

118TH CONGRESS
1ST SESSION

H. R. 3935

AN ACT

To amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Securing Growth and Robust Leadership in American
4 Aviation Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

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Sec. 138. Chief Technology Officer.
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- Sec. 202. GAO review of Pilot's Bill of Rights.
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- Sec. 205. Prohibition on using ADS-B data to initiate an investigation.
- Sec. 206. Prohibition on N-Number profiteering.
- Sec. 207. Accountability for aircraft registration numbers.
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- Sec. 210. Charitable flight fuel reimbursement exemptions.
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- Sec. 221. ADS-B safety enhancement incentive program.
- Sec. 222. GAO report on ADS-B technology.
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- Sec. 225. Airport diagram terminology.
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- Sec. 245. National coordination and oversight of designated pilot examiners.
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- Sec. 247. Designee locator tool improvements.
- Sec. 248. Deadline to eliminate aircraft registration backlog.
- Sec. 249. Part 135 air carrier certificate backlog.
- Sec. 250. Logging flight time accrued in certain public aircraft.
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- Sec. 252. Consistency of policy application in flight standards and aircraft certification.
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1 **TITLE I—AUTHORIZATIONS AND**
2 **FAA ORGANIZATIONAL REFORM**
3 **Subtitle A—Authorizations**

4 **SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND**
5 **NOISE COMPATIBILITY PLANNING AND PRO-**
6 **GRAMS.**

7 (a) AUTHORIZATION.—Section 48103(a) of title 49,
8 United States Code, is amended—

9 (1) in paragraph (5) by striking “and” at the
10 end;

11 (2) in paragraph (6) by striking the period at
12 the end and inserting a semicolon; and

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

14 “(7) \$4,000,000,000 for fiscal year 2024;

15 “(8) \$4,000,000,000 for fiscal year 2025;

16 “(9) \$4,000,000,000 for fiscal year 2026;

17 “(10) \$4,000,000,000 for fiscal year 2027; and

18 “(11) \$4,000,000,000 for fiscal year 2028.”.

19 (b) OBLIGATION AUTHORITY.—Section 47104(c) of
20 title 49, United States Code, is amended in the matter
21 preceding paragraph (1) by striking “2023” and inserting
22 “2028”.

23 **SEC. 102. FACILITIES AND EQUIPMENT.**

24 Section 48101(a) of title 49, United States Code, is
25 amended—

- 1 (1) by striking paragraphs (1) through (5);
2 (2) by redesignating paragraph (6) as para-
3 graph (1); and
4 (3) by adding at the end the following:
5 “(2) \$3,375,000,000 for fiscal year 2024.
6 “(3) \$3,425,000,000 for fiscal year 2025.
7 “(4) \$3,475,000,000 for fiscal year 2026.
8 “(5) \$3,475,000,000 for fiscal year 2027.
9 “(6) \$3,475,000,000 for fiscal year 2028.”.

10 **SEC. 103. OPERATIONS.**

11 (a) IN GENERAL.—Section 106(k)(1) of title 49,
12 United States Code, is amended—

- 13 (1) by striking subparagraphs (A) through (E);
14 (2) in subparagraph (F) by striking the period
15 at the end and inserting a semicolon;
16 (3) by redesignating subparagraph (F) as sub-
17 paragraph (A); and
18 (4) by adding at the end the following:
19 “(B) \$12,730,000,000 for fiscal year 2024;
20 “(C) \$13,035,000,000 for fiscal year 2025;
21 “(D) \$13,334,000,000 for fiscal year
22 2026;
23 “(E) \$13,640,000,000 for fiscal year 2027;
24 and

1 “(F) \$13,954,000,000 for fiscal year
2 2028.”.

3 (b) AUTHORIZED EXPENDITURES.—Section
4 106(k)(2)(D) of title 49, United States Code, is amend-
5 ed—

6 (1) by striking clauses (i) through (v);
7 (2) by redesignating clause (vi) as clause (i);
8 and
9 (3) by adding at the end the following:

10 “(ii) \$46,815,000 for fiscal year 2024.

11 “(iii) \$52,985,000 for fiscal year
12 2025.

13 “(iv) \$59,044,000 for fiscal year
14 2026.

15 “(v) \$65,225,000 for fiscal year 2027.

16 “(vi) \$71,529,000 for fiscal year
17 2028.”.

18 (c) AUTHORITY TO TRANSFER FUNDS.—Section
19 106(k)(3) of title 49, United States Code, is amended—

20 (1) by striking “Notwithstanding” and insert-
21 ing the following:

22 “(A) IN GENERAL.—Notwithstanding”;

23 (2) by striking “in each of fiscal years 2018
24 through 2023,”; and

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

1 “(B) PRIORITIZATION.—In reducing non-
2 safety-related activities of the Administration
3 under subparagraph (A), the Secretary shall
4 prioritize such reductions from amounts other
5 than amounts authorized under this subsection,
6 section 48101, or section 48103.

7 “(C) SUNSET.—This paragraph shall cease
8 to be effective after September 30, 2028.”.

9 **SEC. 104. EXTENSION OF MISCELLANEOUS EXPIRING AU-**
10 **THORITIES.**

11 (a) MARSHALL ISLANDS, MICRONESIA, AND
12 PALAU.—Section 47115(i) of title 49, United States Code,
13 is amended by striking “fiscal years 2018 through 2023”
14 and inserting “fiscal years 2023 through 2028”.

15 (b) WEATHER REPORTING PROGRAMS.—Section
16 48105 of title 49, United States Code, is amended by add-
17 ing at the end the following:

18 “(5) \$45,000,000 for each of fiscal years 2024
19 through 2026.

20 “(6) \$50,000,000 for each of fiscal years 2027
21 and 2028.”.

22 (c) MIDWAY ISLAND AIRPORT.—Section 186(d) of
23 the Vision 100—Century of Aviation Reauthorization Act
24 (Public Law 108–176) is amended by striking “for fiscal

1 years 2018 through 2023” and inserting “for fiscal years
2 2023 through 2028”.

3 (d) EXTENSION OF THE SAFETY OVERSIGHT AND
4 CERTIFICATION ADVISORY COMMITTEE.—Section 202(h)
5 of the FAA Reauthorization Act of 2018 (Public Law
6 115–254) is amended by striking “shall terminate” and
7 all that follows through the period at the end and inserting
8 “shall terminate on October 1, 2028.”.

9 **Subtitle B—FAA Organizational** 10 **Reform**

11 **SEC. 121. FAA LEADERSHIP.**

12 Section 106 of title 49, United States Code, is
13 amended—

14 (1) in subsection (a) by striking “The Federal”
15 and inserting “IN GENERAL.—The Federal”; and

16 (2) by striking subsection (b) and inserting the
17 following:

18 “(b) ADMINISTRATION LEADERSHIP.—

19 “(1) ADMINISTRATOR.—

20 “(A) IN GENERAL.—The head of the Ad-
21 ministration is the Administrator, who shall be
22 appointed by the President, by and with the ad-
23 vice and consent of the Senate.

24 “(B) QUALIFICATIONS.—The Adminis-
25 trator shall—

1 “(i) be a citizen of the United States;

2 “(ii) not be an active duty or retired
3 member of an Armed Force; and

4 “(iii) have experience in organiza-
5 tional management and a field directly re-
6 lated to aviation.

7 “(C) FITNESS.—In appointing an indi-
8 vidual as Administrator, the President shall
9 consider the fitness of such individual to carry
10 out efficiently the duties and powers of the of-
11 fice.

12 “(D) TERM OF OFFICE.—The Term of of-
13 fice for any individual appointed as Adminis-
14 trator shall be 5 years.

15 “(E) REPORTING CHAIN.—Except as pro-
16 vided in subsection (f) or in other provisions of
17 law, the Administrator reports directly to the
18 Secretary of Transportation.

19 “(2) DEPUTY ADMINISTRATOR FOR PROGRAMS
20 AND MANAGEMENT.—

21 “(A) IN GENERAL.—The Administration
22 has a Deputy Administrator for Programs and
23 Management, who shall be a political appointee
24 of the President.

1 “(B) QUALIFICATIONS.—The Deputy Ad-
2 ministrators for Programs and Management
3 shall—

4 “(i) be a citizen of the United States;

5 and

6 “(ii) have experience in management
7 and a field directly related to aviation.

8 “(C) FITNESS.—In appointing an indi-
9 vidual as Deputy Administrator for Programs
10 and Management, the President shall consider
11 the fitness of the individual to carry out effi-
12 ciently the duties and powers of the office, in-
13 cluding the duty to act for the Administrator
14 under the circumstances described in subpara-
15 graph (F).

16 “(D) REPORTING CHAIN.—The Deputy
17 Administrator for Programs and Management
18 reports directly to the Administrator.

19 “(E) DUTIES.—The Deputy Administrator
20 for Programs and Management shall—

21 “(i) manage the Assistant Administra-
22 tors and Chief Counsel established under
23 subsection (d), except the Assistant Ad-
24 ministrator for Rulemaking and Regu-
25 latory Improvement; and

1 “(ii) carry out duties and powers pre-
2 scribed by the Administrator.

3 “(F) SUCCESSION PLAN.—The Deputy Ad-
4 ministrators for Programs and Management acts
5 for the Administrator when the Administrator
6 is absent or unable to serve, or when the office
7 of the Administrator is vacant.

8 “(G) COMPENSATION.—

9 “(i) ANNUAL RATE OF BASIC PAY.—
10 The annual rate of basic pay of the Deputy
11 Administrator for Programs and Manage-
12 ment shall be set by the Secretary but
13 shall not exceed the annual rate of basic
14 pay payable to the Administrator.

15 “(ii) EXCEPTION.—A retired regular
16 officer of an Armed Force serving as the
17 Deputy Administrator for Programs and
18 Management is entitled to hold a rank and
19 grade not lower than that held when ap-
20 pointed as the Deputy Administrator for
21 Programs and Management and may elect
22 to receive—

23 “(I) the pay provided for the
24 Deputy Administrator for Programs
25 and Management under clause (i); or

1 “(II) the pay and allowances or
2 the retired pay of the military grade
3 held.

4 “(iii) REIMBURSEMENT OF EX-
5 PENSES.—If the Deputy Administrator for
6 Programs and Management elects to re-
7 ceive compensation described in clause
8 (ii)(II), the Administration shall reimburse
9 the appropriate military department from
10 funds available for the expenses of the Ad-
11 ministration.

12 “(3) DEPUTY ADMINISTRATOR FOR SAFETY
13 AND OPERATIONS.—

14 “(A) IN GENERAL.—The Administration
15 has a Deputy Administrator for Safety and Op-
16 erations, who—

17 “(i) shall be appointed by the Admin-
18 istrator; and

19 “(ii) shall not be a political appointee.

20 “(B) QUALIFICATIONS.—The Deputy Ad-
21 ministrator for Safety and Operations shall—

22 “(i) be a citizen of the United States;
23 and

1 “(ii) have experience in organizational
2 management and a field directly related to
3 aviation.

4 “(C) FITNESS.—In appointing an indi-
5 vidual as Deputy Administrator for Safety and
6 Operations, the Administrator shall consider the
7 fitness of the individual to carry out efficiently
8 the duties and powers of the office, including
9 the duty to act for the Administrator under the
10 circumstances described in subparagraph (F).

11 “(D) REPORTING CHAIN.—The Deputy
12 Administrator for Safety and Operations re-
13 ports to the Administrator.

14 “(E) DUTIES.—The Deputy Administrator
15 for Safety and Operations shall—

16 “(i) manage the Associate Administra-
17 tors and Chief Operating Officer estab-
18 lished under subsection (c) and the Assist-
19 ant Administrator for Rulemaking and
20 Regulatory Improvement established under
21 subsection (d);

22 “(ii) develop and maintain a long-term
23 strategic plan of the Administration;

1 “(iii) coordinate the safe integration
2 of new entrants and technologies into the
3 national airspace system; and

4 “(iv) carry out other duties and pow-
5 ers prescribed by the Administrator.

6 “(F) SUCCESSION PLAN.—The Deputy Ad-
7 ministrators for Safety and Operations acts for
8 the Administrator when the Administrator and
9 the Deputy Administrator for Programs and
10 Management are absent or unable to serve, or
11 when the office of the Administrator and the
12 Office of the Deputy Administrator for Pro-
13 grams and Management are vacant.

14 “(G) COMPENSATION.—The annual rate of
15 basic pay of the Deputy Administrator for Safe-
16 ty and Operations shall be set by the Adminis-
17 trator but shall not exceed the annual rate of
18 basic pay payable to the Administrator.

19 “(4) LEADERSHIP OF THE ADMINISTRATION
20 DEFINED.—In this section, the term ‘leadership of
21 the Administration’ means—

22 “(A) the Administrator under paragraph
23 (1);

1 “(B) the Deputy Administrator for Pro-
2 grams and Management under paragraph (2);
3 and

4 “(C) the Deputy Administrator for Safety
5 and Operations under paragraph (3).”.

6 **SEC. 122. FAA MANAGEMENT BOARD.**

7 (a) FAA MANAGEMENT BOARD.—Section 106 of title
8 49, United States Code, is amended by striking sub-
9 sections (c) and (d) and inserting the following:

10 “(c) ASSOCIATE ADMINISTRATORS.—

11 “(1) IN GENERAL.—The Administration has
12 Associate Administrators, as determined necessary
13 by the Administrator, including—

14 “(A) appointed by the Administrator, an
15 Associate Administrator for Aviation Safety, an
16 Associate Administrator for Security and Haz-
17 ardous Materials Safety, a Chief Operating Of-
18 ficer of the Air Traffic Control System;

19 “(B) appointed by the President, an Asso-
20 ciate Administrator for Airports; and

21 “(C) when authority under chapter 509 of
22 title 51 is explicitly delegated by the Secretary
23 of Transportation to the Administrator, an As-
24 sociate Administrator for Commercial Space

1 Transportation who shall be appointed by the
2 Administrator.

3 “(2) QUALIFICATIONS.—Associate Administra-
4 tors shall be citizens of the United States.

5 “(3) DUTIES.—The Associate Administrators
6 shall carry out duties and powers of their office de-
7 scribed in this section and those prescribed by the
8 Administrator.

9 “(d) CHIEF COUNSEL; ASSISTANT ADMINISTRA-
10 TORS.—

11 “(1) IN GENERAL.—The Administration has
12 Assistant Administrators and a Chief Counsel.

13 “(A) CHIEF COUNSEL.—The Chief Counsel
14 shall be appointed by the President and shall—

15 “(i) advise the Administrator on legal
16 matters relating to the responsibilities,
17 functions, and management of the Admin-
18 istration;

19 “(ii) at the request of the Adminis-
20 trator, provide guidance, counsel, and ad-
21 vice regarding, but shall not have final de-
22 cision-making authority with regards to,
23 the activities of the Administrator, includ-
24 ing—

25 “(I) rulemaking activities;

1 “(II) policy and guidance docu-
2 ment production;

3 “(III) exemption and waiver deci-
4 sions; and

5 “(IV) certification and approval
6 determinations;

7 “(iii) represent the Administration be-
8 fore the National Transportation Safety
9 Board, Department of Transportation law
10 judges, the Equal Employment Oppor-
11 tunity Commission, Federal courts of the
12 United States, and other bodies and
13 courts, as appropriate;

14 “(iv) pursue enforcement actions on
15 behalf of the Administrator; and

16 “(v) perform other functions as deter-
17 mined by the Administrator.

18 “(B) ASSISTANT ADMINISTRATOR FOR
19 RULEMAKING AND REGULATORY IMPROVE-
20 MENT.—The Assistant Administrator for Rule-
21 making and Regulatory Improvement shall be
22 appointed by the Administrator and shall—

23 “(i) be responsible for developing and
24 managing the execution of a regulatory
25 agenda for the Administration that meets

1 statutory and Administration deadlines, in-
2 cluding by—

3 “(I) prioritizing rulemaking
4 projects that are necessary to improve
5 safety;

6 “(II) establishing the regulatory
7 agenda of the Administration; and

8 “(III) coordinating with offices of
9 the Administration, the Department,
10 and other Federal entities as appro-
11 priate to improve timely feedback gen-
12 eration and approvals when required
13 by law;

14 “(ii) not delegate overall responsibility
15 for meeting internal timelines and final
16 completion of the regulatory activities of
17 the Administration outside the Office of
18 the Assistant Administrator for Rule-
19 making and Regulatory Improvement;

20 “(iii) on an ongoing basis—

21 “(I) review the Administration’s
22 regulations in effect to improve safety;

23 “(II) reduce undue regulatory
24 burden;

1 “(III) replace prescriptive regula-
2 tions with performance-based regula-
3 tions, as appropriate;

4 “(IV) prevent duplicative regula-
5 tions; and

6 “(V) increase regulatory clarity
7 and transparency whenever possible;

8 “(iv) make recommendations for the
9 Administrator’s review under subsection
10 (f)(3)(C)(ii);

11 “(v) receive, coordinate, and respond
12 to petitions for rulemaking and for exemp-
13 tion as provided for in subpart A of part
14 11 of title 14, Code of Federal Regula-
15 tions, and provide an initial response to a
16 petitioner not later than 30 days after the
17 receipt of such a petition—

18 “(I) acknowledging receipt of
19 such petition;

20 “(II) confirming completeness of
21 such petition;

22 “(III) providing an initial indica-
23 tion of the complexity of the request
24 and how such complexity may impact
25 the timeline for adjudication; and

1 “(IV) requesting any additional
2 information, as appropriate, that
3 would assist in the consideration of
4 the petition;

5 “(vi) track the issuance of exemptions
6 and waivers by the Administration to sec-
7 tions of title 14, Code of Federal Regula-
8 tions, and establish a methodology by
9 which to determine if it would be more ef-
10 ficient and in the public’s interest to
11 amend a rule to reduce the future need of
12 waivers and exemptions; and

13 “(vii) promulgate regulatory updates
14 as determined more efficient or in the
15 public’s best interest under clause (vi).

16 “(C) APPOINTMENT.—Additional Assistant
17 Administrators, as determined necessary by the
18 Administrator, may be appointed by the Admin-
19 istrator.

20 “(2) QUALIFICATIONS.—The Assistant Admin-
21 istrators shall be a citizen of the United States.

22 “(3) DUTIES.—The Assistant Administrators
23 shall carry out duties and powers of their office de-
24 scribed in this section and those prescribed by the
25 Administrator.

1 “(1) IN GENERAL.—The leadership of the Ad-
2 ministration and the Management Board of the Ad-
3 ministration may not have a pecuniary interest in, or
4 hold a financial interest in, an aeronautical enter-
5 prise, or engage in another business, vocation, or
6 employment.

7 “(2) TEACHING.—Notwithstanding paragraph
8 (1), the Deputy Administrators and the Manage-
9 ment Board of the Administration may not receive
10 compensation for teaching without prior approval of
11 the Administrator.

12 “(3) FINANCIAL INTEREST DEFINED.—In this
13 subsection, the term ‘financial interest’—

14 “(A) means—

15 “(i) any current or contingent owner-
16 ship, equity, or security interest;

17 “(ii) any indebtedness or compensated
18 employment relationship; or

19 “(iii) any right to purchase or acquire
20 any such interest, including a stock option;
21 and

22 “(B) does not include securities held in an
23 index fund.”.

1 **SEC. 124. AUTHORITY OF SECRETARY AND ADMINIS-**
2 **TRATOR.**

3 (a) IN GENERAL.—Section 106(f) of title 49, United
4 States Code, is amended—

5 (1) in paragraph (1)—

6 (A) by striking “paragraph (2)” and in-
7 serting “paragraphs (2) and (3)”;

8 (B) by striking “Neither” and inserting
9 “In exercising duties, powers, and authorities
10 that are assigned to the Secretary or the Ad-
11 ministrator under this title, neither”; and

12 (C) by striking “a committee, board, or or-
13 ganization established by executive order.” and
14 inserting the following: “a committee, board,
15 council, or organization that is—

16 “(A) established by executive order; or

17 “(B) not explicitly directed by legislation
18 to review the exercise of such duties, powers,
19 and authorities by the Secretary or the Admin-
20 istrator.”;

21 (2) in paragraph (2)—

22 (A) in subparagraph (A)(ii) by striking
23 “the acquisition” and all that follows through
24 the semicolon and inserting “the acquisition, es-
25 tablishment, improvement, operation, mainte-
26 nance, security (including cybersecurity), and

1 disposal of property, facilities, services, and
2 equipment of the Administration, including all
3 elements of the air traffic control system owned
4 by the Administration;”;

5 (B) in subparagraph (A)(iii) by striking
6 “paragraph (3)” and inserting “paragraph
7 (4)”;

8 (C) in subparagraph (B) by inserting “civil
9 aviation, any matter for which the Adminis-
10 trator is the final authority under subparagraph
11 (A), any duty carried out by the Administrator
12 pursuant to paragraph (3), or the provisions of
13 this title, or” after “with respect to”; and

14 (D) in subparagraph (D)—

15 (i) by inserting “(formally or infor-
16 mally)” after “required”; and

17 (ii) by inserting “or any other Federal
18 agency” after “Department of Transpor-
19 tation”;

20 (3) in paragraph (3)—

21 (A) in subparagraph (A)—

22 (i) by striking “In the performance”
23 and inserting the following:

24 “(i) ISSUANCE OF REGULATIONS.—In
25 the performance”;

1 (ii) by striking “The Administrator
2 shall act” and inserting the following:

3 “(ii) PETITIONS FOR RULEMAKING.—
4 The Administrator shall act”;

5 (iii) by striking “The Administrator
6 shall issue” and inserting the following:

7 “(iii) RULEMAKING TIMELINE.—The
8 Administrator shall issue”; and

9 (iv) by striking “On February 1” and
10 inserting the following:

11 “(iv) REPORTING REQUIREMENT.—On
12 February 1”; and

13 (B) by striking subparagraphs (B) and (C)
14 and inserting the following:

15 “(B) APPROVAL OF SECRETARY OF TRANS-
16 PORTATION.—

17 “(i) IN GENERAL.—The Administrator
18 may not issue, unless the Secretary of
19 Transportation approves the issuance of
20 the regulation in advance, a proposed regu-
21 lation or final regulation that—

22 “(I) is likely to result in the ex-
23 penditure by State, local, and Tribal
24 governments in the aggregate, or by
25 the private sector, of \$250,000,000 or

1 more (adjusted annually for inflation
2 beginning with the year following the
3 date of enactment of the Securing
4 Growth and Robust Leadership in
5 American Aviation Act) in any year;
6 or

7 “(II) is significant.

