
12 and

13 “(4) ensure that the regulations establish civil
14 and criminal penalties for individuals and entities
15 that violate the regulations.

16 “(c) APPLICATION PROCESS.—A critical infrastruc-
17 ture facility shall be subject to the regulations only if—

18 “(1) the owner or operator of the facility sub-
19 mits to the Administrator on behalf of the facility an
20 application for coverage under the regulations in ac-
21 cordance with such procedures as the Administrator
22 may establish; and

23 “(2) the Administrator approves the applica-
24 tion.

1 “(d) CRITICAL INFRASTRUCTURE DEFINED.—In this
2 section, the term ‘critical infrastructure’ means the fol-
3 lowing:

4 “(1) All facilities regulated pursuant to the
5 Maritime Transportation Security Act of 2002 (Pub-
6 lic Law 107–295).

7 “(2) All facilities regulated pursuant to the
8 Protecting and Securing Chemical Facilities From
9 Terrorist Attacks Act of 2014 (Public Law 113–
10 254).

11 “(3) Public water systems, as defined by section
12 1401 of the Safe Drinking Water Act (42 U.S.C.
13 300f).

14 “(4) Treatment works, as defined in section
15 212 of the Federal Water Pollution Control Act (33
16 U.S.C. 1292).

17 “(5) Any facility owned or operated by the De-
18 partment of Defense or the Department of Energy.

19 “(6) Any facility subject to regulation by the
20 Nuclear Regulatory Commission.”.

