

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) determine, in collaboration with the Sec-
11 retary of Homeland Security and the heads of other
12 government agencies that have relevant security in-
13 formation, the critical infrastructure facilities that
14 will be subject to the regulations;

15 “(2) ensure that the critical infrastructure fa-
16 cilities that are subject to the regulations include fa-
17 cilities subject to other security-related laws, unless

1 the Administrator specifically excludes a facility and
2 provides a justification for the exclusion;

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

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

11 “(5) ensure that the regulations establish civil
12 and criminal penalties for individuals and entities
13 that violate the regulations.

14 “(c) CRITICAL INFRASTRUCTURE DEFINED.—In this
15 section, the term ‘critical infrastructure’ means the fol-
16 lowing:

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

20 “(2) All facilities regulated pursuant to the
21 Protecting and Securing Chemical Facilities From
22 Terrorist Attacks Act of 2014 (Public Law 113–
23 254).

1 “(3) Public water systems, as defined by section
2 1401 of the Safe Drinking Water Act (42 U.S.C.
3 300f).

4 “(4) Treatment works, as defined in section
5 212 of the Federal Water Pollution Control Act (33
6 U.S.C. 1292).

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

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