8 “(ii) SIGNIFICANT DEFINED.—For
9 purposes of this paragraph, a regulation is
10 significant if the Administrator, in con-
11 sultation with the Secretary (as appro-
12 priate), determines that the regulation—

13 “(I) will have an annual effect on
14 the economy of \$250,000,000 or more
15 (adjusted annually for inflation begin-
16 ning with the year following the date
17 of enactment of the Securing Growth
18 and Robust Leadership in American
19 Aviation Act);

20 “(II) raises novel or serious legal
21 or policy issues that will substantially
22 and materially affect other transpor-
23 tation modes; or

24 “(III) adversely affect, in a sub-
25 stantial and material way, the econ-

1 omy, a sector of the economy, produc-
2 tivity, competition, jobs, the environ-
3 ment, public health or safety, or a
4 State, local, or Tribal government or
5 communities.

6 “(iii) EMERGENCY REGULATION.—In
7 an emergency, the Administrator may issue
8 a final regulation described in clause (i)
9 without prior approval of the Secretary. If
10 the Secretary objects to such regulation in
11 writing within 5 days (excluding Saturday,
12 Sundays, and legal public holidays) of the
13 issuance, the Administrator shall imme-
14 diately rescind such regulation.

15 “(iv) OTHER REGULATIONS.—The
16 Secretary may not require that the Admin-
17 istrator submit a proposed or final regula-
18 tion to the Secretary for approval, nor may
19 the Administrator submit a proposed or
20 final regulation to the Secretary for ap-
21 proval, if the regulation—

22 “(I) does not require the Sec-
23 retary’s approval under clause (i) (ex-
24 cluding a regulation issued pursuant
25 to clause (iii)); or

1 “(II) is a routine or frequent ac-
2 tion or a procedural action.

3 “(v) TIMELINE.—The Administrator
4 shall submit a copy of any proposed or
5 final regulation requiring approval by the
6 Secretary under clause (i) to the Secretary,
7 who shall either approve the regulation or
8 return the regulation to the Administrator
9 with comments within 30 days after receiv-
10 ing the regulation. If the Secretary fails to
11 approve or return the regulation with com-
12 ments to the Administrator within 30 days,
13 the regulation shall be deemed to have
14 been approved by the Secretary.

15 “(C) PERIODIC REVIEW.—

16 “(i) IN GENERAL.—In addition to the
17 review requirements established under sec-
18 tion 5.13(d) of title 49, Code of Federal
19 Regulations, the Administrator shall review
20 any significant regulation issued 3 years
21 after the effective date of the regulation.

22 “(ii) DISCRETIONAL REVIEW.—The
23 Administrator may review any regulation
24 that has been in effect for more than 3
25 years.

1 “(iii) SUBSTANCE OF REVIEW.—In
2 performing a review under clause (i) or
3 (ii), the Administrator shall determine if—

4 “(I) the cost assumptions were
5 accurate;

6 “(II) the intended benefit of the
7 regulation is being realized;

8 “(III) the need remains to con-
9 tinue such regulation as in effect; and

10 “(IV) the Administrator rec-
11 ommends updates to such regulation
12 based on the review criteria specified
13 in section 5.13(d) of title 49, Code of
14 Federal Regulations.

15 “(iv) REVIEW MANAGEMENT.—Any
16 periodic review of a regulation under this
17 subparagraph shall be managed by the As-
18 sistant Administrator for Rulemaking and
19 Regulatory Improvement, who may task an
20 advisory committee or the Management
21 Advisory Council established under sub-
22 section (p) to assist in performing the re-
23 view.”;

24 (4) by redesignating paragraphs (3) and (4) as
25 paragraphs (4) and (5), respectively; and

1 (5) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) DUTIES AND POWERS OF THE ADMINIS-
4 TRATOR.—

5 “(A) IN GENERAL.—The Administrator
6 shall carry out—

7 “(i) the duties and powers of the Sec-
8 retary under this subsection related to
9 aviation safety (except those related to
10 transportation, packaging, marking, or de-
11 scription of hazardous material) and stated
12 in—

13 “(I) subsections (c) and (d) of
14 section 1132;

15 “(II) sections 40101(c),
16 40103(b), 40106(a), 40108,
17 40109(b), 40113(a), 40113(c),
18 40113(d), 40113(e), 40114(a), and
19 40117;

20 “(III) chapter 443;

21 “(IV) chapter 445, except sec-
22 tions 44502(a)(3), 44503, and 44509;

23 “(V) chapter 447, except sections
24 44721(b), and 44723;

25 “(VI) chapter 448;

1 “(VII) chapter 451;
2 “(VIII) chapter 453;
3 “(IX) section 46104;
4 “(X) subsections (d) and (h)(2)
5 of section 46301, section 46303(c),
6 sections 46304 through 46308, sec-
7 tion 46310, section 46311, and sec-
8 tions 46313 through 46320;
9 “(XI) chapter 465;
10 “(XII) chapter 471;
11 “(XIII) chapter 475; and
12 “(XIV) chapter 509 of title 51;
13 and
14 “(ii) such additional duties and pow-
15 ers as may be prescribed by the Secretary.
16 “(B) APPLICABILITY.—Section 40101(d)
17 applies to the duties and powers specified in
18 subparagraph (A).
19 “(C) TRANSFER.—Any of the duties and
20 powers specified in subparagraph (A) may only
21 be transferred to another part of the Depart-
22 ment if specifically provided by law or in a reor-
23 ganization plan submitted under chapter 9 of
24 title 5.

1 “(D) ADMINISTRATIVE FINALITY.—A deci-
2 sion of the Administrator in carrying out the
3 duties or powers specified in subparagraph (A)
4 is administratively final.”.

5 (b) CONFORMING AMENDMENT.—Subsection (h) of
6 section 106 of title 49, United States Code, is repealed.

7 (c) PRESERVATION OF EXISTING AUTHORITY.—
8 Nothing in this section or the amendments made by this
9 section shall be construed to restrict any authority vested
10 in the Administrator of the Federal Aviation Administra-
11 tion by statute or by delegation that was in effect on the
12 day before the date of the enactment of this Act.

13 **SEC. 125. REVIEW OF FAA RULEMAKING PROCESSES.**

14 (a) IN GENERAL.—Not later than 30 months after
15 the date of enactment of this Act, the Administrator of
16 the Federal Aviation Administration shall enter into ap-
17 propriate arrangements with the National Academy of
18 Public Administration to evaluate and make recommenda-
19 tions to improve the Administration’s rulemaking proc-
20 esses.

21 (b) CONTENT OF REVIEW.—In completing the eval-
22 uation under subsection (a), the National Academy of
23 Public Administration shall—

24 (1) review Administration and Department of
25 Transportation policies and procedures for drafting,

1 coordinating, reviewing, editing, and approving rule-
2 making documents;

3 (2) review part 11 of title 14, Code of Federal
4 Regulations, and section 106 of title 49, United
5 States Code—

6 (A) as such section was in effect the day
7 before the date of enactment of this Act; and

8 (B) as amended by this Act; and

9 (3) include in the review—

10 (A) advanced notices of proposed
11 rulemakings;

12 (B) notices of proposed rulemakings;

13 (C) supplemental proposed rulemakings;

14 (D) interim final rules; and

15 (E) final rules, including direct final rules.

16 (c) METHOD OF REVIEW.—As part of the evaluation
17 under this section, the National Academy of Public Ad-
18 ministration shall analyze the scoping, drafting, analysis,
19 and approval processes, including examining incidents in
20 which a rule was referred back to a program office for
21 revision, and the timeline associated with each review and
22 step for—

23 (1) at least 7 rules completed by the Adminis-
24 tration since 2012, including—

1 (A) at least 2 rules that leveraged the
2 work of an aviation rulemaking committee;

3 (B) at least 2 rules considered significant
4 as defined in section 106(f)(3)(B)(ii) (as
5 amended by this Act); and

6 (C) at least 1 rule promulgated through
7 rules considered routine and frequent in the
8 Department's Regulatory Agenda; and

9 (2) at least 2 rulemaking processes where a no-
10 tice of proposed rulemaking has not been followed by
11 a final rule for more than 3 years.

12 (d) REPORT.—The National Academy of Public Ad-
13 ministration shall provide to the Administrator, Secretary
14 of Transportation, the Committee on Transportation and
15 Infrastructure and the Committee on Science, Space, and
16 Technology of the House of Representatives and the Com-
17 mittee on Commerce, Science, and Transportation of the
18 Senate a report containing the results of the evaluation
19 required under subsection (a). The contents of the report
20 shall—

21 (1) identify procedural or resource constraints;

22 (2) identify inefficiencies in the process, includ-
23 ing any causes of delays;

24 (3) provide recommendations for expediting
25 rulemakings, including—

1 (A) ways to improve the efficiency of the
2 scoping process for rulemaking;

3 (B) the use of new routine and frequent
4 rulemakings to allow for the expediting of ac-
5 tivities that may be routinely needed or up-
6 dated;

7 (C) the use of rules of applicability to pro-
8 vide for the expediting of activities that may be
9 routinely needed or updated;

10 (D) the use of frameworks or shell rules to
11 improve the efficiency of drafting;

12 (E) the use of aviation rulemaking commit-
13 tees; and

14 (F) internal process improvements; and

15 (4) not review the policy merits of the reviewed
16 rulemakings, except to the extent that there are con-
17 clusions that can be drawn from the processes used
18 to develop such rules.

19 (e) ACCESS TO DOCUMENTS.—The Administration
20 and Department shall provide the National Academy of
21 Public Administration access, as appropriate, to—

22 (1) the electronic management software the Ad-
23 ministration uses to track internal processing of
24 draft documents;

1 (2) appropriately redacted communications be-
2 tween offices and personnel that were used to coordi-
3 nate work outside of the electronic software; and

4 (3) such other documents and records, includ-
5 ing predecisional documents and records, that will
6 assist the National Academy of Public Administra-
7 tion in completing the evaluation required under
8 subsection (a).

9 **SEC. 126. OFFICE OF INNOVATION.**

10 Section 106 of title 49, United States Code, is further
11 amended by striking subsection (g) and inserting the fol-
12 lowing:

13 “(g) OFFICE OF INNOVATION.—

14 “(1) IN GENERAL.—There is established within
15 the Federal Aviation Administration an Office of In-
16 novation (in this subsection referred to as the ‘Of-
17 fice’) comprised of employees of the Administration
18 who shall—

19 “(A) have a diverse set of expertise;

20 “(B) assist the leadership of the Adminis-
21 tration and the Management Board of the Ad-
22 ministration with—

23 “(i) scoping complex regulatory issues
24 and drafting documents on topics that

1 span multiple offices or lines of business of
2 the Administration;

3 “(ii) evaluating internal processes;
4 and

5 “(iii) positioning the Administration
6 to support aerospace innovation; and

7 “(C) receive taskings from the leadership
8 of the Administration and the Management
9 Board of the Administration, as determined
10 necessary by such individuals, and work collabo-
11 ratively with relevant program offices of the Ad-
12 ministration, as necessary, to respond to such
13 taskings.

14 “(2) APPOINTMENT OF MEMBERS.—

15 “(A) APPOINTMENTS.—The Administrator
16 shall appoint a maximum of 15 employees to
17 serve a 2-year term as a member of the Office
18 of Innovation with at least 1 employee ap-
19 pointed from each of the following:

20 “(i) Office of Aviation Safety.

21 “(ii) The Air Traffic Organization.

22 “(iii) Office of Airports.

23 “(iv) Office of Security and Haz-
24 arduous Materials Safety.

1 “(v) When authority under chapter
2 509 of title 51 is explicitly delegated by the
3 Secretary of Transportation to the Admin-
4 istrator, the Office of Commercial Space
5 Transportation.

6 “(vi) Office of the Chief Counsel.

7 “(vii) Office of Policy, International
8 Affairs, and Environment.

9 “(B) CONSULTATION.—The Office may
10 consult, as necessary, with other personnel of
11 the Administration.

12 “(3) SELECTION OF MEMBERS.—An employee
13 appointed under paragraph (2)—

14 “(A) may be appointed from nominations
15 made by Associate Administrators, Assistant
16 Administrators, and the Chief Counsel of the
17 Administration;

18 “(B) shall not be a senior executive of the
19 Administration;

20 “(C) shall have been an employee of the
21 Administration for at least 2 years; and

22 “(D) shall have expertise in the authorities
23 and duties of the respective office of the em-
24 ployee.

1 “(4) INNOVATION OFFICE LEAD.—The Admin-
2 istrator shall appoint a lead of the Office who shall
3 report to the leadership of the Administration and
4 who—

5 “(A) may have a set term, as determined
6 by the Administrator;

7 “(B) shall manage the personnel and ac-
8 tivities of such Office; and

9 “(C) may be a detailed employee of any of-
10 fice of the Administration, notwithstanding the
11 numerical limits placed on appointments in
12 paragraph (2)(A).

13 “(5) STATUS.—An appointment of an employee
14 to the Office established under this subsection shall
15 not impact the status or position of such employee
16 in the respective office of such employee and such
17 employee shall be considered a detailed employee to
18 the Office of Innovation.

19 “(6) RESOURCES.—The Administrator shall
20 provide resources and staff, as necessary, to the Of-
21 fice to support the activities of the Office described
22 in paragraph (1), not to exceed more than 6 full-
23 time equivalent positions, including any necessary
24 project managers.”.

1 **SEC. 127. FRANK A. LOBIONDO NATIONAL AEROSPACE**
2 **SAFETY AND SECURITY CAMPUS.**

3 (a) IN GENERAL.—The campus and grounds of the
4 Federal Aviation Administration Technical Center located
5 at the Atlantic City International Airport in Egg Harbor
6 Township, New Jersey, shall be known and designated as
7 the “Frank A. LoBiondo National Aerospace Safety and
8 Security Campus”.

9 (b) REFERENCE.—Any reference in a law, map, regu-
10 lation, document, paper, or other record of the United
11 States to the campus and grounds at the Federal Aviation
12 Administration Technical Center referred to in subsection
13 (a) shall be deemed to be a reference to the “Frank A.
14 LoBiondo National Aerospace Safety and Security Cam-
15 pus”.

16 **SEC. 128. TECHNICAL CENTER FOR ADVANCED AERO-**
17 **SPACE.**

18 (a) IN GENERAL.—Section 106 of title 49, United
19 States Code, is further amended by inserting after sub-
20 section (g) (as added by section 126) the following:

21 “(h) TECHNICAL CENTER FOR ADVANCED AERO-
22 SPACE.—

23 “(1) IN GENERAL.—There is established within
24 the Administration a technology center located at
25 the Frank A. LoBiondo National Aerospace Safety
26 and Security Campus to support the advancement of

1 aerospace safety and innovation which shall be
2 known as the ‘William J. Hughes Technical Center
3 for Advanced Aerospace’ (in this subsection referred
4 to as the ‘Technical Center’) that shall be used by
5 the Administrator and, as permitted by the Adminis-
6 trator, other governmental entities, academia, and
7 the aerospace industry.

8 “(2) MANAGEMENT.—The activities of the
9 Technical Center shall be managed by a Director.

10 “(3) ACTIVITIES.—The activities of the Tech-
11 nical Center shall include—

12 “(A) developing and stimulating technology
13 partnerships with and between industry, aca-
14 demia, and other government agencies and sup-
15 porting such partnerships by—

16 “(i) liaising between external persons
17 and offices of the Administration inter-
18 ested in such work;

19 “(ii) providing technical expertise and
20 input, as appropriate; and

21 “(iii) providing access to the prop-
22 erties, facilities, and systems of the Tech-
23 nical Center through appropriate agree-
24 ments;

1 “(B) managing technology demonstration
2 grants awarded by the Administrator;

3 “(C) identifying software, systems, serv-
4 ices, and technologies that could improve avia-
5 tion safety and the operations and management
6 of the air traffic control system and working
7 with relevant offices of the Administration to
8 consider the use and integration of such soft-
9 ware, systems, services, and technologies, as ap-
10 propriate;

11 “(D) supporting the work of any collocated
12 facilities and tenants of such facilities, and to
13 the extent feasible, enter into agreements as
14 necessary to utilize the facilities, systems, and
15 technologies of such collocated facilities and
16 tenants;

17 “(E) managing the facilities of the Tech-
18 nical Center and the Frank A. LoBiondo Na-
19 tional Aerospace Safety and Security Campus;
20 and

21 “(F) carrying out any other duties as de-
22 termined appropriate by the Administrator.”.

23 (b) CONFORMING AMENDMENT.—Section 44507 of
24 title 49, United States Code, is amended—

1 (1) by striking “(a) CIVIL AEROMEDICAL INSTI-
2 TUTE” and all that follows through “The Civil
3 Aeromedical Institute established” and inserting
4 “‘The Civil Aeromedical Institute established’”; and
5 (2) by striking subsection (b).

6 **SEC. 129. OFFICE OF NEXTGEN SUNSET.**

7 (a) IN GENERAL.—Not later than 30 months after
8 the date of enactment of this Act, the Administrator of
9 the Federal Aviation Administration shall terminate the
10 Office of NextGen.

11 (b) CLOSURE PROCESS.—In carrying out subsection
12 (a), the Administrator shall transfer duties, authorities,
13 activities, personnel, and assets managed by the Office of
14 NextGen to other officials of the Administration, as appro-
15 priate, including—

16 (1) transferring such duties, authorities, activi-
17 ties, personnel, and assets to—

18 (A) the Director of the William J. Hughes
19 Technical Center for Advanced Aerospace es-
20 tablished under subsection 106(h) of title 49,
21 United States Code;

22 (B) the Assistant Administrator for Fi-
23 nance and Management;

24 (C) the Chief Operating Officer of the Air
25 Traffic Control System; and

1 (D) other officials of the Administration,
2 as determined by the Administrator; and
3 (2) transferring management of the NextGen
4 Advisory Committee to the Chief Operating Officer
5 of the Air Traffic Control System.

6 **SEC. 130. FAA OMBUDSMAN.**

7 Section 106 of title 49, United States Code, is further
8 amended by striking subsection (i) and inserting the fol-
9 lowing:

10 “(i) FAA OMBUDSMAN.—

11 “(1) ESTABLISHMENT.—There is established
12 within the Federal Aviation Administration an Om-
13 budsman who shall coordinate or facilitate the adju-
14 dication of covered submissions.

15 “(2) OMBUDSMAN.—

16 “(A) IN GENERAL.—The Ombudsman shall
17 be appointed by the Administrator and report
18 to the Assistant Administrator for Government
19 and Industry Affairs.

20 “(B) TERM.—The Ombudsman shall be
21 appointed for a term of 5 years.

22 “(3) DUTIES.—The duties of the Ombudsman
23 shall be as follows:

24 “(A) Work with the relevant offices within
25 the Administration to—

1 “(i) with respect to a covered submis-
2 sion, resolve, provide a status update, or
3 provide clarity on the status of such sub-
4 missions;

5 “(ii) bring to the attention of the rel-
6 evant office of the Administration con-
7 cerns, as necessary, regarding Administra-
8 tion processes or considerations discovered
9 while coordinating an activity related to a
10 covered submission under this subsection;
11 and

12 “(iii) address any gaps and commu-
13 nication lapses in Administration coordina-
14 tion processes.

15 “(B) Determine if, based on a coordinated
16 activity carried out under this subsection, re-
17 consideration with respect to covered submis-
18 sions or administrative actions are necessary
19 and report to the Administrator or the relevant
20 office within the Administration with rec-
21 ommendations relating to such reconsideration.

22 “(C) Determine if trends materialize that
23 could warrant process, procedural, or resource
24 changes and report recommendations regarding

1 such changes to the Administrator and relevant
2 offices within the Administration.

