

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3935
OFFERED BY MR. GARCÍA OF ILLINOIS**

At the end of title VIII, add the following:

1 **SEC. ____ . ESTABLISHMENT OF OFFICE OF AVIATION CON-**
2 **SUMER PROTECTION.**

3 Section 102 of title 49, United States Code, is
4 amended—

5 (1) in subsection (e)(1)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “7” and inserting “8”; and

8 (B) in subparagraph (A), by striking “and
9 an Assistant Secretary for Transportation Pol-
10 icy” and inserting “an Assistant Secretary for
11 Transportation Policy, and an Assistant Sec-
12 retary for Aviation Consumer Protection”; and

13 (2) by adding at the end the following:

14 “(j) OFFICE OF AVIATION CONSUMER PROTEC-
15 TION.—

16 “(1) ESTABLISHMENT.—There is established in
17 the Department an Office of Aviation Consumer
18 Protection (referred to in this subsection as the ‘Of-
19 fice’) to administer and enforce the aviation con-

1 consumer protection and civil rights authorities pro-
2 vided to the Department by statute, including those
3 under section 41712—

4 “(A) to assist, educate, and protect pas-
5 sengers;

6 “(B) to monitor compliance with, conduct
7 investigations relating to, and enforce, including
8 by taking appropriate action to address viola-
9 tions of, aviation consumer protection, civil
10 rights, and aviation economic requirements; and

11 “(C) to promulgate, as appropriate, avia-
12 tion consumer protection and civil rights regula-
13 tions.

14 “(2) LEADERSHIP.—The Office shall be headed
15 by the Assistant Secretary for Aviation Consumer
16 Protection (referred to in this subsection as the ‘As-
17 sistant Secretary’).

18 “(3) TRANSITION.—Not later than 180 days
19 after the date of enactment of this subsection, the
20 Office of Aviation Consumer Protection that is a
21 unit within the Office of the General Counsel of the
22 Department which is headed by the Assistant Gen-
23 eral Counsel for Aviation Consumer Protection, shall
24 cease to exist. The Department shall determine
25 which employees are necessary to fulfill the respon-

1 sibilities of the new Office of Aviation Consumer
2 Protection and those employees shall be transferred
3 from the Office of the General Counsel as appro-
4 priate to the newly established Office of Aviation
5 Consumer Protection. To the extent the Office of the
6 General Counsel retains any attorney or hires any
7 new attorney to advise the newly established Office
8 of Aviation Consumer Protection, those attorneys
9 will be located in the remaining offices within the
10 Office of the General Counsel.

11 “(4) COORDINATION.—The Assistant Secretary
12 shall coordinate with the General Counsel appointed
13 under subsection (e)(1)(E), in accordance with sec-
14 tion 1.26 of title 49, Code of Federal Regulations
15 (or a successor regulation), on all legal matters re-
16 lating to—

17 “(A) aviation consumer protection; and

18 “(B) the duties and activities of the Office
19 described in subparagraphs (A) through (C) of
20 paragraph (1).

21 “(5) ANNUAL REPORT.—The Assistant Sec-
22 retary shall submit to the Secretary, who shall sub-
23 mit to Congress and make publicly available on the
24 website of the Department, an annual report that,
25 with respect to matters under the jurisdiction of the

1 Department, or otherwise within the statutory au-
2 thority of the Department—

3 “(A) analyzes trends in aviation consumer
4 protection, civil rights, and licensing;

5 “(B) identifies major challenges facing
6 passengers; and

7 “(C) addresses any other relevant issues,
8 as the Assistant Secretary determines to be ap-
9 propriate.

10 “(6) FUNDING.—There is authorized to be ap-
11 propriated \$12,000,000 for fiscal year 2024,
12 \$13,000,000 for fiscal year 2025, \$14,000,000 for
13 fiscal year 2026, \$15,000,000 for fiscal year 2027,
14 and \$16,000,000 for fiscal year 2028.”

