

AMENDMENT TO H.R. 5515

OFFERED BY MR. SMITH OF WASHINGTON

At the appropriate place in title X, insert the following:

1 **SEC. 10 ____ . NATIONAL COMMISSION ON MILITARY AVIA-**
2 **TION SAFETY.**

3 (a) ESTABLISHMENT.—There is established the Na-
4 tional Commission on Military Aviation Safety (in this sec-
5 tion referred to as the “Commission”).

6 (b) MEMBERSHIP.—

7 (1) COMPOSITION.—The Commission shall be
8 composed of eight members, of whom—

9 (A) four shall be appointed by the Presi-
10 dent;

11 (B) one shall be appointed by the Chair-
12 man of the Committee on Armed Services of
13 the Senate;

14 (C) one shall be appointed by the Ranking
15 Member of the Committee on Armed Services of
16 the Senate;

17 (D) one shall be appointed by the Chair-
18 man of the Committee on Armed Services of
19 the House of Representatives; and

1 (E) one shall be appointed by the Ranking
2 Member of the Committee on Armed Services of
3 the House of Representatives.

4 (2) APPOINTMENT DATE.—The appointments of
5 the members of the Commission shall be made not
6 later than 90 days after the date of the enactment
7 of this Act.

8 (3) EFFECT OF LACK OF APPOINTMENT BY AP-
9 POINTMENT DATE.—If one or more appointments
10 under subparagraph (A) of paragraph (1) is not
11 made by the appointment date specified in para-
12 graph (2), the authority to make such appointment
13 or appointments shall expire, and the number of
14 members of the Commission shall be reduced by the
15 number equal to the number of appointments so not
16 made. If an appointment under subparagraph (B),
17 (C), (D), or (E) of paragraph (1) is not made by the
18 appointment date specified in paragraph (2), the au-
19 thority to make an appointment under such subpara-
20 graph shall expire, and the number of members of
21 the Commission shall be reduced by the number
22 equal to the number otherwise appointable under
23 such subparagraph.

24 (4) EXPERTISE.—In making appointments
25 under this subsection, consideration should be given

1 to individuals with expertise in military aviation
2 training, aviation technology, military aviation oper-
3 ations, aircraft sustainment and repair, aviation per-
4 sonnel policy, and reserve component policy.

5 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
6 bers shall be appointed for the life of the Commission. Any
7 vacancy in the Commission shall not affect its powers, but
8 shall be filled in the same manner as the original appoint-
9 ment.

10 (d) CHAIR AND VICE CHAIR.—The Commission shall
11 select a Chair and Vice Chair from among its members.

12 (e) Initial Meeting.--Not later than 30 days after the date
13 on which all members of the Commission have been ap-
14 pointed, the Commission shall hold its initial meeting.

15 (e) MEETINGS.—The Commission shall meet at the
16 call of the Chair. (g) Quorum.--A majority of the members
17 of the Commission shall constitute a quorum, but a lesser
18 number of members may hold hearings.

19 (f) DUTIES.—

20 (1) STUDY ON MILITARY AVIATION SAFETY.—
21 The Commission shall undertake a comprehensive
22 study of United States military aviation mishaps
23 that occurred between fiscal years 2013 and 2018 in
24 order—

1 (A) to assess the rates of military aviation
2 mishaps between fiscal years 2013 and 2018
3 compared to historic aviation mishap rates;

4 (B) to make an assessment of the causes
5 contributing to military aviation mishaps; and

6 (C) to make recommendations on the
7 modifications, if any, of safety, training, main-
8 tenance, personnel, or other policies related to
9 military aviation safety.

10 (2) REPORT.—Not later than February 1,
11 2020, the Commission shall submit to the President
12 and the congressional defense committees a report
13 setting forth a detailed statement of the findings
14 and conclusions of the Commission as a result of the
15 study required by paragraph (1), together with the
16 recommendations of the Commission for such legisla-
17 tive and administrative actions as the Commission
18 considers appropriate in light of the results of the
19 study.

20 (g) POWERS.—

21 (1) HEARINGS.—The Commission may hold
22 such hearings, sit and act at such times and places,
23 take such testimony, and receive such evidence as
24 the Commission considers advisable to carry out its
25 duties under this subtitle.

1 (2) INFORMATION FROM DEPARTMENT.—The
2 Commission may secure directly from any element of
3 the Department of Defense such information as the
4 Commission considers necessary to carry out its du-
5 ties under this subtitle. Upon request of the Chair
6 of the Commission, the head of such element shall
7 furnish such information to the Commission.

8 (h) TERMINATION.—The Commission shall terminate
9 90 days after the date on which the Commission submits
10 the report required under subsection (f)(2).

11 (i) FUNDING.—Amounts authorized to be appro-
12 priated for fiscal year 2019 by section 301 and available
13 for Operation and Maintenance for the Army, Air Force,
14 Navy, and Marine Corps, as specified in the funding table
15 in section 4301, may be available for the activities of the
16 Commission under this subtitle.