3 “(D) Ensure that reporting, processing, or
4 dispute resolution mechanisms within the Ad-
5 ministration are transparent and accessible to
6 the public, and facilitate the use of such report-
7 ing, processing, or dispute resolution mecha-
8 nisms, when appropriate.

9 “(E) Perform other duties as prescribed by
10 the Assistant Administrator.

11 “(4) DISCRETION ON COORDINATION AND RE-
12 VIEW.—

13 “(A) IN GENERAL.—The Ombudsman shall
14 determine whether to coordinate a review of a
15 covered submission in order to provide a re-
16 sponse, coordinate the reconsideration of an ad-
17 ministrative action, or take no additional action.
18 In making a determination under this subpara-
19 graph, the Ombudsman shall consider—

20 “(i) whether there are reporting, proc-
21 essing, or dispute resolution mechanisms
22 that have not been exhausted or that may
23 be more appropriate for dealing with, in-
24 vestigating, and responding to such cov-
25 ered submission;

1 “(ii) whether the subject or outcome
2 of a covered submission is alleged to be—

3 “(I) contrary to law or regula-
4 tion;

5 “(II) arbitrary and capricious; or

6 “(III) performed in an unreason-
7 ably inefficient or untimely manner;

8 and

9 “(iii) such other factors as the Om-
10 budsman considers appropriate.

11 “(B) EXCEPTION.—With regard to a cov-
12 ered submission concerning an activity relating
13 to an alleged violation of an order, a regulation,
14 or any other provision of Federal law by the
15 Administration or whistleblower retaliation, the
16 Ombudsman shall refer such covered submis-
17 sion to the appropriate Federal entity to adju-
18 dicate or investigate the subject of such submis-
19 sion.

20 “(C) COOPERATION.—The Administrator
21 shall ensure that the officers and employees of
22 the Administration fully cooperate with the ac-
23 tivities of the Ombudsman and provide such in-
24 formation, documents, or materials as may be
25 requested by the Ombudsman.

1 “(5) RESPONSE REQUIREMENT.—The Ombuds-
2 man shall ensure that the Administration provides
3 an initial response to or status update on covered
4 submissions within 10 business days of the Ombuds-
5 man receiving such submission.

6 “(6) DEFINITIONS.—In this subsection:

7 “(A) ADMINISTRATIVE ACTION.—The term
8 ‘administrative action’ means—

9 “(i) an action taken by the Adminis-
10 trator of the Federal Aviation Administra-
11 tion to issue, deny, modify, or revoke a cer-
12 tificate, registration, approval, waiver, li-
13 cense, exemption, determination, interpre-
14 tation, or any other authorizing action; or

15 “(ii) the lack of any action (or activity
16 related to an action) described in clause (i)
17 necessary to be taken by the Adminis-
18 trator.

19 “(B) COVERED SUBMISSION.—The term
20 ‘covered submission’ means an inquiry or objec-
21 tion relating to—

22 “(i) an aircraft, aircraft engine, pro-
23 peller, or appliance certification;

24 “(ii) an airman or pilot certificate, in-
25 cluding scheduling an associated appoint-

1 ment with Administration personnel or
2 designees;

3 “(iii) a medical certificate;

4 “(iv) an operator certificate;

5 “(v) when authority under chapter
6 509 of title 51 is explicitly delegated by the
7 Secretary of Transportation to the Admin-
8 istrator, a license or permit issued under
9 chapter 509 of title 51;

10 “(vi) an aircraft registration;

11 “(vii) an operational approval, waiver,
12 or exemption;

13 “(viii) a legal interpretation;

14 “(ix) an outstanding determination;

15 “(x) an application of agency guid-
16 ance; and

17 “(xi) any certificate not otherwise de-
18 scribed in this subparagraph that is issued
19 pursuant to chapter 447.”.

20 **SEC. 131. PROJECT DASHBOARDS AND FEEDBACK PORTAL.**

21 (a) IN GENERAL.—The Ombudsman of the Federal
22 Aviation Administration shall, in reviewing Administration
23 processes, receiving, reviewing, and responding to covered
24 submissions, and through general due diligence, determine
25 whether a publicly facing dashboard that provides appli-

1 cants with the status of an application before the agency
2 would be—

3 (1) beneficial to applicants;

4 (2) an efficient use of resources to build, main-
5 tain, and update; or

6 (3) duplicative with other efforts within the Ad-
7 ministration to streamline and digitize paperwork
8 and certification processes to provide an applicant
9 with a greater awareness of the status of an applica-
10 tion before the Administration.

11 (b) RECOMMENDATION.—Not later than 30 months
12 after the date of enactment of this Act, the Ombudsman
13 shall provide a recommendation to the Administrator of
14 the Federal Aviation Administration regarding the need
15 or benefits of a dashboard or other means by which to
16 track an application status.

17 (c) BRIEFING.—Not later than 45 days after receiv-
18 ing recommendations under subsection (b), the Adminis-
19 trator shall brief the Committee on Transportation and
20 Infrastructure of the House of Representatives and the
21 Committee on Commerce, Science, and Transportation of
22 the Senate on—

23 (1) any recommendation received from the Om-
24 budsman; and

1 (2) any activities the Administrator is taking in
2 response to such recommendation.

3 (d) FAA FEEDBACK PORTAL.—

4 (1) IN GENERAL.—The Ombudsman shall,
5 through interacting with the public and general due
6 diligence, determine whether a publicly facing portal
7 on the website through which the public may provide
8 feedback to the Administrator about experiences
9 they have working with personnel of the Administra-
10 tion would be beneficial.

11 (2) REQUIREMENTS.—The Ombudsman shall
12 ensure any portal established under this subsection
13 asks questions that seek to gauge any shortcomings
14 the Administration has in fulfilling its mission or
15 areas where the Administration is succeeding in
16 meetings its mission.

17 (e) COVERED SUBMISSION.—In this section, the term
18 “covered submission” has the meaning given the term in
19 subsection 106(i) of title 49, United States Code.

20 **SEC. 132. SENSE OF CONGRESS ON FAA ENGAGEMENT DUR-**
21 **ING RULEMAKING ACTIVITIES.**

22 It is the sense of Congress that—

23 (1) the Administrator of the Federal Aviation
24 Administration should engage with aviation stake-
25 holder groups and the public during pre-drafting

1 stages of rulemaking activities and use, to the great-
2 est extent practicable, properly docketed ex-parte
3 discussions during rulemaking activities in order
4 to—

5 (A) inform the work of the Administrator;

6 (B) assist the Administrator in developing
7 the scope of a rule; and

8 (C) reduce the timeline for issuance of pro-
9 posed and final rules; and

10 (2) when it would reduce the time required for
11 the Administrator to adjudicate public comments,
12 the Administrator should publicly provide informa-
13 tion describing the rationale behind a regulatory de-
14 cision included in proposed regulations in order to
15 better allow for the public to provide clear and in-
16 formed comments on such regulations.

17 **SEC. 133. CIVIL AEROMEDICAL INSTITUTE.**

18 Section 106(j) of title 49, United States Code, is
19 amended by striking “There is” and inserting “CIVIL
20 AEROMEDICAL INSTITUTE.—There is”.

21 **SEC. 134. MANAGEMENT ADVISORY COUNCIL.**

22 Section 106 of title 49, United States Code, is further
23 amended—

1 (1) by transferring paragraph (8) of subsection
2 (p) to subsection (r) and redesignating such para-
3 graph as paragraph (7); and

4 (2) by striking subsection (p) and inserting the
5 following:

6 “(p) MANAGEMENT ADVISORY COUNCIL.—

7 “(1) ESTABLISHMENT.—The Administrator
8 shall establish an advisory council which shall be
9 known as the Federal Aerospace Management Advi-
10 sory Council (in this subsection referred to as the
11 ‘Council’).

12 “(2) MEMBERSHIP.—The Council shall consist
13 of 13 members, who shall consist of—

14 “(A) a designee of the Secretary of Trans-
15 portation;

16 “(B) a designee of the Secretary of De-
17 fense;

18 “(C) 5 members representing aerospace
19 and technology interests, appointed by the Ad-
20 ministrator;

21 “(D) 5 members representing aerospace
22 and technology interests, appointed by the Sec-
23 retary of Transportation; and

24 “(E) 1 member, appointed by the Sec-
25 retary of Transportation, who is the head of a

1 union representing air traffic control system
2 employees.

3 “(3) QUALIFICATIONS.—No officer or employee
4 of the United States Government may be appointed
5 to the Council under subparagraph (C) or (D) of
6 paragraph (2).

7 “(4) FUNCTIONS.—

8 “(A) IN GENERAL.—

9 “(i) ADVISE; COUNSEL.—The Council
10 shall provide advice and counsel to the Ad-
11 ministrator on issues which affect or are
12 affected by the activities of the Adminis-
13 trator.

14 “(ii) RESOURCE.—The Council shall
15 function as an oversight resource for man-
16 agement, policy, spending, and regulatory
17 matters under the jurisdiction of the Ad-
18 ministrator.

19 “(iii) SUBMISSIONS TO ADMINISTRA-
20 TION.—With respect to Administration
21 management, policy, spending, funding,
22 data management and analysis, safety ini-
23 tiatives, international agreements, activities
24 of the International Civil Aviation Organi-
25 zation, and regulatory matters affecting

1 the aerospace industry and the national
2 airspace system, the Council may—

3 “(I) regardless of whether solici-
4 ited by the Administrator, submit
5 comments, recommended modifica-
6 tions, proposals, and supporting or
7 dissenting views to the Administrator;
8 and

9 “(II) request the Administrator
10 include in any submission to Con-
11 gress, the Secretary, or the general
12 public, and in any submission for pub-
13 lication in the Federal Register, a de-
14 scription of the comments, rec-
15 ommended modifications, and dis-
16 senting or supporting views received
17 from the Council under subclause (I).

18 “(iv) REASONING.—Together with a
19 Council submission that is published or de-
20 scribed under clause (iii)(II), the Adminis-
21 trator shall provide the reasons for any dif-
22 ferences between the views of the Council
23 and the views or actions of the Adminis-
24 trator.

1 “(v) COST-BENEFIT ANALYSIS.—The
2 Council shall review the rulemaking cost-
3 benefit analysis process and develop rec-
4 ommendations to improve the analysis and
5 ensure that the public interest is fully pro-
6 tected.

7 “(vi) PROCESS REVIEW.—The Council
8 shall review the process through which the
9 Administration determines to use advisory
10 circulars, service bulletins, and other exter-
11 nally facing guidance and regulatory mate-
12 rial.

13 “(B) MEETINGS.—The Council shall meet
14 on a regular and periodic basis or at the call of
15 the chair or of the Administrator.

16 “(C) ACCESS TO DOCUMENTS AND
17 STAFF.—The Administration may give the
18 Council appropriate access to relevant docu-
19 ments and personnel of the Administration, and
20 the Administrator shall make available, con-
21 sistent with the authority to withhold commer-
22 cial and other proprietary information under
23 section 552 of title 5 (commonly known as the
24 ‘Freedom of Information Act’), cost data associ-

1 ated with the acquisition and operation of air
2 traffic service systems.

3 “(D) DISCLOSURE OF COMMERCIAL OR
4 PROPRIETARY DATA.—Any member of the
5 Council who receives commercial or other pro-
6 prietary data as provided for in this paragraph
7 from the Administrator shall be subject to the
8 provisions of section 1905 of title 18, pertaining
9 to unauthorized disclosure of such information.

10 “(5) APPLICATION OF CHAPTER 10 OF TITLE
11 5.—Chapter 10 of title 5 does not apply to—

12 “(A) the Council;

13 “(B) such aviation rulemaking committees
14 as the Administrator shall designate; or

15 “(C) such aerospace rulemaking commit-
16 tees as the Secretary shall designate.

17 “(6) ADMINISTRATIVE MATTERS.—

18 “(A) TERMS.—Members of the Council ap-
19 pointed under paragraph (2)(C) shall be ap-
20 pointed for a term of 3 years.

21 “(B) TERM FOR AIR TRAFFIC CONTROL
22 REPRESENTATIVE.—The member appointed
23 under paragraph (2)(D) shall be appointed for
24 a term of 3 years, except that the term of such
25 individual shall end whenever the individual no

1 longer meets the requirements of paragraph
2 (2)(D).

3 “(C) VACANCY.—Any vacancy on the
4 Council shall be filled in the same manner as
5 the original appointment, except that any mem-
6 ber appointed to fill a vacancy occurring before
7 the expiration of the term for which the mem-
8 ber’s predecessor was appointed shall be ap-
9 pointed for the remainder of that term.

10 “(D) CONTINUATION IN OFFICE.—A mem-
11 ber of the Council whose term expires shall con-
12 tinue to serve until the date on which the mem-
13 ber’s successor takes office.

14 “(E) REMOVAL.—Any member of the
15 Council appointed under paragraph (2) may be
16 removed for cause by whomever makes the ap-
17 pointment.

18 “(F) CHAIR; VICE CHAIR.—The Council
19 shall elect a chair and a vice chair from among
20 the members appointed under subparagraphs
21 (C) and (D) of paragraph (2), each of whom
22 shall serve for a term of 1 year. The vice chair
23 shall perform the duties of the chair in the ab-
24 sence of the chair.

1 “(G) TRAVEL AND PER DIEM.—Each
2 member of the Council shall be paid actual
3 travel expenses, and per diem in lieu of subsist-
4 ence expenses when away from the usual place
5 of residence of the member, in accordance with
6 section 5703 of title 5.

7 “(H) DETAIL OF PERSONNEL FROM THE
8 ADMINISTRATION.—The Administrator shall
9 make available to the Council such staff, infor-
10 mation, and administrative services and assist-
11 ance as may reasonably be required to enable
12 the Council to carry out its responsibilities
13 under this subsection.”.

14 **SEC. 135. AVIATION NOISE OFFICER.**

15 (a) IN GENERAL.—Section 106 of title 49, United
16 States Code, is further amended by striking subsection (q)
17 and inserting the following:

18 “(q) AVIATION NOISE OFFICER.—

19 “(1) IN GENERAL.—The Administration has an
20 Aviation Noise Officer, who shall be appointed by
21 the Administrator.

22 “(2) REGIONAL OFFICERS.—The Aviation Noise
23 Officer shall designate, within each region of the Ad-
24 ministration, a Regional Aviation Noise Officer.

1 “(3) DUTIES.—The Aviation Noise Officer, in
2 coordination with the Regional Aviation Noise Offi-
3 cers, shall—

4 “(A) serve as a liaison with the public, in-
5 cluding community groups, on issues regarding
6 aircraft noise;

7 “(B) make recommendations to the Ad-
8 ministrators to address concerns raised by the
9 public; and

10 “(C) be consulted when the Administration
11 proposes changes in aircraft routes so as to
12 minimize any increases in aircraft noise over
13 populated areas.

14 “(4) NUMBER OF FULL-TIME EQUIVALENT EM-
15 PLOYEES.—The appointment of an Aviation Noise
16 Officer under this subsection shall not result in an
17 increase in the number of full-time equivalent em-
18 ployees in the Administration.”.

19 (b) CONFORMING AMENDMENTS.—Section 180 of the
20 FAA Reauthorization Act of 2018 (49 U.S.C. 106 note)
21 and the items relating to such section in the table of con-
22 tents contained in section 1(b) of that Act, are repealed.

23 **SEC. 136. CHIEF OPERATING OFFICER.**

24 Section 106(r) of title 49, United States Code, is
25 amended—

1 (1) in paragraph (1)—

2 (A) by striking subparagraph (A) and in-
3 serting the following:

4 “(A) APPOINTMENT.—There shall be a
5 Chief Operating Officer for the air traffic con-
6 trol system that is appointed by the Adminis-
7 trator and subject to the authority of the Ad-
8 ministrator.”; and

9 (B) in subparagraph (E) by striking “shall
10 be appointed for the remainder of that term”
11 and inserting “may be appointed for either the
12 remainder of the term or for a full term”;

13 (2) in paragraph (2) by striking “, with the ap-
14 proval of the Air Traffic Services Committee”;

15 (3) in paragraph (3)—

16 (A) by striking “, in consultation with the
17 Air Traffic Services Committee,”; and

18 (B) by striking “annual basis.” and insert-
19 ing— “annual basis and shall include responsi-
20 bility for—

21 “(A) the state of good repair of the air traffic
22 control system;

23 “(B) the continuous improvement of the safety
24 and efficiency of the air traffic control system; and

1 “(C) identifying services and solutions to in-
2 crease the safety and efficiency of airspace use and
3 to support the safe integration of all airspace
4 users.”;

5 (4) in paragraph (4) by striking “such informa-
6 tion as may be prescribed by the Secretary” and in-
7 serting “the annual performance agreement required
8 under paragraph (3), an assessment of the perform-
9 ance of the Chief Operating Officer in relation to the
10 performance goals in the previous year’s perform-
11 ance agreement, and such other information as may
12 be prescribed by the Administrator”; and

13 (5) in paragraph (5)—

14 (A) by striking “Chief Operating Officer,
15 or any other authority within the Administra-
16 tion responsibilities, including” and inserting
17 “Chief Operating Officer any authority of the
18 Administrator and shall delegate, at a min-
19 imum”;

20 (B) in subparagraph (A)—

21 (i) in clause (iii) by striking “and” at
22 the end;

23 (ii) in clause (iv) by striking the pe-
24 riod at the end and inserting “; and”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(v) plans to integrate new entrant
4 operations into the national airspace sys-
5 tem and associated action items.”; and

6 (C) in subparagraph (C)(ii) by striking
7 “and the Committee”.

8 **SEC. 137. REPORT ON UNFUNDED CAPITAL INVESTMENT**
9 **NEEDS OF AIR TRAFFIC CONTROL SYSTEM.**

10 Section 106(r) of title 49, United States Code, is fur-
11 ther amended by adding at the end the following:

12 “(6) UNFUNDED CAPITAL INVESTMENT NEEDS
13 REPORT.—

14 “(A) IN GENERAL.—Not later than 10
15 days after the date on which the budget of the
16 President for a fiscal year is submitted to Con-
17 gress pursuant to section 1150 of title 31, the
18 Chief Operating Officer shall submit directly to
19 the Administrator, the Secretary, the Com-
20 mittee on Transportation and Infrastructure of
21 the House of Representatives, and the Com-
22 mittee on Commerce, Science, and Transpor-
23 tation of the Senate a report on any unfunded
24 capital investment needs of the air traffic con-
25 trol system.

1 “(B) CONTENTS OF REPORT.—The report
2 required under subparagraph (A) shall include,
3 for each unfunded capital investment need, the
4 following:

5 “(i) A summary description of such
6 unfunded capital investment need.

7 “(ii) Objective to be achieved if such
8 unfunded capital investment need is fund-
9 ed in whole or in part.

10 “(iii) The additional amount of funds
11 recommended in connection with such ob-
12 jective.

13 “(iv) The Budget Line Item Program
14 and Budget Line Item number associated
15 with such unfunded capital investment
16 need, as applicable.

17 “(v) Any statutory requirement asso-
18 ciated with such unfunded capital invest-
19 ment need, as applicable.

20 “(C) PRIORITIZATION OF REQUIRE-
21 MENTS.—The report required under subpara-
22 graph (A) shall present unfunded capital invest-
23 ment needs in overall urgency of priority.

24 “(D) DEFINITION OF UNFUNDED CAPITAL
25 INVESTMENT NEED.—In this paragraph the

1 term ‘unfunded capital investment need’ means
2 a program that—

3 “(i) is not funded in the budget of the
4 President for the fiscal year as submitted
5 to Congress pursuant to section 1105 of
6 title 31;

7 “(ii) is for infrastructure or a system
8 related to necessary modernization or
9 sustainment of the air traffic control sys-
10 tem;

11 “(iii) is listed for any year in the most
12 recent National Airspace System Capital
13 Investment Plan of the Administration;
14 and

15 “(iv) would have been recommended
16 for funding through the budget referred to
17 in subparagraph (A) by the Chief Oper-
18 ating Officer if—

19 “(I) additional resources had
20 been available for the budget to fund
21 the program, activity, or mission re-
22 quirement; or

23 “(II) the program, activity, or
24 mission requirement has emerged
25 since the budget was formulated.”.

1 **SEC. 138. CHIEF TECHNOLOGY OFFICER.**

2 Section 106(s) of title 49, United States Code, is
3 amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A) by striking
6 “There shall be” and all that follows through
7 the period at the end and inserting “The Chief
8 Technology Officer shall be appointed by the
9 Chief Operating Officer of the air traffic control
10 system with the consent of the Administrator.”;

11 (B) in subparagraph (B) by striking “man-
12 agement” and inserting “management, systems
13 management,”;

14 (C) by striking subparagraph (D);

15 (D) by redesignating subparagraphs (A)
16 through (C) as subparagraphs (B) through (D),
17 respectively; and

18 (E) by inserting before subparagraph (B),
19 as so redesignated, the following:

20 “(A) ESTABLISHMENT.—There shall be a
21 Chief Technology Officer for the air traffic con-
22 trol system that shall report directly to the
23 Chief Operating Officer of the air traffic control
24 system.”;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A) by striking “pro-
2 gram”; and

3 (B) in subparagraph (F) by striking “air-
4 craft operators” and inserting “the Administra-
5 tion, aircraft operators, or other private pro-
6 viders of information and services related to air
7 traffic management”; and

8 (3) in paragraph (3)—

9 (A) in subparagraph (A) by striking “The
10 Chief Technology Officer shall be subject to the
11 postemployment provisions of section 207 of
12 title 18 as if the position of Chief Technology
13 Officer were described in section
14 207(c)(2)(A)(i) of that title.”;

15 (B) by redesignating subparagraph (B) as
16 subparagraph (C); and

17 (C) by inserting after subparagraph (A)
18 the following:

19 “(B) POST-EMPLOYMENT.—The Chief
20 Technology Officer shall be subject to the
21 postemployment provisions of section 207 of
22 title 18 as if the position of Chief Technology
23 Officer were described in section
24 207(c)(2)(A)(i) of such title.”.

1 **SEC. 139. DEFINITION OF AIR TRAFFIC CONTROL SYSTEM.**

2 Section 40102(a)(47) of title 49, United States Code,
3 is amended—

4 (1) in subparagraph (C) by striking “and” at
5 the end;

6 (2) in subparagraph (D) by striking the period
7 at the end and inserting “; and”; and

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

9 “(E) systems, software, and hardware op-
10 erated, owned, and maintained by third parties
11 that support or directly provide air navigation
12 information and air traffic management services
13 with Administration approval.”.

14 **SEC. 140. PEER REVIEW OF OFFICE OF WHISTLEBLOWER**
15 **PROTECTION AND AVIATION SAFETY INVES-**
16 **TIGATIONS.**

17 Section 106(t) of title 49, United States Code, is
18 amended—

19 (1) by striking paragraph (7);

20 (2) by inserting after paragraph (6) the fol-
21 lowing:

22 “(7) DEPARTMENT OF TRANSPORTATION OF-
23 FICE OF THE INSPECTOR GENERAL PEER REVIEW.—

24 “(A) IN GENERAL.—Not later than 2 years
25 after the date of enactment of the Securing
26 Growth and Robust Leadership in American

1 Aviation Act, and every 5 years thereafter, the
2 inspector general of the Department of Trans-
3 portation shall perform a peer review of the Of-
4 fice of Whistleblower Protection and Aviation
5 Safety Investigations.

6 “(B) PEER REVIEW SCOPE.—In completing
7 the peer reviews required under this paragraph,
8 the inspector general shall use the most recent
9 peer review guides published by the Council of
10 the Inspectors General on Integrity and Effi-
11 ciency Audit Committee and Investigations
12 Committee.

13 “(C) REPORTS TO CONGRESS.—Not later
14 than 90 days after the completion of a peer re-
15 view required under this paragraph, the inspec-
16 tor general shall submit to the Committee on
17 Transportation and Infrastructure of the House
18 of Representatives and the Committee on Com-
19 merce, Science, and Transportation of the Sen-
20 ate a description of any actions taken or to be
21 taken to address the results of the peer re-
22 view.”; and

23 (3) in paragraph (8)(B) by striking the comma.

1 **SEC. 141. CYBERSECURITY LEAD.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Aviation Administration shall designate an executive of
4 the Administration to serve as the lead for the cybersecu-
5 rity of Administration systems and hardware (hereinafter
6 referred to as the “Cybersecurity Lead”).

7 (b) DUTIES.—The Cybersecurity Lead shall carry out
8 duties and powers prescribed by the Administrator, includ-
9 ing the management of activities required under subtitle
10 B of title VI of the Securing Growth and Robust Leader-
11 ship in American Aviation Act.

12 (c) BRIEFING.—Not later than 1 and 3 years after
13 the date of enactment of this Act, the Cybersecurity Lead
14 shall provide a briefing to the Committee on Transpor-
15 tation and Infrastructure of the House of Representatives
16 and the Committee on Commerce, Science, and Transpor-
17 tation of the Senate on the implementation of subtitle B
18 of title VI of the Securing Growth and Robust Leadership
19 in American Aviation Act.

20 **SEC. 142. REDUCING FAA WASTE, INEFFICIENCY, AND UN-**
21 **NECESSARY RESPONSIBILITIES.**

22 (a) ANNUAL REPORT ON AVIATION ACTIVITIES.—
23 Section 308 of title 49, United States Code, is amended—

24 (1) by striking subsection (b);

25 (2) by redesignating subsection (c) as sub-
26 section (b); and

1 (3) by redesignating subsection (e) as sub-
2 section (c).

3 (b) ANNUAL REPORT ON THE PURCHASE OF FOR-
4 EIGN MANUFACTURED ARTICLES.—Section 40110(d) of
5 title 49, United States Code, is amended by striking para-
6 graph (5).

7 (c) ANNUAL REPORT ON ASSISTANCE TO FOREIGN
8 AVIATION AUTHORITIES.—Section 40113(e) of title 49,
9 United States Code, is amended—

10 (1) by striking paragraph (4); and

11 (2) by redesignating paragraph (5) as para-
12 graph (4).

13 (d) AIP ANNUAL REPORT.—Section 47131 of title
14 49, United States Code, and the item relating to such sec-
15 tion in the analysis for chapter 471 of such title, are re-
16 pealed.

17 (e) TRANSFER OF AIRPORT LAND USE COMPLIANCE
18 REPORT TO NPIAS.—Section 47103 of title 49, United
19 States Code, is amended—

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

22 (2) by inserting after subsection (c) the fol-
23 lowing:

24 “(d) NON-COMPLIANT AIRPORTS.—

1 “(1) IN GENERAL.—The Secretary shall include
2 in the plan a detailed statement listing airports the
3 Secretary has reason to believe are not in compliance
4 with grant assurances or other requirements with re-
5 spect to airport lands and shall include—

6 “(A) the circumstances of noncompliance;

7 “(B) the timeline for corrective action with
8 respect to such noncompliance; and

9 “(C) any corrective action the Secretary
10 intends to require to bring the airport sponsor
11 into compliance.

12 “(2) LISTING.—The Secretary is not required
13 to conduct an audit or make a final determination
14 before including an airport on the list referred to in
15 paragraph (1).”.

16 (f) NOTICE TO AIRPORT SPONSORS REGARDING PUR-
17 CHASE OF AMERICAN MADE EQUIPMENT AND PROD-
18 UCTS.—Section 306 of the Federal Aviation Administra-
19 tion Authorization Act of 1994 (49 U.S.C. 50101 note)
20 is amended—

21 (1) in subsection (a) by striking “(a)” and all
22 that follows through “It is the sense” and inserting
23 “‘It is the sense’”; and

24 (2) by striking subsection (b).

1 (g) OBSOLETE AVIATION SECURITY REQUIRE-
2 MENTS.—Sections 302, 307, 309, and 310 of the Federal
3 Aviation Reauthorization Act of 1996 (Public Law 104–
4 264), and the items relating to such sections in the table
5 of contents in section 1(b) of such Act, are repealed.

6 (h) REGULATION OF ALASKA GUIDE PILOTS.—Sec-
7 tion 732 of the Wendell H. Ford Aviation Investment and
8 Reform Act for the 21st Century (49 U.S.C. 44701 note)
9 is amended—

10 (1) by striking subsection (b);

11 (2) by redesignating subsection (c) as sub-
12 section (b); and

13 (3) in subsection (b), as so redesignated—

14 (A) in the heading by striking “DEFINI-
15 TIONS” and inserting “DEFINITION OF ALASKA
16 GUIDE PILOT”;

17 (B) by striking “, the following definitions
18 apply” and all that follows through “The term
19 ‘Alaska guide pilot’” and inserting “the term
20 ‘Alaska guide pilot’”; and

21 (C) by redesignating subparagraphs (A)
22 through (C) as paragraphs (1) through (3) (and
23 adjusting the margins accordingly).

24 (i) NEXT GENERATION AIR TRANSPORTATION SEN-
25 IOR POLICY COMMITTEE.—Section 710 of the Vision 100–

1 Century of Aviation Reauthorization Act (49 U.S.C.
2 40101 note), and the item relating to such section in the
3 table of contents in section 1(b) of such Act, are repealed.

4 (j) IMPROVED PILOT LICENSES AND PILOT LICENSE
5 RULEMAKING.—

6 (1) INTELLIGENCE REFORM AND TERRORISM
7 PREVENTION ACT.—Section 4022 of the Intelligence
8 Reform and Terrorism Prevention Act of 2004 (49
9 U.S.C. 44703 note), and the item relating to such
10 section in the table of contents in section 1(b) of
11 such Act, are repealed.

12 (2) FAA MODERNIZATION AND REFORM ACT OF
13 2012.—Section 321 of the FAA Modernization and
14 Reform Act of 2012 (49 U.S.C. 44703 note), and
15 the item relating to such section in the table of con-
16 tents in section 1(b) of such Act, are repealed.

17 (k) TECHNICAL TRAINING AND STAFFING STUDY.—
18 Section 605 of the FAA Modernization and Reform Act
19 of 2012 (Public Law 112–95) is amended—

20 (1) by striking subsection (a);

21 (2) in subsection (b)—

22 (A) by striking “(B) WORKLOAD OF SYS-
23 TEMS SPECIALISTS.—”; and

24 (B) by redesignating paragraphs (1)
25 through (3) as subsections (a) through (c) (and

1 adjust the margins and header casing appro-
2 priately); and

3 (3) in subsection (c) (as so redesignated) by
4 striking “paragraph (1)” and inserting “subsection
5 (a)”.

6 (l) FERRY FLIGHT DUTY PERIOD AND FLIGHT TIME
7 RULEMAKINGS.—Section 345 of the FAA Modernization
8 and Reform Act of 2012 (49 U.S.C. 44701 note), and the
9 item relating to such section in the table of contents in
10 section 1(b) of such Act, are repealed.

11 (m) LASER POINTER INCIDENT REPORTS.—Section
12 2104 of FAA Extension, Safety, and Security Act of 2016
13 (49 U.S.C. 46301 note) is amended—

14 (1) in subsection (a) by striking “quarterly”
15 and inserting “annually”; and

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

17 “(c) REPORT SUNSET.—Subsection (a) shall cease to
18 be effective after September 30, 2028.”.

19 (n) COLD WEATHER PROJECTS BRIEFING.—Section
20 156 of the FAA Reauthorization Act of 2018 (49 U.S.C.
21 47112 note) is amended—

22 (1) by striking subsection (b); and

23 (2) by redesignating subsection (c) as sub-
24 section (b).

1 **TITLE II—GENERAL AVIATION**
2 **Subtitle A—Expanding Pilot**
3 **Privileges and Protections**

4 **SEC. 201. REEXAMINATION OF PILOTS OR CERTIFICATE**
5 **HOLDERS.**

6 The Pilot’s Bill of Rights (49 U.S.C. 44703 note) is
7 amended by adding at the end the following:

8 **“SEC. 5. REEXAMINATION OF AN AIRMAN CERTIFICATE.**

9 “(a) IN GENERAL.—The Administrator shall provide
10 timely, written notification to an individual subject to a
11 reexamination of an airman certificate issued under chap-
12 ter 447 of title 49, United States Code.

13 “(b) INFORMATION REQUIRED.—In providing notifi-
14 cation under subsection (a), the Administrator shall in-
15 form the individual—

16 “(1) of the nature of the reexamination and the
17 specific activity on which the reexamination is neces-
18 sitated;

19 “(2) that the reexamination shall occur within
20 1 year from the date of the notice provided by the
21 Administrator, after which, if the reexamination is
22 not conducted, the airman certificate may be sus-
23 pended or revoked; and

1 “(3) when, as determined by the Administrator,
2 an oral or written response to the notification from
3 the Administrator is not required.

4 “(c) EXCEPTION.—Nothing in this section prohibits
5 the Administrator from reexamining a certificate holder
6 if the Administrator has reasonable grounds—

7 “(1) to establish that an airman may not be
8 qualified to exercise the privileges of a certificate or
9 rating based upon an act or omission committed by
10 the airman while exercising such privileges or per-
11 forming ancillary duties associated with the exercise
12 of such privileges; or

13 “(2) to demonstrate that the airman obtained
14 such a certificate or rating through fraudulent
15 means or through an examination that was substan-
16 tially and inadequate to establish the qualifications
17 of an airman.

18 “(d) STANDARD OF REVIEW.—An order issued by the
19 Administrator to amend, modify, suspend, or revoke an
20 airman certificate after reexamination of the airman is
21 subject to the standard of review provided for under sec-
22 tion 2 of this Act.”.

23 **SEC. 202. GAO REVIEW OF PILOT’S BILL OF RIGHTS.**

24 (a) IN GENERAL.—Not later than 2 years after the
25 date of enactment of this Act, the Comptroller General

1 of the United States shall submit to the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committee on Commerce, Science,
4 and Transportation of the Senate a study of the imple-
5 mentation of the Pilot’s Bill of Rights (49 U.S.C. 44703
6 note).

7 (b) CONTENTS.—In conducting the study under sub-
8 section (a), the Comptroller General shall review—

9 (1) the implementation and application of the
10 Pilot’s Bill of Rights (49 U.S.C. 44703 note);

11 (2) the application of the Federal Rules of Civil
12 Procedure and the Federal Rules of Evidence to cov-
13 ered proceedings by the National Transportation
14 Safety Board, as required by section 2 of the Pilot’s
15 Bill of Rights (49 U.S.C. 44703 note);

16 (3) the appeal process and the typical length of
17 time associated with a final determination in a cov-
18 ered proceeding; and

19 (4) any impacts of the implementation of the
20 Pilot’s Bill of Rights (49 U.S.C. 44703 note).

21 (c) COVERED PROCEEDINGS.—In this section, the
22 term “covered proceeding” means a proceeding conducted
23 under subpart C, D, or F of part 821 of title 49, Code
24 of Federal Regulations, relating to denial, amendment,

1 modification, suspension, or revocation of an airman cer-
2 tificate.

3 **SEC. 203. EXPANSION OF BASICMED.**

4 (a) IN GENERAL.—Section 2307 of the FAA Exten-
5 sion, Safety, and Security Act of 2016 (49 U.S.C. 44703
6 note) is amended—

7 (1) in subsection (a)—

8 (A) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) the individual holds a medical certificate
11 issued by the Federal Aviation Administration or
12 has held such a certificate at any time after July 14,
13 2006;”;

14 (B) in paragraph (7) by inserting “cal-
15 endar” before “months”; and

16 (C) in paragraph (8)(A) by striking “5”
17 and inserting “6”;

18 (2) in subsection (b)(2)(A)(i) by inserting “(or
19 any successor form)” after “(3–99)”;

20 (3) by striking subsection (h) and inserting the
21 following:

22 “(h) REPORT REQUIRED.—Not later than 4 years
23 after the date of enactment of the Securing Growth and
24 Robust Leadership in American Aviation Act, the Admin-
25 istrator, in coordination with the National Transportation

1 Safety Board, shall submit to the Committee on Transpor-
2 tation and Infrastructure of the House of Representatives
3 and the Committee on Commerce, Science, and Transpor-
4 tation of the Senate a report that describes the effect of
5 the regulations issued or revised under subsection (a) and
6 includes statistics with respect to changes in small aircraft
7 activity and safety incidents.”; and

8 (4) in subsection (j)—

9 (A) in paragraph (1) by striking “6” and
10 inserting “7”; and

11 (B) in paragraph (2) by striking “6,000”
12 and inserting “12,500”.

13 (b) RULEMAKING.—The Administrator of the Fed-
14 eral Aviation Administration shall update regulations in
15 parts 61 and 68 of title 14, Code of Federal Regulations,
16 as necessary, to implement the amendments made by this
17 section.

18 (c) APPLICABILITY.—Beginning on the date that is
19 120 days after the date of enactment of this Act, the Ad-
20 ministrator shall apply part 68, Code of Federal Regula-
21 tions, in a manner reflecting the amendments made by
22 this section.

1 **SEC. 204. DATA PRIVACY.**

2 (a) IN GENERAL.—Chapter 441 of title 49, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 44114. Privacy**

6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of law, the Administrator of the Federal Aviation
8 Administration shall establish and continuously improve a
9 process by which, upon request of a private aircraft owner
10 or operator, the Administrator blocks the registration
11 number and other similar identifiable data or information,
12 except for physical markings required by law, of the air-
13 craft of the owner or operator from any public dissemina-
14 tion or display (except in furnished data or information
15 made available to or from a Government agency pursuant
16 to a government contract, subcontract, or agreement) for
17 the noncommercial flights of the owner or operator.

18 “(b) WITHHOLDING PERSONALLY IDENTIFIABLE IN-
19 FORMATION ON THE AIRCRAFT REGISTRY.—Not later
20 than 1 year after the enactment of this Act and notwith-
21 standing any other provision of law, the Administrator
22 shall establish a procedure by which, upon request of a
23 private aircraft owner or operator, the Administrator shall
24 withhold from public disclosure (except in furnished data
25 or information made available to or from a Government
26 agency pursuant to a government contract, subcontract,

1 or agreement, including that for traffic management pur-
2 poses) the personally identifiable information of such indi-
3 vidual, including on FAA websites.

4 “(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

5 “(1) IN GENERAL.—The Administrator shall es-
6 tablish a program for aircraft owners and operators
7 to apply for a new ICAO aircraft identification code.

8 “(2) LIMITATIONS.—In carrying out the pro-
9 gram described in paragraph (1), the Administrator
10 shall require—

11 “(A) each applicant to attest to a safety or
12 security need in applying for a new ICAO air-
13 craft identification code; and

14 “(B) each approved applicant who obtains
15 a new ICAO aircraft identification code to com-
16 ply with all applicable aspects of, or related to,
17 part 45 of title 14, Code of Federal Regula-
18 tions, including updating an aircraft’s registra-
19 tion number and N–Number to reflect such air-
20 craft’s new ICAO aircraft identification code.

21 “(d) DECOUPLING MODE S CODES.—The Adminis-
22 trator shall develop a plan for which the Administrator
23 could allow for a process to disassociate an assigned Mode
24 S code with the number assigned to an aircraft that is
25 registered pursuant to section 44103.

1 “(e) DEFINITIONS.—In this section:

2 “(1) ADS–B.—The term ‘ADS–B’ means auto-
3 matic dependent surveillance-broadcast.

4 “(2) ICAO.—The term ‘ICAO’ means the Inter-
5 national Civil Aviation Organization.

6 “(3) PERSONALLY IDENTIFIABLE INFORMA-
7 TION.—The term ‘personally identifiable informa-
8 tion’ means—

9 “(A) the mailing address or registration
10 address of an individual;

11 “(B) an electronic address (including an
12 email address) of an individual; or

13 “(C) the telephone number of an indi-
14 vidual.

15 “(D) the names of the aircraft owner or
16 operator.”.

17 (b) STUDY ON ENCRYPTING ADS–B.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of enactment of this Act, the Administrator
20 of the Federal Aviation Administration shall seek to
21 enter into an agreement with a qualified organiza-
22 tion to conduct a study assessing the technical chal-
23 lenges, impact to international aviation operations,
24 benefits, and costs of encrypting ADS–B signals to

1 provide for a safer and more secure environment for
2 national airspace system users.

3 (2) CONSULTATION.—In carrying out the study
4 under paragraph (1), a qualified organization shall
5 consult with representatives of—

6 (A) air carriers;

7 (B) collective bargaining representatives of
8 the Federal Aviation Administration and nautical
9 information specialists;

10 (C) original equipment manufacturers of
11 ADS-B equipment;

12 (D) general aviation;

13 (E) business aviation; and

14 (F) aviation safety experts with specific
15 knowledge of aircraft cybersecurity.

16 (3) CONSIDERATIONS.—In carrying out the
17 study under paragraph (1), a qualified organization
18 shall consider—

19 (A) the technical requirements for
20 encrypting ADS-B signals for both the 978
21 Mhz and 1090 Mhz frequencies;

22 (B) the advantages of encrypting ADS-B
23 signals for both the 978 Mhz and 1090 Mhz
24 frequencies, including those related to cyberse-

1 security protections, safety, and privacy of na-
2 tional airspace system users;

3 (C) the disadvantages of encrypting ADS-
4 B signals for both the 978 Mhz and 1090 Mhz
5 frequencies, including those related to cyberse-
6 curity protections, safety, and privacy of na-
7 tional airspace system users;

8 (D) the challenges of encrypting ADS-B
9 signals for both the 978 Mhz and 1090 Mhz
10 frequencies, including coordination consider-
11 ations with the International Civil Aviation Or-
12 ganization and foreign civil aviation authorities;

13 (E) potential new aircraft equipage re-
14 quirements and estimated costs;

15 (F) the impact to nongovernmental third
16 party users of ADS-B data;

17 (G) the estimated costs to—

18 (i) the Federal Aviation Administra-
19 tion;

20 (ii) aircraft owners required to equip
21 with ADS-B equipment for aviation oper-
22 ations; and

23 (iii) other relevant persons the Admin-
24 istrator determines necessary; and

1 (H) the impact to national airspace system
2 operations during implementation and post-im-
3 plementation.

4 (4) REPORT.—In any agreement entered into
5 under paragraph (1), the Administrator shall ensure
6 that, not later than 1 year after the completion of
7 the study required under paragraph (1), the quali-
8 fied organization that has entered into such agree-
9 ment shall submit to the Administrator, the Com-
10 mittee on Transportation and Infrastructure of the
11 House of Representatives, and the Committee on
12 Commerce, Science, and Transportation of the Sen-
13 ate a report on the results of the study described in
14 paragraph (1), including the findings and rec-
15 ommendations related to each item specified under
16 paragraph (3).

17 (5) DEFINITION OF QUALIFIED ORGANIZA-
18 TION.—In this subsection, the term “qualified orga-
19 nization” means an independent nonprofit organiza-
20 tion, described in section 501(c)(3) of the Internal
21 Revenue Code of 1986 and exempt from taxation
22 under section 501(a) of such Code.

23 (c) CLERICAL AMENDMENT.—The analysis for chap-
24 ter 441 of title 49, United States Code, is amended by
25 adding at the end the following:

“44114. Privacy.”.

1 (d) CONFORMING AMENDMENT.—Section 566 of the
2 FAA Reauthorization Act of 2018 (49 U.S.C. 44103 note)
3 and the item relating to such section in the table of con-
4 tents under section 1(b) of that Act are repealed.

5 **SEC. 205. PROHIBITION ON USING ADS-B DATA TO INITIATE**
6 **AN INVESTIGATION.**

7 Section 46101 of title 49, United States Code, is
8 amended by adding at the end the following:

9 “(c) PROHIBITION ON USING ADS-B DATA TO INI-
10 TIATE AN INVESTIGATION.—

11 “(1) IN GENERAL.—Notwithstanding any provi-
12 sion of this section, the Administrator of the Federal
13 Aviation Administration may not initiate an inves-
14 tigation (excluding a criminal investigation) of a per-
15 son based exclusively on automatic dependent sur-
16 veillance-broadcast data.

17 “(2) RULE OF CONSTRUCTION.—Nothing in
18 this subsection shall prohibit the use of automatic
19 dependent surveillance-broadcast data in an inves-
20 tigation that was initiated for any reason other than
21 the review of automatic dependent surveillance-
22 broadcast data, including if such investigation was
23 initiated as a result of a report or complaint sub-
24 mitted to the Administrator.”.

1 **SEC. 206. PROHIBITION ON N-NUMBER PROFITEERING.**

2 Section 44103 of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(e) PROHIBITION ON N-NUMBER PROFITEERING.—

5 “(1) IN GENERAL.—No person may reserve an
6 aircraft registration number without certifying that
7 such person intends to use such registration num-
8 ber—

9 “(A) immediately on a specific aircraft; or

10 “(B) for future use on an aircraft owned
11 or controlled, or intended to be owned or con-
12 trolled, by such person.

13 “(2) TRANSFERS.—A person may transfer a re-
14 served aircraft registration number to another per-
15 son if—

16 “(A) the transferor certifies that the air-
17 craft registration number is relinquished will-
18 ingly and at a cost to the transferee that does
19 not otherwise exceed the amount paid by the
20 transferor to reserve such number; and

21 “(B) the transferee—

22 “(i) certifies that the transferor did
23 not impose a dollar cost on the transfer
24 that exceeds the amount provided for in
25 subparagraph (A); and

1 “(ii) complies with the certification re-
2 quirement under paragraph (1).”.

3 **SEC. 207. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION**
4 **NUMBERS.**

5 (a) **IN GENERAL.**—Not later than 180 days after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall initiate a review of
8 the process for reserving aircraft registration numbers to
9 ensure that such process offers an equal opportunity for
10 members of the general public to obtain specific aircraft
11 registration numbers.

12 (b) **ASSESSMENT.**—In conducting the review under
13 subsection (a), the Administrator shall assess the fol-
14 lowing:

15 (1) Whether the use of readily available soft-
16 ware to prevent computer or web-based auto-fill sys-
17 tems from reserving aircraft registration numbers in
18 bulk would improve participation in the reservation
19 process by the general public.

20 (2) Whether a limit should be imposed on the
21 number of consecutive years a person may reserve
22 an aircraft registration number.

23 (3) The impact of the prohibition imposed by
24 section 44103(e) of title 49, United States Code.

1 (c) BRIEFING.—Not later than 18 months after the
2 date of enactment of this Act, the Administrator shall
3 brief the Committee on Transportation and Infrastructure
4 of the House of Representatives and the Committee on
5 Commerce, Science, and Transportation of the Senate on
6 the review conducted under subsection (a), including any
7 recommendations of the Administrator to improve equal
8 participation in the process for reserving aircraft registra-
9 tion numbers by the general public.

10 **SEC. 208. TIMELY RESOLUTION OF INVESTIGATIONS.**

11 (a) IN GENERAL.—Not later than 2 years after the
12 date of issuance of a letter of investigation to any person,
13 the Administrator of the Federal Aviation Administration
14 shall—

15 (1) make a determination regarding such inves-
16 tigation and pursue subsequent action; or

17 (2) close such investigation.

18 (b) EXTENSION.—

19 (1) IN GENERAL.—If, upon review of the facts
20 and status of an investigation described in sub-
21 section (a), the Administrator determines that the
22 time provided to make a final determination or close
23 such investigation is insufficient, the Administrator
24 may approve an extension of such investigation for
25 2 years.

1 “(A) Assisting individuals in accessing
2 medical care or treatment (and for other associ-
3 ated individuals).

4 “(B) Delivering human blood, tissues, or
5 organs.

6 “(C) Aiding disaster relief efforts pursuant
7 to a—

8 “(i) presidential declaration of a
9 major disaster or an emergency under the
10 Robert T. Stafford Disaster Relief and
11 Emergency Assistance Act (42 U.S.C.
12 5121 et seq.); or

13 “(ii) declaration of a major disaster or
14 an emergency by a Governor of a State.”.

15 **SEC. 210. CHARITABLE FLIGHT FUEL REIMBURSEMENT EX-**
16 **EMPTIONS.**

17 (a) IN GENERAL.—

18 (1) VALIDITY OF EXEMPTION.—Except as oth-
19 erwise provided in this subsection, an exemption
20 from section 61.113(e) of title 14, Code of Federal
21 Regulations, that is granted by the Administrator of
22 the Federal Aviation Administration for the purpose
23 of allowing a volunteer pilot to accept reimburse-
24 ment from a volunteer pilot organization for the fuel
25 costs and airport fees attributed to a flight operation

1 to provide charitable transportation pursuant to sec-
2 tion 821 of the FAA Modernization and Reform Act
3 of 2012 (49 U.S.C. 40101 note) shall be valid for
4 5 years.

5 (2) FAILING TO ADHERE.—If the Administrator
6 finds an exemption holder under paragraph (1) or a
7 volunteer pilot fails to adhere to the conditions and
8 limitations of the exemption described under such
9 paragraph, the Administrator may rescind or sus-
10 pend the exemption.

11 (3) NO LONGER QUALIFYING.—If the Adminis-
12 trator finds that such exemption holder no longer
13 qualifies as a volunteer pilot organization, the Ad-
14 ministrator shall rescind such exemption.

15 (4) FORGOING EXEMPTION.—If such exemption
16 holder informs the Administrator that such holder
17 no longer plans to exercise the authority granted by
18 such exemption, the Administrator may rescind such
19 exemption.

20 (b) ADDITIONAL REQUIREMENTS.—

21 (1) IN GENERAL.—A volunteer pilot organiza-
22 tion may impose additional safety requirements on a
23 volunteer pilot without—

24 (A) being considered—

1 (i) an air carrier (as such term is de-
2 fined in section 40102 of title 49, United
3 States Code); or

4 (ii) a commercial operator (as such
5 term is defined in section 1.1 of title 14,
6 Code of Federal Regulations); or

7 (B) constituting common carriage.

8 (2) SAVINGS CLAUSE.—Nothing in this sub-
9 section may be construed to limit or otherwise affect
10 the authority of the Administrator to regulate, as
11 appropriate, a flight operation associated with a vol-
12 unteer pilot organization that constitutes a commer-
13 cial operation or common carriage.

14 (c) REISSUANCE OF EXISTING EXEMPTIONS.—In re-
15 issuing an expiring exemption described in subsection (a)
16 that was originally issued prior to the date of enactment
17 of this Act, the Administrator shall ensure that the re-
18 issued exemption—

19 (1) accounts for the provisions of this section
20 and section 821 of the FAA Modernization and Re-
21 form Act of 2012 (49 U.S.C. 40101 note), as
22 amended by this Act; and

23 (2) is otherwise substantially similar to the pre-
24 viously issued exemption.

1 (d) STATUTORY CONSTRUCTION.—Nothing in this
2 section shall be construed to—

3 (1) affect the authority of the Administrator to
4 exempt a pilot (exercising the private pilot privi-
5 leges) from any restriction on receiving reimburse-
6 ment for the fuel costs and airport fees attributed
7 to a flight operation to provide charitable transpor-
8 tation; or

9 (2) impose or authorize the imposition of any
10 additional requirements by the Administrator on a
11 flight that is arranged by a volunteer pilot organiza-
12 tion in which the volunteer pilot—

13 (A) is not reimbursed the fuel costs and
14 airport fees attributed to a flight operation to
15 provide charitable flights; or

16 (B) pays a pro rata share of expenses as
17 described in section 61.113(c) of title 14, Code
18 of Federal Regulations.

19 (e) DEFINITIONS.—In this section:

20 (1) VOLUNTEER PILOT.—The term “volunteer
21 pilot” means a person who—

22 (A) acts as a pilot in command of a flight
23 operation to provide charitable transportation
24 pursuant to section 821 of the FAA Moderniza-

1 tion and Reform Act of 2012 (49 U.S.C. 40101
2 note); and

3 (B) holds a private pilot certificate, com-
4 mercial pilot certificate, or an airline transpor-
5 tation pilot certificate issued under part 61 of
6 title 14, Code of Federal Regulations.

7 (2) VOLUNTEER PILOT ORGANIZATION.—The
8 term “volunteer pilot organization” has the meaning
9 given such term in section 821(c) of the FAA Mod-
10 ernization and Reform Act of 2012 (49 U.S.C.
11 40101 note).

12 **SEC. 211. GAO REPORT ON CHARITABLE FLIGHTS.**

13 (a) REPORT.—Not later than 4 years after the date
14 of enactment of this Act, the Comptroller General of the
15 United States shall initiate a review of the following:

16 (1) Applicable laws, regulations, policies, legal
17 opinions, and guidance pertaining to charitable
18 flights and the operations of such flights, including
19 reimbursement of fuel costs.

20 (2) Petitions for exemption from the require-
21 ments of section 61.113(c) of title 14, Code of Fed-
22 eral Regulations, for the purpose of allowing a pilot
23 to accept reimbursement for the fuel costs associated
24 with a flight operation to provide charitable trans-
25 portation pursuant to section 821 of the FAA Mod-

1 ernization and Reform Act of 2012 (49 U.S.C.
2 40101 note), as amended by this Act, including as-
3 sessment of—

4 (A) the conditions and limitations a peti-
5 tioner must comply with if the exemption is
6 granted and whether such conditions and limi-
7 tations are—

8 (i) applied to petitioners in a con-
9 sistent manner; and

10 (ii) commensurate with the types of
11 flight operations exemption holders propose
12 to conduct under any such exemptions;

13 (B) denied petitions for such an exemption
14 and the reasons for the denial of such petitions;
15 and

16 (C) the processing time of a petition for
17 such an exemption.

18 (3) Charitable flights conducted without an ex-
19 emption from section 61.113(c) of title 14, Code of
20 Federal Regulations, including an analysis of the
21 certificates, qualifications, and aeronautical experi-
22 ence of the operators of such flights.

23 (b) CONSULTATION.—In carrying out the review initi-
24 ated under subsection (a), the Comptroller General shall
25 consult with charitable organizations, including volunteer

1 pilot organizations, aircraft owners, and pilots who volun-
2 teer to provide transportation for or on behalf of a chari-
3 table organization, flight safety experts, and employees of
4 the Federal Aviation Administration.

5 (c) RECOMMENDATIONS.—As part of the review initi-
6 ated under subsection (a), the Comptroller General shall
7 make recommendations, as determined appropriate, to the
8 Administrator of the Federal Aviation Administration to
9 improve the rules, policies, and guidance pertaining to
10 charitable flight operations.

11 (d) REPORT.—Upon completion of the review initi-
12 ated under subsection (a), the Comptroller General shall
13 submit to the Committee on Transportation and Infra-
14 structure of the House of Representatives and the Com-
15 mittee on Commerce, Science, and Transportation of the
16 Senate a report describing the findings of such review and
17 recommendations developed under subsection (c).

18 **SEC. 212. ALL MAKES AND MODELS AUTHORIZATION.**

19 (a) IN GENERAL.—

20 (1) UNLIMITED LETTER OF AUTHORIZATION.—

21 Not later than 180 days after the date of enactment
22 of this Act, the Administrator of the Federal Avia-
23 tion Administration shall take such action as may be
24 necessary to allow for the issuance of letters of au-
25 thorizations to airmen with the authorization for—

1 (A) all types and makes of experimental
2 high-performance single engine piston powered
3 aircraft; and

4 (B) all types and makes of experimental
5 high-performance multiengine piston powered
6 aircraft.

7 (2) REQUIREMENTS.—An individual who holds
8 a letter of authorization and applies for an author-
9 ization described in paragraph (1)(A) or (1)(B)—

10 (A) shall be given an all-makes and models
11 authorization of—

12 (i) experimental single-engine piston
13 powered authorized aircraft; or

14 (ii) experimental multiengine piston
15 powered authorized aircraft;

16 (B) shall hold the appropriate category
17 and class rating for the authorized aircraft;

18 (C) shall hold 3 experimental aircraft au-
19 thorizations in aircraft of the same category
20 and class rating for the authorization sought;
21 and

22 (D) may become qualified in additional ex-
23 perimental aircraft by completing aircraft spe-
24 cific training.

1 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed to disallow an individual from being
3 given both an authorization described in paragraph (1)(A)
4 and an authorization described in paragraph (1)(B).

5 (c) FAILURE TO COMPLY.—

6 (1) IN GENERAL.—If the Administrator fails to
7 implement subsection (a) within the time period pre-
8 scribed in such subsection, the Administrator shall
9 brief the Committee on Transportation and Infra-
10 structure of the House of Representatives and the
11 Committee on Commerce, Science, and Transpor-
12 tation of the Senate on the status of the implemen-
13 tation of such subsection on a monthly basis until
14 the implementation is complete.

15 (2) NO DELEGATION.—The Administrator may
16 not delegate the briefing described in paragraph (1).

17 **SEC. 213. RESPONSE TO LETTER OF INVESTIGATION.**

18 Section 2(b) of the Pilot’s Bill of Rights (49 U.S.C.
19 44703 note) is amended by adding at the end the fol-
20 lowing:

21 “(6) RESPONSE TO LETTER OF INVESTIGA-
22 TION.—If an individual decides to respond to a Let-
23 ter of Investigation described in paragraph (2)(B)
24 such individual may respond not later than 30 days
25 after receipt of such Letter, including providing

1 written comments on the incident to the inves-
2 tigating office.”.

3 **Subtitle B—General Aviation**
4 **Safety**

5 **SEC. 221. ADS-B SAFETY ENHANCEMENT INCENTIVE PRO-**
6 **GRAM.**

7 (a) ESTABLISHMENT.—Not later than 120 days after
8 the date of enactment of this Act, the Administrator of
9 the Federal Aviation Administration shall establish a pro-
10 gram to provide rebates to owners of covered general avia-
11 tion aircraft for the purchase of covered ADS-B equip-
12 ment.

13 (b) APPLICATION.—To be eligible to receive a rebate
14 under this section, an owner of a covered general aviation
15 aircraft shall submit to the Administrator an application
16 in such form, at such time, and containing such informa-
17 tion as the Administrator may require, including proof of
18 successful installation of covered ADS-B equipment.

19 (c) AUTHORIZED REBATE.—

20 (1) AMOUNT.—A rebate approved by the Ad-
21 ministrator to be issued to an owner of a covered
22 general aviation aircraft shall be equal to the lesser
23 of—

24 (A) the cost of purchasing the covered
25 ADS-B equipment; or

1 (B) \$2,000.

2 (2) TIME.—A rebate issued under the program
3 under this section shall be redeemed or presented for
4 payment not later than 180 days after issuance,
5 after which time the rebate shall be deemed void.

6 (d) SUNSET.—The program established under sub-
7 section (a) shall terminate on October 1, 2027.

8 (e) RESTRICTION.—The Administrator may not offer
9 rebates for—

10 (1) a software upgrade for covered ADS–B
11 equipment;

12 (2) covered ADS–B equipment installed prior to
13 the date of enactment of this Act;

14 (3) covered general aviation aircraft manufac-
15 tured after January 1, 2020; or

16 (4) covered general aviation aircraft for which
17 the Administrator has previously issued a rebate re-
18 lated to the purchase and installation of covered
19 ADS–B equipment.

20 (f) DEFINITIONS.—In this section:

21 (1) ADS–B.—The term “ADS–B” means auto-
22 matic dependent surveillance–broadcast.

23 (2) COVERED ADS–B EQUIPMENT.—The term
24 “covered ADS–B equipment” means ADS–B equip-
25 ment that—

1 (A) meets the performance requirements
2 described in section 91.227 of title 14, Code of
3 Federal Regulations (or any successor regula-
4 tion); and

5 (B) is capable of receiving and displaying
6 ADS-B information from other aircraft.

7 (3) COVERED GENERAL AVIATION AIRCRAFT.—
8 The term “covered general aviation aircraft” means
9 a single-engine piston aircraft registered in the
10 United States that is not equipped with covered
11 ADS-B equipment.

12 (g) AUTHORIZATION OF APPROPRIATIONS.—Out of
13 amounts made available under section 106(k) of title 49,
14 United States Code, there is authorized to be expended
15 to carry out this section and pay administrative costs
16 \$25,000,000 for fiscal year 2024 to remain available until
17 expended.

18 **SEC. 222. GAO REPORT ON ADS-B TECHNOLOGY.**

19 (a) IN GENERAL.—The Comptroller General of the
20 United States shall conduct a study on automatic depend-
21 ent surveillance-broadcast equipage and usage rates across
22 the active general aviation fleet in the United States.

23 (b) CONTENTS.—In conducting the study described
24 in subsection (a), the Comptroller General shall, at a min-
25 imum—

1 (1) analyze the reasons why aircraft owners
2 choose not to equip or use an aircraft with auto-
3 matic dependent surveillance-broadcast technology;

4 (2) examine and substantiate any benefits and
5 drawbacks of using automatic dependent surveil-
6 lance-broadcast technology, including safety and
7 operational benefits and drawbacks;

8 (3) survey ways to further incentivize aircraft
9 owners to equip and use aircraft with automatic de-
10 pendent surveillance-broadcast technology; and

11 (4) examine the benefits, costs, and feasibility
12 of requiring equipage of automatic dependent sur-
13 veillance-broadcast technology on all newly manufac-
14 tured aircraft other than aircraft issued a special
15 airworthiness certificate.

16 (c) REPORT.—Not later than 18 months after the
17 date of enactment of this Act, the Comptroller General
18 shall submit to the Committee on Transportation and In-
19 frastructure of the House of Representatives and the Com-
20 mittee on Commerce, Science, and Transportation of the
21 Senate a report on automatic dependent surveillance-
22 broadcast described in subsection (b) and make rec-
23 ommendations to incentivize equipage and usage rates
24 across the active general aviation fleet in the United
25 States.

1 **SEC. 223. PROTECTING GENERAL AVIATION AIRPORTS**
2 **FROM FAA CLOSURE.**

3 (a) NON-SURPLUS PROPERTY.—Section 47125 of
4 title 49, United States Code, is amended by adding at the
5 end the following:

6 “(c) WAIVING RESTRICTIONS.—

7 “(1) IN GENERAL.—Subject to paragraph (2),
8 the Secretary may grant to an airport, city, or coun-
9 ty a waiver of any of the terms, conditions, reserva-
10 tions, or restrictions contained in a deed under
11 which the United States conveyed to the airport,
12 city, or county an interest in real property for air-
13 port purposes pursuant to section 16 of the Federal
14 Airport Act (60 Stat. 179), section 23 of the Airport
15 and Airway Development Act of 1970 (84 Stat.
16 232), or this section.

17 “(2) CONDITIONS.—Any waiver granted by the
18 Secretary pursuant to paragraph (1) shall be subject
19 to the following conditions:

20 “(A) The applicable airport, city, county,
21 or other political subdivision shall agree that in
22 conveying any interest in the real property
23 which the United States conveyed to the air-
24 port, city, or county, the airport, city, or county
25 will receive consideration for such interest that
26 is equal to its current fair market value.

1 “(B) Any consideration received by the air-
2 port, city, or county under subparagraph (A)
3 shall be used exclusively for the development,
4 improvement, operation, or maintenance of a
5 public airport by the airport, city, or county.

6 “(C) Such waiver—

7 “(i) will not significantly impair the
8 aeronautical purpose of an airport;

9 “(ii) will not result in the permanent
10 closure of an airport (unless the Secretary
11 determines that the waiver will directly fa-
12 cilitate the construction of a replacement
13 airport); or

14 “(iii) is necessary to protect or ad-
15 vance the civil aviation interests of the
16 United States.

17 “(D) Any other conditions required by the
18 Secretary.

19 “(3) ANNUAL REPORTING.—The Secretary shall
20 include a list and description of each waiver granted
21 pursuant to paragraph (1) in the report required
22 under section 47131.”.

23 (b) SURPLUS PROPERTY.—

24 (1) IN GENERAL.—Section 47151 of title 49,
25 United States Code, is amended—

1 (A) by striking subsection (d) and insert-
2 ing the following:

3 “(d) WAIVER OF CONDITION.—The Secretary may
4 not waive any condition imposed on an interest in surplus
5 property conveyed under subsection (a) that such interest
6 be used for an aeronautical purpose unless the Secretary
7 provides public notice not less than 30 days before the
8 issuance of such waiver and determines that such waiver—

9 “(1) will not significantly impair the aero-
10 nautical purpose of an airport;

11 “(2) will not result in the permanent closure of
12 an airport (unless the Secretary determines that the
13 waiver will directly facilitate the construction of a
14 replacement airport); or

15 “(3) is necessary to protect or advance the civil
16 aviation interests of the United States.”; and

17 (B) by adding at the end the following:

18 “(f) REVERSIONS OF PROPERTY.—The Secretary
19 shall take all necessary action to revert surplus property
20 conveyed under this subchapter back to the United States
21 if—

22 “(1) the Secretary determines that an instru-
23 ment conveying an interest in surplus property
24 under this subchapter incorporates a provision pro-

1 viding for the reversion of such property in the event
2 the property is not used for aeronautical purposes;

3 “(2) other efforts by the Secretary to ensure
4 that the property is used by the relevant airport
5 sponsor is used for aeronautical purposes are unsuc-
6 cessful; and

7 “(3) the Secretary determines that a rever-
8 sion—

9 “(A) will result in the property being used
10 for aeronautical purposes; or

11 “(B) will not transfer liabilities, including
12 environmental liabilities, greater than the fair
13 market value of the property to the Govern-
14 ment.”; and

15 (2) WAIVING AND ADDING TERMS.—Section
16 47153(c) of title 49, United States Code, is amend-
17 ed to read as follows:

18 “(c) RESTRICTIONS ON WAIVER.—Notwithstanding
19 subsections (a) and (b), the Secretary may not waive any
20 term under this section that an interest in land be used
21 for an aeronautical purpose unless—

22 “(1) the Secretary provides public notice not
23 less than 30 days before the issuance of a waiver;
24 and

1 “(2) the Secretary determines that such waiver—
2

3 “(A) will not significantly impair the aero-
4 nautical purpose of an airport;

5 “(B) will not result in the permanent clo-
6 sure of an airport (unless the Secretary deter-
7 mines that the waiver will directly facilitate the
8 construction of a replacement airport); or

9 “(C) is necessary to protect or advance the
10 civil aviation interests of the United States.”.

11 (c) REPEALS.—

12 (1) AIRPORTS NEAR CLOSED OR REALIGNED
13 BASES.—Section 1203 of the Federal Aviation Reau-
14 thorization Act of 1996 (49 U.S.C. 47101 note), and
15 the item relating to such section in the table of con-
16 tents under section 1(b) of such Act, are repealed.

17 (2) RELEASE FROM RESTRICTIONS.—Section
18 817 of the FAA Modernization and Reform Act of
19 2012 (49 U.S.C. 47125 note), and the item relating
20 to such section in the table of contents under section
21 1(b) of such Act, are repealed.

22 **SEC. 224. ENSURING SAFE LANDINGS DURING OFF-AIR-**
23 **PORT OPERATIONS.**

24 The Administrator of the Federal Aviation Adminis-
25 tration shall not apply section 91.119 of title 14, Code

1 of Federal Regulations, in any manner that requires a
2 pilot to continue a landing that is unsafe.

3 **SEC. 225. AIRPORT DIAGRAM TERMINOLOGY.**

4 (a) IN GENERAL.—The Administrator of the Federal
5 Aviation Administration shall update Airport Diagram
6 Order JO 7910.4 and any related advisory circulars, pol-
7 icy, and guidance to ensure the clear and consistent use
8 of terms to delineate the types of parking available to gen-
9 eral aviation pilots.

10 (b) COLLABORATION.—In carrying out subsection
11 (a), the Administrator shall collaborate with industry
12 stakeholders, commercial service airports, and general
13 aviation airports in—

14 (1) facilitating basic standardization of general
15 aviation parking terms;

16 (2) accounting for the majority of uses of gen-
17 eral aviation parking terms; and

18 (3) providing clarity for chart users.

19 (c) IAC SPECIFICATIONS.—The Administrator shall
20 encourage the Interagency Air Committee to incorporate
21 the terms developed under subsection (a) in publications
22 produced by the Committee.

1 **SEC. 226. ALTERNATIVE ADS-B TECHNOLOGIES FOR USE IN**
2 **CERTAIN SMALL AIRCRAFT.**

3 (a) IN GENERAL.—Not later than 3 years after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall publish an approved
6 list of effective alternatives to automatic dependent sur-
7 veillance–broadcast equipment (in this section referred to
8 as “alternative ADS–B equipment”) for covered aircraft
9 operating outside of Mode C veil airspace so that such air-
10 craft may voluntarily broadcast positioning to other air-
11 craft.

12 (b) REVIEW; APPROVAL.—

13 (1) REVIEW.—In carrying out subsection (a),
14 the Administrator shall, to the maximum extent
15 practicable, review available commercial–off–the–
16 shelf alternative ADS–B equipment that are used
17 outside of the United States for purposes of allowing
18 a pilot to voluntarily utilize such equipment while
19 operating outside of Mode C veil airspace and within
20 the national airspace system.

21 (2) APPROVAL.—The Administrator shall work
22 with manufacturers of such equipment to expedite
23 technical standard order authorization, or other ap-
24 provals, required by the Administrator for such
25 equipment for use in covered aircraft.

26 (c) DEFINITIONS.—In this section:

1 (1) ALTERNATIVE ADS-B EQUIPMENT.—The
2 term “alternative ADS-B equipment” means a posi-
3 tioning technology that—

4 (A) does not otherwise meet the perform-
5 ance requirements prescribed in section 91.227
6 of title 14, Code of Federal Regulations;

7 (B) may be affixed to, or portable within,
8 a covered aircraft; and

9 (C) can broadcast positioning of a covered
10 aircraft to other aircraft operating outside of
11 Mode C veil airspace.

12 (2) COVERED AIRCRAFT.—The term “covered
13 aircraft” means—

14 (A) a single-engine piston aircraft;

15 (B) an ultralight aircraft; or

16 (C) an aircraft not equipped with an elec-
17 trical system.

18 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion may be construed by the Administrator to require cov-
20 ered aircraft to install—

21 (1) alternative ADS-B equipment; or

22 (2) automatic dependent surveillance-broadcast
23 equipment.

1 **SEC. 227. AIRSHOW SAFETY TEAM.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Administrator of the
4 Federal Aviation Administration shall coordinate with the
5 General Aviation Joint Safety Committee to establish an
6 Airshow Safety Team focused on airshow and aerial event
7 safety.

8 (b) OBJECTIVE.—The objective of the Airshow Safety
9 Team described in subsection (a) shall be to—

10 (1) serve as a mechanism for Federal Govern-
11 ment and industry cooperation, communication, and
12 coordination on airshow and aerial event safety; and

13 (2) reduce airshow and aerial event accidents
14 and incidents through non-regulatory, proactive safe-
15 ty strategies.

16 (c) ACTIVITIES.—In carrying out the objectives pur-
17 suant to subsection (b), the Airshow Safety Team shall,
18 at a minimum—

19 (1) perform an analysis of airshow and aerial
20 event accidents and incidents in conjunction with the
21 Safety Analysis Team;

22 (2) publish and update every 2 years after ini-
23 tial publication an Airshow Safety Plan that incor-
24 porates consensus based and data driven mitigation
25 measures and non-regulatory safety strategies to im-

1 prove and promote safety of the public, performers,
2 and airport personnel; and

3 (3) engage the airshow and aerial event commu-
4 nity to—

5 (A) communicate non-regulatory, proactive
6 safety strategies identified by the Airshow Safe-
7 ty Plan to mitigate incidents; and

8 (B) discuss best practices to uphold and
9 maintain safety at events.

10 (d) MEMBERSHIP.—The Administrator may request
11 the Airshow Safety Team be comprised of at least 10 indi-
12 viduals, each of whom shall have knowledge or a back-
13 ground in the planning, execution, operation, or manage-
14 ment of an airshow or aerial event.

15 (e) MEETINGS.—The Airshow Safety Team shall
16 meet at least twice a year at the direction of the co-chairs
17 of the General Aviation Joint Safety Committee.

18 (f) CONSTRUCTION.—The Administrator shall not
19 initiate a regulatory action based on any—

20 (1) discussion or sharing of information and
21 data that occurs as part of an official meeting of the
22 Airshow Safety Team; or

23 (2) safety strategies or best practices identified
24 by the Airshow Safety Plan that are not intended to

1 be used by the Administrator for regulatory pur-
2 poses.

3 **SEC. 228. TOWER MARKING NOTICE OF PROPOSED RULE-**
4 **MAKING.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall issue a notice of
8 proposed rulemaking to implement section 2110 of the
9 FAA Extension, Safety, and Security Act of 2016 (49
10 U.S.C. 44718 note).

11 (b) REPORT.—If the Administrator fails to issue the
12 notice of proposed rulemaking pursuant to subsection (a),
13 the Administrator shall submit to the Committee on
14 Transportation and Infrastructure of the House of Rep-
15 resentatives and the Committee on Commerce, Science,
16 and Transportation of the Senate an annual report on the
17 status of such rulemaking, including—

18 (1) the reasons that the Administrator has
19 failed to issue the rulemaking; and

20 (2) a list of fatal aircraft accidents associated
21 with unmarked towers that have occurred over the
22 5 years previous to the date of submission of the re-
23 port.

1 **Subtitle C—Improving FAA**
2 **Services**

3 **SEC. 241. AIRCRAFT REGISTRATION VALIDITY DURING RE-**
4 **NEWAL.**

5 (a) IN GENERAL.—Section 44103 of title 49, United
6 States Code, is further amended by adding at the end the
7 following:

8 “(f) VALIDITY OF AIRCRAFT REGISTRATION DURING
9 RENEWAL.—

10 “(1) IN GENERAL.—An aircraft may be oper-
11 ated on or after the expiration date found on the
12 certificate of registration issued for such aircraft
13 under this section as if it were not expired if the op-
14 erator of such aircraft has aboard the aircraft—

15 “(A) documentation validating that—

16 “(i) an aircraft registration renewal
17 application form (AC Form 8050–1B, or a
18 succeeding form) has been submitted to
19 the Administrator for such aircraft but not
20 yet approved or denied; and

21 “(ii) such aircraft is compliant with
22 maintenance, inspections, and any other
23 requirements for the aircraft’s airworthi-
24 ness certificate issued under section
25 44704(d); and

1 “(B) the most recent aircraft registration.

2 “(2) PROOF OF PENDING RENEWAL APPLICA-
3 TION.—The Administrator shall provide an applicant
4 for renewal of registration under this section with
5 documentation described in paragraph (1)(A). Such
6 documentation shall—

7 “(A) be made electronically available to the
8 applicant immediately upon submitting an air-
9 craft registration renewal application to the
10 Civil Aviation Registry for an aircraft;

11 “(B) notify the applicant of the operational
12 allowance described in paragraph (1);

13 “(C) deem an aircraft’s airworthiness cer-
14 tificate issued under section 44704(d) as valid
15 provided that the applicant confirms acknowl-
16 edgment of the requirements of paragraph
17 (1)(A)(ii);

18 “(D) confirm the applicant acknowledged
19 the limitations described in paragraph (3)(A)
20 and (3)(B); and

21 “(E) include identifying information per-
22 taining to such aircraft and to the registered
23 owner.

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to permit any per-
3 son to operate an aircraft—

4 “(A) with an expired registration, except
5 as specifically provided for under this sub-
6 section; or

7 “(B) if the Administrator has denied an
8 application to renew the registration of such
9 aircraft.”.

10 (b) RULEMAKING; GUIDANCE.—Not later than 18
11 months after the date of enactment of this Act, the Ad-
12 ministrator of the Federal Aviation Administration shall
13 issue a final rule, if necessary, and update all applicable
14 guidance and policies to implement the amendment made
15 by this section.

16 **SEC. 242. TEMPORARY AIRMAN CERTIFICATES.**

17 Section 44703 of title 49, United States Code, is
18 amended by adding at the end the following:

19 “(1) TEMPORARY AIRMAN CERTIFICATE.—An indi-
20 vidual may obtain a temporary airman certificate from the
21 Administrator after requesting a permanent replacement
22 airman certificate issued under this section. A temporary
23 airman certificate shall be—

24 “(1) made available—

1 “(A) electronically to the individual imme-
2 diately upon submitting an online application
3 for a replacement certificate to the Adminis-
4 trator; or

5 “(B) physically to the individual at a flight
6 standards district office—

7 “(i) if the individual submits an online
8 application for a replacement certificate; or

9 “(ii) if the individual applies for a
10 permanent replacement certificate other
11 than by online application and such appli-
12 cation has been received by the Federal
13 Aviation Administration; and

14 “(2) destroyed upon receipt of the permanent
15 replacement airman certificate from the Adminis-
16 trator.”.

17 **SEC. 243. FLIGHT INSTRUCTION OR TESTING.**

18 (a) IN GENERAL.—An authorized flight instructor
19 providing student instruction, flight instruction, or flight
20 training shall not be deemed to be operating an aircraft
21 carrying persons or property for compensation or hire.

22 (b) AUTHORIZED ADDITIONAL PILOTS.—An indi-
23 vidual acting as an authorized additional pilot during
24 Phase I flight testing of aircraft holding an experimental
25 airworthiness certificate, in accordance with section

1 21.191 of title 14, Code of Federal Regulations, and meet-
2 ing the requirements set forth in Federal Aviation Admin-
3 istration regulations and policy in effect as of the date
4 of enactment of this section, shall not be deemed to be
5 operating an aircraft carrying persons or property for
6 compensation or hire.

7 (c) USE OF AIRCRAFT.—An individual who uses,
8 causes to use, or authorizes to use aircraft for flights con-
9 ducted under subsection (a) or (b) shall not be deemed
10 to be operating an aircraft carrying persons or property
11 for compensation or hire.

12 (d) REVISION OF RULES.—

13 (1) IN GENERAL.—The requirements of this
14 section shall become effective upon the date of enact-
15 ment of this Act.

16 (2) REVISION.—The Administrator of the Fed-
17 eral Aviation Administration shall issue, revise, or
18 repeal the rules, regulations, guidance, or procedures
19 of the Federal Aviation Administration to conform
20 to the requirements of this section.

21 **SEC. 244. LETTER OF DEVIATION AUTHORITY.**

22 (a) IN GENERAL.—A flight instructor, registered
23 owner, lessor, or lessee of a covered aircraft shall not be
24 required to obtain a letter of deviation authority from the
25 Administrator of the Federal Aviation Administration to

1 allow, conduct, or receive flight training, checking, and
2 testing in such aircraft if—

3 (1) the flight instructor is not providing both
4 the training and the aircraft;

5 (2) no person advertises or broadly offers the
6 aircraft as available for flight training, checking, or
7 testing; and

8 (3) no person receives compensation for use of
9 the aircraft for a specific flight during which flight
10 training, checking, or testing was received, other
11 than expenses for owning, operating, and maintain-
12 ing the aircraft.

13 (b) COVERED AIRCRAFT DEFINED.—In this section,
14 the term “covered aircraft” means—

15 (1) an experimental category aircraft;

16 (2) a limited category aircraft; and

17 (3) a primary category aircraft.

18 **SEC. 245. NATIONAL COORDINATION AND OVERSIGHT OF**

19 **DESIGNATED PILOT EXAMINERS.**

20 (a) IN GENERAL.—Not later than 16 months after
21 the date of enactment of this Act, the Administrator of
22 the Federal Aviation Administration shall establish a pro-
23 gram or office to provide national coordination and over-
24 sight of designated pilot examiners appointed under sec-
25 tion 183.23 of title 14, Code of Federal Regulations.

1 (b) RESPONSIBILITIES.—The program or office es-
2 tablished under subsection (a) shall be responsible for the
3 following:

4 (1) Oversight of designated pilot examiners ap-
5 pointed under section 183.23 of title 14, Code of
6 Federal Regulations, including the selection, train-
7 ing, duties, and deployment of such examiners.

8 (2) Supporting the standardization of policy,
9 guidance, and regulations across the Administration
10 pertaining to the selection, training, duties, and de-
11 ployment of designated pilot examiners appointed
12 under section 183.23 of title 14, Code of Federal
13 Regulations, including evaluating the consistency by
14 which such examiners apply Administration policies,
15 orders, and guidance.

16 (3) Coordinating placement and deployment of
17 such examiners across regions based on demand for
18 examinations from the pilot community.

19 (4) Developing a code of conduct for such ex-
20 aminers.

21 (5) Deploying a survey system to track the per-
22 formance and merit of such examiners.

23 (6) Facilitating an industry partnership to cre-
24 ate a formal mentorship program for such exam-
25 iners.

1 (7) Put in place a system that ensures available
2 resources so that applicants can schedule airman
3 practical tests not more than 14 calendar days after
4 requested.

5 (c) COORDINATION.—In carrying out the responsibil-
6 ities listed in subsection (b), the Administrator shall en-
7 sure the program—

8 (1) coordinates on an ongoing basis with flight
9 standards district offices, designated pilot examiner
10 managing specialists, and aviation industry stake-
11 holders, including representatives of the general
12 aviation community; and

13 (2) considers (or reconsiders) implementing the
14 final recommendations report issued by the Des-
15 ignated Pilot Examiner Reforms Working Group
16 and accepted by the Aviation Rulemaking Advisory
17 Committee on June 17, 2021.

18 (d) BRIEFING.—The Administrator shall brief the
19 Committee on Transportation and Infrastructure of the
20 House of Representatives and the Committee on Com-
21 merce, Science, and Transportation of the Senate in each
22 fiscal year beginning after the date of enactment of this
23 Act through fiscal year 2028 detailing—

24 (1) the methodology by which designated pilot
25 examiners appointed under section 183.23 of title

1 14, Code of Federal Regulations, are deployed and
2 any subsequent changes to the methodology to fulfill
3 the demand for examinations;

4 (2) a review of the previous fiscal year detailing
5 the average time an individual in each region must
6 wait to schedule an appointment with such an exam-
7 iner; and

8 (3) the turnover rates and resource costs associ-
9 ated with such examiners.

10 **SEC. 246. BASICMED FOR EXAMINERS ADMINISTERING**
11 **TESTS OR PROFICIENCY CHECKS.**

12 (a) **EQUIVALENT PILOT-IN-COMMAND MEDICAL RE-**
13 **QUIREMENTS.**—Notwithstanding section 61.23(a)(3)(iv)
14 of title 14, Code of Federal Regulations, an examiner may
15 administer a practical test or proficiency check if such ex-
16 aminer meets the medical qualification requirements
17 under part 68 of title 14, Code of Federal Regulations,
18 if the operation being conducted is in a covered aircraft,
19 as such term is defined in section 2307(j) of the FAA Ex-
20 tension, Safety, and Security Act of 2016 (49 U.S.C.
21 44703 note).

22 (b) **RULEMAKING.**—Not later than 18 months after
23 the date of enactment of this Act, the Administrator of
24 the Federal Aviation Administration shall issue a final
25 rule to update part 61 of title 14, Code of Federal Regula-

1 tions, to implement the requirements under subsection (a),
2 in addition to any related requirements the Administrator
3 finds are in the interest of aviation safety.

4 **SEC. 247. DESIGNEE LOCATOR TOOL IMPROVEMENTS.**

5 Not later than 2 years after the date of enactment
6 of this Act, the Administrator of the Federal Aviation Ad-
7 ministration shall ensure that the designee locator search
8 function of the public website of the Designee Manage-
9 ment System of the Administration has the functionality
10 to—

11 (1) filter a search for an Aviation Medical Ex-
12 aminer (as described in section 183.21 of title 14,
13 Code of Federal Regulations) by sex, if such infor-
14 mation is available;

15 (2) display credentials and aircraft qualifica-
16 tions of a designated pilot examiner (as described in
17 section 183.23 of such title); and

18 (3) display the scheduling availability of a des-
19 ignated pilot examiner (as described in section
20 183.23 of such title) to administer a test or pro-
21 ficiency check to an airman.

22 **SEC. 248. DEADLINE TO ELIMINATE AIRCRAFT REGISTRA-**
23 **TION BACKLOG.**

24 Not later than 120 days after the date of enactment
25 of this Act, the Administrator of the Federal Aviation Ad-

1 ministration shall take such actions as may be necessary
2 to reduce and maintain the aircraft registration and rec-
3 ordation backlog at the Civil Aviation Registry so that,
4 on average, applications are processed not later than 10
5 business days after receipt.

6 **SEC. 249. PART 135 AIR CARRIER CERTIFICATE BACKLOG.**

7 (a) IN GENERAL.—The Administrator of the Federal
8 Aviation Administration shall take such actions as may
9 be necessary to achieve the goal of reducing the backlog
10 of air carrier certificate applications under part 135 of
11 title 14, Code of Federal Regulations, to—

12 (1) not later than 1 year after the date of en-
13 actment of this Act, maintain an average certificate
14 decision time of less than 60 days; and

15 (2) not later than 2 years after the date of en-
16 actment of this Act, maintain an average certificate
17 decision time of less than 30 days.

18 (b) MEASURES.—In meeting the goal under sub-
19 section (a), the Administrator may—

20 (1) assign, as appropriate, additional personnel
21 or support staff, including on a temporary basis, to
22 review, adjudicate, and approve applications;

23 (2) improve and expand promotion of existing
24 applicant resources which could improve the quality
25 of applications submitted to decrease the need for

1 Administration applicant coordination and commu-
2 nications; and

3 (3) take into consideration any third-party enti-
4 ty that assisted in the preparation of an application
5 for an air carrier certificate under part 135 of title
6 14, Code of Federal Regulations.

7 (c) WORKING GROUP.—The Administrator shall con-
8 vene a working group comprised of industry stakeholders
9 and aviation experts to—

10 (1) not later than 1 year after the date of en-
11 actment of this Act, study methods and make rec-
12 ommendations to clarify requirements and stand-
13 ardize the process for conducting and completing
14 aircraft conformity processes for existing air carriers
15 and operators under part 135 of title 14, Code of
16 Federal Regulations, in a timely manner, which shall
17 include—

18 (A) developing a plan to honor or expedite
19 the consideration of previously accepted aircraft
20 configuration evaluations when an aircraft
21 moves from one certificate under part 135 of
22 title 14, Code of Federal Regulations, to an-
23 other such certificate;

24 (B) streamlining protocols for operators
25 under such part 135 to add an aircraft that

1 was listed on another certificate under such
2 part 135 immediately prior to moving to the
3 new carrier; and

4 (C) evaluating non-safety related Federal
5 Aviation Administration policies, guidance, and
6 documentation and identify needed changes to
7 such policies, guidance, and documentation to
8 accomplish subparagraph (B); and

9 (2) not later than 2 years after of the date of
10 enactment of this Act—

11 (A) study and review methods to mod-
12 ernize and improve the air carrier certification
13 process under part 135 of title 14, Code of
14 Federal Regulations; and

15 (B) recommend long-term solutions for ef-
16 fective management of Administration resources
17 dedicated to approving air carrier certificate ap-
18 plications under such part 135.

19 (d) CONGRESSIONAL BRIEFING.—Beginning 6
20 months after the date of enactment of this Act, and not
21 less than every 6 months thereafter until the Adminis-
22 trator complies with the requirements under subsection
23 (a)(2), the Administrator shall provide a briefing to the
24 Committee on Transportation and Infrastructure of the
25 House of Representatives and the Committee on Com-

1 merce, Science, and Transportation of the Senate on the
2 status of the backlog of air carrier certificate applications
3 under part 135 of title 14, Code of Federal Regulations,
4 any measures the Administrator has put in place under
5 subsection (b), and any recommendations received from
6 the review under subsection (c).

7 **SEC. 250. LOGGING FLIGHT TIME ACCRUED IN CERTAIN**
8 **PUBLIC AIRCRAFT.**

9 (a) **COMPLETION OF RULEMAKING.**—Not later than
10 18 months after the date of enactment of this Act, the
11 Administrator of the Federal Aviation Administration
12 shall issue a final rule modifying section 61.51(j)(4) of
13 title 14, Code of Federal Regulations, to include aircraft
14 under the direct operational control of forestry and fire
15 protection agencies, as required by section 517 of the FAA
16 Reauthorization Act of 2018 (49 U.S.C. 44703 note).

17 (b) **FAILURE TO COMPLETE RULEMAKING.**—If the
18 Administrator fails to issue a final rule pursuant to sub-
19 section (a) by the deadline described in such subsection,
20 beginning on the date that is 18 months after the date
21 of enactment of this Act—

22 (1) notwithstanding section 61.51(j)(4) of title
23 14, Code of Federal Regulations, a pilot, while en-
24 gaged on an official flight for a Federal, State,
25 county, or municipal forestry or fire protection agen-

1 cy, may log flight time so long as the time acquired
2 is in an aircraft that—

3 (A) is identified as an aircraft under sec-
4 tion 61.5(b) of such title; and

5 (B) is a public aircraft under the direct
6 operational control of a forestry or fire protec-
7 tion agency; and

8 (2) the Administrator may not take an enforce-
9 ment action against the pilot for logging such flight
10 time as described in paragraph (1).

11 (c) SUNSET.—Subsection (b) shall cease to be effec-
12 tive on the date on which the final rule required under
13 subsection (a) is effective.

14 **SEC. 251. FLIGHT INSTRUCTOR CERTIFICATES.**

15 (a) COMPLETION OF RULEMAKING.—Not later than
16 36 months after the date of enactment of this Act, the
17 Administrator of the Federal Aviation Administration
18 shall issue a final rule for the rulemaking activity titled
19 “Removal of the Expiration Date on a Flight Instructor
20 Certificate”, published in Fall 2022 in the Unified Agenda
21 of Federal Regulatory and Deregulatory Actions (RIN
22 2120–AL25) to, at a minimum, update part 61 of title
23 14, Code of Federal Regulations, to—

24 (1) remove the expiration date on a flight in-
25 structor certificate; and

1 (2) replace the requirement that a flight in-
2 structor renews their flight instructor certificate
3 with appropriate recent experience requirements for
4 the holder of a flight instructor certificate to exer-
5 cise the privileges of such certificate.

6 (b) **FAILURE TO COMPLETE RULEMAKING.**—If the
7 Administrator fails to issue a final rule pursuant to sub-
8 section (a) before the deadline prescribed in that sub-
9 section, beginning on the date that is 36 months after the
10 date of enactment of this Act—

11 (1) notwithstanding sections 61.19(d) and
12 61.197 of title 14, Code of Federal Regulations, an
13 individual holding a flight instructor certificate that
14 is not expired as of the date that is 36 months after
15 the date of enactment of this Act may exercise the
16 privileges of the certificate regardless of whether the
17 certificate subsequently expires, provided that the in-
18 dividual meets eligibility requirements in accordance
19 with section 61.183 of title 14, Code of Federal Reg-
20 ulations; and

21 (2) the Administrator—

22 (A) shall consider a flight instructor cer-
23 tificate described in paragraph (1) as having no
24 expiration date; and

1 (B) may not enforce any regulation attrib-
2 uted to the renewal of a flight instructor certifi-
3 cate of an individual.

4 (c) SUNSET.—Subsection (b) shall cease to be effec-
5 tive on the effective date of a final rule issued pursuant
6 to subsection (a).

7 **SEC. 252. CONSISTENCY OF POLICY APPLICATION IN**
8 **FLIGHT STANDARDS AND AIRCRAFT CERTIFI-**
9 **CATION.**

10 (a) IN GENERAL.—The inspector general of the De-
11 partment of Transportation shall initiate audits, as de-
12 scribed in subsection (d), of the Flight Standards and Air-
13 craft Certification Services of the Federal Aviation Admin-
14 istration, and the personnel of such offices, on the consist-
15 ency of—

16 (1) the interpretation of policies, orders, guid-
17 ance, and regulations; and

18 (2) the application of policies, orders, guidance,
19 and regulations.

20 (b) COMPONENTS.—In completing the audits re-
21 quired under this section, the inspector general shall inter-
22 view stakeholders, including at a minimum, individuals or
23 entities that—

24 (1) hold a certificate or authorization related to
25 the issue being audited under subsection (d);

1 (2) are from different regions of the country
2 with matters before different flight standards dis-
3 trict offices or aircraft certification offices of the Ad-
4 ministration;

5 (3) work with multiple flight standards district
6 offices or aircraft certification offices of the Admin-
7 istration; or

8 (4) hold a single or multiple relevant certifi-
9 cates or authorizations.

10 (c) REPORTS.—The inspector general of the Depart-
11 ment of Transportation shall submit to the Committee on
12 Transportation and Infrastructure of the House of Rep-
13 resentatives, the Committee on Commerce, Science, and
14 Transportation of the Senate, the Secretary of Transpor-
15 tation, and the Administrator of the Federal Aviation Ad-
16 ministration a report for each audit required in this sec-
17 tion, containing the results of the audit, including findings
18 and recommendations to the Administrator to improve the
19 consistency of decision-making by Flight Standards and
20 Aircraft Certification Services offices of the Administra-
21 tion.

22 (d) AUDITS.—The inspector general shall complete
23 an audit and issue the associated report required under
24 subsection (c) not later than—

1 (1) 18 months after the date of enactment of
2 this Act, with regard to supplemental type certifi-
3 cates;

4 (2) 34 months after the date of enactment of
5 this Act, with regard to repair stations certificated
6 under part 145 of title 14, Code of Federal Regula-
7 tions; and

8 (3) 50 months after the date of enactment of
9 this Act, with regard to technical standards orders.

10 (e) IMPLEMENTATION.—In addressing any rec-
11 ommendations from the inspector general contained in the
12 reports required under subsection (c), the Administrator
13 shall—

14 (1) maintain an implementation plan; and

15 (2) broadly adopt any best practices to improve
16 the consistency of interpretation and application of
17 policies, orders, guidance, and regulations by other
18 offices of the Administration and with regard to
19 other activities of the Administration.

20 (f) BRIEFING.—Not later than 6 months after receiv-
21 ing a report required under subsection (c), the Adminis-
22 trator shall brief the Committee on Transportation and
23 Infrastructure of the House of Representatives and the
24 Committee on Commerce, Science, and Transportation of
25 the Senate on the implementation plan required under

1 subsection (d), the status of any recommendation received
2 pursuant to this section, and any best practices that are
3 being implemented more broadly.

4 **SEC. 253. APPLICATION OF POLICIES, ORDERS, AND GUID-**
5 **ANCE.**

6 Section 44701 of title 49, United States Code, is
7 amended by adding at the end the following:

8 “(g) POLICIES, ORDERS, AND GUIDANCE.—

9 “(1) CONSISTENCY OF APPLICATION.—The Ad-
10 ministrator shall ensure consistency in the applica-
11 tion of policies, orders, and guidance of the Adminis-
12 tration by—

13 “(A) regular audits of the application and
14 interpretation of such material by Administra-
15 tion personnel from person to person and office
16 to office;

17 “(B) updating policies, orders, and guid-
18 ance to resolve inconsistencies and clarify dem-
19 onstrated ambiguities, such as through repeated
20 inconsistent interpretation; and

21 “(C) ensuring officials are properly docu-
22 menting findings and decisions throughout a
23 project to decrease the occurrence of duplicative
24 work and inconsistent findings by subsequent
25 officials assigned to the same project.

1 “(2) ALTERATIONS.—The Administrator shall
2 consult as appropriate with regulated entities who
3 will be impacted by proposed changes to the content
4 or application of policies, orders, and guidance be-
5 fore making such changes.

6 “(3) AUTHORITIES AND REGULATIONS.—The
7 Administrator shall issue policies, orders, and guid-
8 ance documents that are related to a law or regula-
9 tion or clarify the intent of or compliance with spe-
10 cific laws and regulations.”.

11 **SEC. 254. EXPANSION OF THE REGULATORY CONSISTENCY**

12 **COMMUNICATIONS BOARD.**

13 Section 224 of the FAA Reauthorization Act of 2018
14 (49 U.S.C. 44701 note) is amended—

15 (1) in subsection (c)—

16 (A) in paragraph (2) by striking “; and”
17 and inserting a semicolon;

18 (B) in paragraph (3) by striking the period
19 and inserting a semicolon; and

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

21 “(4) the Office of Airports;

22 “(5) the Office of Security and Hazardous Ma-
23 terials Safety;

24 “(6) the Office of Rulemaking and Regulatory
25 Improvement; and

1 “(7) such other offices as the Administrator de-
2 termines appropriate.”; and

3 (2) in subsection (d)(1)—

4 (A) in subparagraph (A) by striking
5 “anonymous regulatory interpretation ques-
6 tions” and inserting “regulatory interpretation
7 questions, including anonymously,”;

8 (B) in subparagraph (C) by striking
9 “anonymous regulatory interpretation ques-
10 tions” and inserting “regulatory interpretation
11 questions, including anonymously”; and

12 (C) by adding at the end the following:

13 “(6) Submit recommendations, as needed, to
14 the Assistant Administrator for Rulemaking and
15 Regulatory Improvement for consideration.”.

16 **SEC. 255. EXEMPTION OF FEES FOR AIR TRAFFIC SERV-**
17 **ICES.**

18 (a) IN GENERAL.—Chapter 453 of title 49, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 45307. Exemption of fees for air traffic services**

22 **“(a) REQUIREMENT TO PROVIDE SERVICES AND RE-**
23 **LATED SUPPORT.—**The Administrator shall provide or en-
24 sure the provisioning of air traffic services and aviation
25 safety support for large, multiday aviation events, includ-

1 ing airshows and fly-ins, where the average daily number
2 of manned operations were 1,000 or greater in at least
3 1 of the preceding 3 years, without the imposition or col-
4 lection of any fee, tax, or other charge for that purpose.
5 Amounts for the provision of such services and support
6 shall be derived from amounts appropriated or otherwise
7 available for the Administration.

8 “(b) DETERMINATION OF SERVICES AND SUPPORT
9 TO BE PROVIDED.—In determining the services and sup-
10 port to be provided for an aviation event for purposes of
11 subsection (a), the Administrator shall take into account
12 the following:

13 “(1) The services and support required to meet
14 levels of activity at prior events, if any, similar to
15 the event.

16 “(2) The anticipated need for services and sup-
17 port at the event.”.

18 (b) CLERICAL AMENDMENT.—The analysis of chap-
19 ter 453 of title 49, United States Code, is amended by
20 adding at the end the following:

“Sec. 45307. Exemption of fees for air traffic services.”.

21 (c) CONFORMING REPEAL.—Section 530 of the FAA
22 Reauthorization of 2018 (49 U.S.C. 40103 note), and the
23 item relating to that section in the table of contents in
24 section 1(b) of such Act, are repealed.

1 **SEC. 256. MODERNIZATION OF SPECIAL AIRWORTHINESS**
2 **CERTIFICATION RULEMAKING DEADLINE.**

3 Not later than 24 months after the date of enactment
4 of this Act, the Administrator of the Federal Aviation Ad-
5 ministration shall issue a final rule for the rulemaking ac-
6 tivity titled “Modernization of Special Airworthiness Cer-
7 tification”, published in Fall 2022 in the long-term actions
8 of the Unified Agenda of Federal Regulatory and Deregula-
9 tory Actions (RIN 2120–AL50).

10 **SEC. 257. TERMINATION OF DESIGNEES.**

11 (a) **IN GENERAL.**—Not later than 1 year after the
12 date of enactment of this Act, the Administrator of the
13 Federal Aviation Administration shall update the Admin-
14 istration’s Designee Management Policy (FAA Order
15 8000.95B), or any successor order, to ensure due process
16 and increase transparency in Federal Aviation Adminis-
17 tration-initiated terminations of designees.

18 (b) **UPDATES TO THE DESIGNEE MANAGEMENT POL-**
19 **ICY.**—In updating the Administration’s Designee Manage-
20 ment Policy under subsection (a), the Administrator shall,
21 at a minimum, provide for the following:

- 22 (1) A process by which a designee—
23 (A) is notified of the root causes and rea-
24 sons for a termination initiated by the Adminis-
25 trator;

1 (B) is notified of the change in a delegated
2 authority to “suspended” or “terminated” dur-
3 ing a Federal Aviation Administration-initiated
4 termination;

5 (C) is provided a point of contact, who is
6 independent of any investigation or termination
7 action involving the designee, within the Admin-
8 istration, to correspond with for purposes of
9 discussing the termination process and the des-
10 ignee’s status, including the handling of cor-
11 respondence during the investigation process
12 described in paragraph (2), if applicable, and
13 the review panel described in paragraph (3);

14 (D) is notified of the results of the inves-
15 tigation described in paragraph (2) in a reason-
16 able and timely manner, which shall include no-
17 tice of additional action by the Administrator,
18 if required; and

19 (E) may respond within 30 calendar days
20 to the Administrator if the Administrator deter-
21 mines that a termination for cause is the appro-
22 priate course of action and initiates such action.

23 (2) An investigation process to determine the
24 appropriate outcome in situations in which termi-

1 nation is being considered by the Administrator,
2 which shall include the following elements:

3 (A) The root causes and reasons for the
4 investigation, including any complaints or alle-
5 gations.

6 (B) Collection of evidence related to the in-
7 vestigation.

8 (C) A review of the facts and cir-
9 cumstances surrounding the case.

10 (D) A review of the designee's record in
11 the designee management system and any rel-
12 evant background information in the appro-
13 priate Federal Aviation Administration data-
14 bases to determine if there is a pattern of inap-
15 propriate behavior or misconduct.

16 (E) A review of the designee's response to
17 the investigation, if provided, to include any
18 documentation provided by the designee.

19 (F) A decision on the appropriate course of
20 action based on the results of the investigation.

21 (G) Recording the results of the investiga-
22 tion in the Federal Aviation Administration's
23 designee management system.

24 (H) A notification to the designee that an
25 investigation has been initiated, but only after

1 it is determined through an established process
2 that such notification would not adversely im-
3 pact the investigation or safety.

4 (3) A review panel to determine whether a ter-
5 mination is appropriate when termination for cause
6 is a possible outcome upon the completion of the in-
7 vestigation described in paragraph (2), of which
8 such review panel shall—

9 (A) consider the elements of the investiga-
10 tion process provided for under paragraph (2),
11 including the designee's response to the inves-
12 tigation and any associated documents, if pro-
13 vided; and

14 (B) complete the review process within 45
15 calendar days of the Administrator initiating a
16 for cause termination decision of a designee.

17 (c) **SUBSEQUENT REVIEW FOR DESIGNATED PILOT**
18 **EXAMINERS.**—

19 (1) **IN GENERAL.**—The Administrator shall set
20 up a process through which a Designated Pilot Ex-
21 aminer terminated for cause may request a subse-
22 quent review by the Executive Director of the Flight
23 Standards Service.

24 (2) **REQUEST.**—A Designated Pilot Examiner
25 terminated for cause may request a subsequent re-

1 view described in paragraph (1) not later than 15
2 calendar days after termination,

3 (3) REVIEW.—The Executive Director shall re-
4 view all relevant information and facts by which the
5 decision was made to terminate the designee, includ-
6 ing the information considered by the review panel,
7 and issue a final determination.

8 (4) TIMING.—Such final determination shall be
9 issued by the Director not later than 45 calendar
10 days upon receiving the request.

11 (d) LIMITATION ON INVESTIGATION AND REVIEW
12 PANEL PARTICIPANTS.—An Administration employee in-
13 volved in the selection, appointment, or management of
14 a designee the Administrator is investigating or termi-
15 nating for cause may not be party—

16 (1) to an investigation described in subsection
17 (b)(2) of such designee; or

18 (2) participating on a review panel described in
19 subsection (b)(3) pertaining to such designee.

20 **SEC. 258. PART 135 CHECK AIRMEN REFORMS.**

21 (a) IN GENERAL.—The Administrator of the Federal
22 Aviation Administration shall assign to the Aviation Rule-
23 making Advisory Committee (in this section referred to
24 as the “Committee”) the task of reviewing all regulations
25 and policies related to check airmen for air carrier oper-

1 ations conducted under part 135 of title 14, Code of Fed-
2 eral Regulations.

3 (b) DUTIES.—The Committee shall—

4 (1) review the processes and requirements by
5 which authorized check airmen are selected, trained,
6 and approved by the Administrator, and provide rec-
7 ommendations with respect to the regulatory and
8 policy changes necessary to ensure efficient training
9 and utilization of such check airmen;

10 (2) review differences in qualification standards
11 between an inspector of the Federal Aviation Admin-
12 istration and an authorized check airmen in evalu-
13 ating and certifying the knowledge and skills of pi-
14 lots; and

15 (3) make recommendations with respect to the
16 regulatory and policy changes necessary to allow au-
17 thorized check airmen to perform duties beyond the
18 duties permitted on the date of enactment of this
19 Act.

20 (c) ACTION BASED ON RECOMMENDATIONS.—Not
21 later than 1 year after receiving recommendations under
22 subsection (a), the Administrator shall take such action
23 as the Administrator considers appropriate with respect
24 to such recommendations.

1 (d) DEFINITION OF AUTHORIZED CHECK AIRMAN.—
2 In this section, the term “authorized check airman”
3 means an individual employed by an air carrier that meets
4 the qualifications and training requirements of sections
5 135.337 and 135.339 of title 14, Code of Federal Regula-
6 tions, and is approved to evaluate and certify the knowl-
7 edge and skills of pilots employed by such air carrier.

8 **Subtitle D—Other Provisions**

9 **SEC. 261. REQUIRED CONSULTATION WITH NATIONAL** 10 **PARKS OVERFLIGHTS ADVISORY GROUP.**

11 Section 40128(b)(4) of title 49, United States Code,
12 is amended—

13 (1) in subparagraph (C) by striking “and” at
14 the end;

15 (2) in subparagraph (D) by striking the period
16 at the end and inserting “; and”; and

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

18 “(E) consult with the advisory group es-
19 tablished under section 805 of the National
20 Parks Air Tour Management Act of 2000 (49
21 U.S.C. 40128 note) and consider all advice, in-
22 formation, and recommendations provided by
23 the advisory group to the Administrator and the
24 Director.”.

1 **SEC. 262. SUPPLEMENTAL OXYGEN REGULATORY REFORM.**

2 (a) IN GENERAL.—Beginning on the date that is 30
3 days after the date of enactment of this Act, the following
4 regulations shall cease to apply to any aircraft operating
5 below 41,000 feet above mean sea level:

6 (1) Paragraphs (3) and (4) of section 135.89(b)
7 of title 14, Code of Federal Regulations (or any suc-
8 cessor regulations).

9 (2) Paragraphs (1)(ii) and (2) of section
10 91.211(b) of title 14, Code of Federal Regulations
11 (or any successor regulations).

12 (b) CONFORMING AMENDMENT.—Not later than 1
13 year after the date of enactment of this Act, the Adminis-
14 trator of the Federal Aviation Administration shall issue
15 a final regulation revising the provisions of title 14, Code
16 of Federal Regulations, described in paragraphs (1) and
17 (2) of subsection (a) to conform to the limitation in appli-
18 cability pursuant to subsection (a).

19 **SEC. 263. EXCLUSION OF GYROPLANES FROM FUEL SYSTEM**
20 **REQUIREMENTS.**

21 Section 44737 of title 49, United States Code, is
22 amended—

23 (1) by striking “rotorcraft” and inserting “heli-
24 copter” each place it appears (including in any head-
25 ings); and

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

1 (2) to provide guidance and resources to help
2 organizers plan and execute airshows and aerial
3 events, including—

4 (A) compliance with all applicable regula-
5 tions;

6 (B) providing technical assistance in estab-
7 lishing—

8 (i) emergency response plans; and

9 (ii) communication plans between rel-
10 evant event stakeholders, including local
11 enforcement and emergency first respond-
12 ers; and

13 (C) ensuring protection of the public, per-
14 formers, and airport personnel;

15 (3) to promote public awareness and engage-
16 ment with airshows and aerial events, including op-
17 portunities for community education, outreach, and
18 involvement; and

19 (4) to provide access to tools and resources that
20 enable general aviation airport managers, local gov-
21 ernment officials, and other relevant stakeholders to
22 understand the impact of airshows and aerial events
23 on local economies and communities.

1 (c) ADMINISTRATION.—In carrying out the AVIATE
2 Program, the Administrator shall consult and coordinate,
3 as appropriate, with relevant stakeholders, including—

4 (1) airshow safety experts;

5 (2) general aviation aircraft owners and opera-
6 tors, including experimental aircraft owners and op-
7 erators;

8 (3) general aviation airports, including airport
9 officials;

10 (4) air traffic control specialists with knowledge
11 of coordinating airshows and aerial events, including
12 experts from the exclusive bargaining representative
13 of air traffic controllers certified under section 7111
14 of title 5, United States Code; and

15 (5) experts from the exclusive bargaining rep-
16 resentative of air traffic controllers certified under
17 section 7111 of title 5, United States Code.

18 **SEC. 265. LOW ALTITUDE ROTORCRAFT AND POWERED-**
19 **LIFT OPERATIONS.**

20 (a) IN GENERAL.—Not later than 3 years after the
21 date of enactment of this Act, the Administrator of the
22 Federal Aviation Administration shall, as appropriate, es-
23 tablish or update low altitude routes and flight procedures
24 to ensure safe rotorcraft and powered-lift aircraft oper-

1 ations within Class B airspace of the national airspace sys-
2 tem.

3 (b) FLIGHT PROCEDURES.—In carrying out sub-
4 section (a), the Administrator shall, as appropriate, estab-
5 lish or update approach and departure procedures at pub-
6 lic-use airports and heliports within Class B airspace for
7 rotorcraft and powered-lift aircraft operations.

8 (c) FLIGHT ROUTES.—

9 (1) IN GENERAL.—In carrying out this section,
10 the Administrator shall revise part 71 of title 14,
11 Code of Federal Regulations, as necessary, to estab-
12 lish or update low altitude routes related to Class B
13 airspace operations for rotorcraft and powered-lift
14 aircraft.

15 (2) CONSIDERATIONS.—In carrying out this
16 section, the Administrator shall consider the impact
17 of such low altitude flight routes described in para-
18 graph (1) on other airspace users and impacted
19 communities to ensure that such routes are designed
20 to minimize—

21 (A) the potential for conflict with existing
22 national airspace system operations;

23 (B) the workload of air traffic controllers;
24 and

1 (C) negative effects to impacted commu-
2 nities.

3 (d) CONSULTATION.—In carrying out this section,
4 the Administrator shall develop the procedures and routes
5 required under subsection (b) and (c) in consultation
6 with—

7 (1) rotorcraft operators, including air ambu-
8 lance operators;

9 (2) powered-lift operators;

10 (3) exclusive bargaining representatives of air
11 traffic controllers certified under section 7111 of
12 title 5, United States Code; and

13 (4) any other relevant stakeholders as deter-
14 mined by the Administrator.

15 **SEC. 266. BASICMED IN NORTH AMERICA.**

16 The Administrator of the Federal Aviation Adminis-
17 tration shall seek to facilitate the recognition of medical
18 qualifications under part 68 of title 14, Code of Federal
19 Regulations, with civil aviation authorities in Canada and
20 such other foreign countries that the Administrator deter-
21 mines are appropriate.

22 **SEC. 267. ELIMINATE AVIATION GASOLINE LEAD EMIS-**
23 **SIONS.**

24 (a) EAGLE INITIATIVE.—

1 (1) IN GENERAL.—The Administrator of the
2 Federal Aviation Administration shall continue to
3 partner with industry and other Federal Government
4 stakeholders in carrying out the Eliminate Aviation
5 Gasoline Lead Emissions Initiative (in this section
6 referred to as the “EAGLE Initiative”).

7 (2) FAA RESPONSIBILITIES.—In collaborating
8 with industry and other Government stakeholders to
9 carry out the EAGLE Initiative, the Administrator
10 shall take such actions as may be necessary under
11 the Administrator’s authority to facilitate—

12 (A) the safe elimination of the use of lead-
13 ed aviation gasoline by piston-engine aircraft by
14 the end of 2030 without adversely affecting the
15 piston-engine aircraft fleet;

16 (B) the approval of unleaded alternatives
17 to leaded aviation gasoline for use in all piston-
18 engine aircraft types and piston-engine types;

19 (C) the implementation of the require-
20 ments of section 431 as they relate to the con-
21 tinued availability of aviation gasoline;

22 (D) efforts to make approved unleaded
23 aviation gasoline widely available at airports;
24 and

1 (E) the development and implementation
2 of a transition plan to safely expedite the tran-
3 sition of the piston-engine general aviation air-
4 craft fleet to unleaded fuels by 2030.

5 (3) ACTIVITIES.—In carrying out the Adminis-
6 tration’s responsibilities pursuant to paragraph (2),
7 the Administrator, at a minimum, shall—

8 (A) develop and publish, as soon as prac-
9 ticable, a fleet authorization process for the ef-
10 ficient approval or authorization of unleaded
11 aviation gasolines;

12 (B) review, update, and prioritize, as soon
13 as practicable, certification processes and
14 projects for aircraft engines and modifications
15 to such engines to operate with unleaded avia-
16 tion gasoline;

17 (C) evaluate and support programs that
18 accelerate the creation, evaluation, qualification,
19 deployment, and use of unleaded aviation gaso-
20 lines;

21 (D) carry out, in partnership with the gen-
22 eral aviation community, an ongoing campaign
23 for training and educating aircraft owners and
24 operators on how to safely transition to un-
25 leaded aviation gasoline;

1 (E) evaluate aircraft and aircraft engines
2 to ensure that such aircraft and aircraft en-
3 gines can operate with unleaded aviation gaso-
4 line candidates during cold weather conditions;
5 and

6 (F) facilitate Government policy, regu-
7 latory proposals, and voluntary consensus
8 standards with the objective of achieving the
9 following:

10 (i) Establishing a commercially viable
11 supply chain for unleaded aviation gaso-
12 lines.

13 (ii) Facilitating market-based produc-
14 tion and distribution of unleaded aviation
15 gasolines.

16 (iii) Encouraging procurement of
17 equipment required for the deployment,
18 storage, and dispensing of unleaded avia-
19 tion gasolines.

20 (4) CONSULTATION AND COORDINATION WITH
21 RELEVANT STAKEHOLDERS.—In carrying out the
22 EAGLE Initiative, the Administrator shall continue
23 to consult and coordinate, as appropriate, with rel-
24 evant stakeholders, including—

1 (A) general aviation aircraft engine, air-
2 craft propulsion, and aircraft airframe manu-
3 facturers;

4 (B) general aviation aircraft users, aircraft
5 owners, aircraft pilots, and aircraft operators;

6 (C) airports, heliports, and fixed-base oper-
7 ators;

8 (D) State, local, and Tribal airport offi-
9 cials or public agencies, with representation
10 from both urban and rural areas;

11 (E) representatives of the petroleum indus-
12 try, including developers, refiners, producers,
13 and distributors of unleaded aviation gasolines;
14 and

15 (F) air carriers and commercial operators
16 operating under part 135 of title 14, Code of
17 Federal Regulations.

18 (5) REPORTS TO CONGRESS.—

19 (A) INITIAL REPORT.—Not later than 1
20 year after the date of enactment of this Act, the
21 Administrator shall submit to the Committee on
22 Transportation and Infrastructure of the House
23 of Representatives and the Committee on Com-
24 merce, Science, and Transportation of the Sen-
25 ate a report that—

1 (i) contains an updated strategic plan
2 for developing a fleet authorization process
3 for efficient approval and use of unleaded
4 aviation gasolines;

5 (ii) describes the structure and in-
6 volvement of all Federal Aviation Adminis-
7 tration offices that have responsibilities de-
8 scribed in paragraph (2); and

9 (iii) identifies cost-effective policy ini-
10 tiatives, regulatory initiatives, or legislative
11 initiatives needed to improve and enhance
12 the timely transition to unleaded aviation
13 gasoline for the piston-engine aircraft fleet.

14 (B) ANNUAL REPORTING.—Not later than
15 1 year after the date on which the Adminis-
16 trator submits the initial report under subpara-
17 graph (A), and annually thereafter, the Admin-
18 istrator shall submit to the Committee on
19 Transportation and Infrastructure of the House
20 of Representatives and the Committee on Com-
21 merce, Science, and Transportation of the Sen-
22 ate an annual report on activities and progress
23 of the EAGLE Initiative.

24 (C) SUNSET.—Subparagraph (B) shall
25 cease to be effective after December 31, 2030.

1 (b) TRANSITION PLAN TO UNLEADED FUELS.—

2 (1) IN GENERAL.—In developing the transition
3 plan under subsection (a)(2)(E), the Administrator
4 shall, at a minimum, assess the following:

5 (A) Efforts undertaken by the EAGLE
6 Initiative, including progress towards—

7 (i) safely eliminating the use of leaded
8 aviation gasoline by piston-engine aircraft
9 by the end of 2030 without adversely af-
10 fecting the piston-engine aircraft fleet;

11 (ii) approving unleaded alternatives to
12 leaded aviation gasoline for use in all pis-
13 ton-engine aircraft types and piston-engine
14 types; and

15 (iii) facilitating efforts to make ap-
16 proved unleaded aviation gasoline widely
17 available at airports.

18 (B) The evaluation and development of
19 necessary airport infrastructure, including fuel
20 storage and dispensing facilities, to support the
21 distribution and storage of unleaded aviation
22 gasoline.

23 (C) The establishment of best practices for
24 piston-engine aircraft owners and operators,
25 airport managers and personnel, aircraft main-

1 tenance technicians, and other appropriate per-
2 sonnel for protecting against exposure to lead
3 containment when—

4 (i) conducting fueling operations;

5 (ii) disposing of inspected gasoline
6 samples;

7 (iii) performing aircraft maintenance;

8 and

9 (iii) conducting engine run-ups.

10 (D) Efforts to address supply chain and
11 other logistical barriers inhibiting the timely
12 distribution of unleaded aviation gasoline to air-
13 ports.

14 (E) Outreach efforts to educate and up-
15 date piston-engine aircraft owners and opera-
16 tors, airport operators, and other members of
17 the general aviation community on the potential
18 benefits, availability, and safety of unleaded
19 aviation gasoline.

20 (2) CONSULTATION.—In developing such transi-
21 tion plan, the Administrator shall consult, at a min-
22 imum, with representatives of entities described in
23 subsection (a)(4).

1 (3) PUBLICATION; GUIDANCE.—Upon comple-
2 tion of developing such transition plan, the Adminis-
3 trator shall—

4 (A) make the plan available to the public
5 on an appropriate webpage of the Administra-
6 tion; and

7 (B) provide guidance supporting the imple-
8 mentation of the transition plan.

9 (4) COORDINATION WITH EAGLE INITIATIVE.—
10 In developing such transition plan and associated
11 guidance pertaining to the implementation of such
12 transition plan, the Administrator shall consult and
13 coordinate with individuals carrying out the EAGLE
14 Initiative.

15 (5) MAPPING UNLEADED AVIATION GASO-
16 LINE.—The Administrator shall develop and con-
17 tinuously update websites, brochures, and other com-
18 munication materials associated with such transition
19 plan to clearly convey the availability of unleaded
20 aviation gasoline at airports.

21 (6) BRIEFING TO CONGRESS.—Not later than
22 60 days after the publication of such transition plan,
23 the Administrator shall brief the Committee on
24 Transportation and Infrastructure of the House of
25 Representatives and the Committee on Commerce,

1 Science, and Technology of the Senate on such tran-
2 sition plan and any efforts or actions pertaining to
3 the implementation of such transition plan.

4 **TITLE III—AEROSPACE**
5 **WORKFORCE**
6 **Subtitle A—Growing the Talent**
7 **Pool**

8 **SEC. 301. EXTENSION OF AVIATION WORKFORCE DEVELOP-**
9 **MENT PROGRAMS.**

10 Section 625(b)(1) of the FAA Reauthorization Act of
11 2018 (49 U.S.C. 40101 note) is amended by striking “sec-
12 tion 48105” and all that follows through the period at the
13 end and inserting the following: “section 48105 of title
14 49, United States Code, not more than—

15 “(A) \$15,000,000 for each of fiscal years
16 2024 through 2026 is authorized to be ex-
17 pended to provide grants under the program es-
18 tablished under subsection (a)(1); and

19 “(B) \$15,000,000 for each of fiscal years
20 2024 through 2026 is authorized to provide
21 grants under the program established under
22 subsection (a)(2).

23 “(C) \$15,000,000 for each of fiscal years
24 2024 through 2026 is authorized to be ex-

1 pended to provide grants under the program es-
2 tablished under subsection (a)(3).”.

3 **SEC. 302. IMPROVING AVIATION WORKFORCE DEVELOP-**
4 **MENT PROGRAMS.**

5 (a) **MANUFACTURING PROGRAM.**—Section 625(a) of
6 the FAA Reauthorization Act of 2018 (49 U.S.C. 40101
7 note) is amended—

8 (1) in paragraph (1) by striking “and” at the
9 end;

10 (2) in paragraph (2) by striking the period and
11 inserting “; and”; and

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

13 “(3) a program to provide grants for eligible
14 projects to support the education and recruitment of
15 aviation manufacturing workers and the development
16 of the aviation manufacturing workforce.”.

17 (b) **PROJECT GRANTS.**—Section 625(b) of the FAA
18 Reauthorization Act of 2018 (49 U.S.C. 40101 note) is
19 amended—

20 (1) in paragraph (2) by striking “\$500,000”
21 and inserting “\$750,000”; and

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

23 “(3) **EDUCATION PROJECTS.**—The Secretary
24 shall ensure that not less than 20 percent of the
25 amounts authorized to be expended under this sub-

1 section shall be used to carry out a grant program
2 which shall be referred to as the ‘Willa Brown Avia-
3 tion Education Program’ (in this paragraph referred
4 to as the ‘Program’) under which the Secretary shall
5 provide grants for eligible projects described in sub-
6 section (d) that are carried out in communities in
7 counties containing at least 1 qualified opportunity
8 zone (as such term is defined in section 1400Z-1(a)
9 of the Internal Revenue Code of 1986).”.

10 (c) ELIGIBLE APPLICATIONS.—Section 625(c) of the
11 FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)
12 is amended by striking paragraphs (1) and (2) and insert-
13 ing the following:

14 “(1) APPLICATION FOR AIRCRAFT PILOT PRO-
15 GRAM.—An application for a grant under the pro-
16 gram established under subsection (a)(1) may be
17 submitted, in such form as the Secretary may speci-
18 fy, by—

19 “(A) an air carrier, as defined in section
20 40102 of title 49, United States Code;

21 “(B) an entity that holds management
22 specifications under subpart K of title 91 of
23 title 14, Code of Federal Regulations;

24 “(C) an institution of higher education (as
25 defined in section 101 of the Higher Education

1 Act of 1965 (20 U.S.C. 1001)), a postsecondary
2 vocational institution (as defined in section
3 102(c) of the Higher Education Act of 1965
4 (20 U.S.C. 1002)), or a high school or sec-
5 ondary school (as such terms are defined in sec-
6 tion 8101 of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 7801));

8 “(D) a flight school that provides flight
9 training, as defined in part 61 of title 14, Code
10 of Federal Regulations, or that holds a pilot
11 school certificate under part 141 of title 14,
12 Code of Federal Regulations;

13 “(E) a labor organization representing pro-
14 fessional pilots;

15 “(F) an aviation-related nonprofit organi-
16 zation described in section 501(c)(3) of the In-
17 ternal Revenue Code of 1986 that is exempt
18 from taxation under section 501(a) of such
19 Code; or

20 “(G) a State, local, territorial, or Tribal
21 governmental entity.

22 “(2) APPLICATION FOR AVIATION MAINTEN-
23 NANCE PROGRAM.—An application for a grant under
24 the program established under subsection (a)(2) may

1 be submitted, in such form as the Secretary may
2 specify, by—

3 “(A) a holder of a certificate issued under
4 part 21, 121, 135, 145, or 147 of title 14, Code
5 of Federal Regulations;

6 “(B) a labor organization representing
7 aviation maintenance workers;

8 “(C) an institution of higher education (as
9 defined in section 101 of the Higher Education
10 Act of 1965 (20 U.S.C. 1001)), a postsecondary
11 vocational institution (as defined in section
12 102(c) of the Higher Education Act of 1965
13 (20 U.S.C. 1002)), or a high school or sec-
14 ondary school (as such terms are defined in sec-
15 tion 8101 of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C. 7801));

17 “(D) an aviation-related nonprofit organi-
18 zation described in section 501(c)(3) of the In-
19 ternal Revenue Code of 1986 that is exempt
20 from taxation under section 501(a) of such
21 Code; or

22 “(E) a State, local, territorial, or Tribal
23 governmental entity.

24 “(3) APPLICATION FOR AVIATION MANUFAC-
25 TURING PROGRAM.—An application for a grant

1 under the program established under subsection
2 (a)(3) may be submitted, in such form as the Sec-
3 retary may specify, by—

4 “(A) an entity that—

5 “(i) actively designs or manufactures
6 any aircraft, aircraft engine, propeller, or
7 appliance, or a component, part, or system
8 thereof, covered under a type or production
9 certificate issued under section 44704; and

10 “(ii) has significant operations in the
11 United States and a majority of the em-
12 ployees of such entity that are engaged in
13 aviation manufacturing or development ac-
14 tivities and services are based in the
15 United States;

16 “(B) an institution of higher education (as
17 defined in section 101 of the Higher Education
18 Act of 1965 (20 U.S.C. 1001)), a postsecondary
19 vocational institution (as defined in section
20 102(c) of the Higher Education Act of 1965
21 (20 U.S.C. 1002)), or a high school or sec-
22 ondary school (as such terms are defined in sec-
23 tion 8101 of the Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. 7801));

1 “(C) an aviation-related nonprofit organi-
2 zation described in section 501(c)(3) of the In-
3 ternal Revenue Code of 1986 that is exempt
4 from taxation under section 501(a) of such
5 Code; or

6 “(D) a State, local, territorial, or Tribal
7 governmental entity.”.

8 (d) ELIGIBLE PROJECTS.—Section 625(d) of the
9 FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)
10 is amended by striking paragraphs (1) and (2) and insert-
11 ing the following:

12 “(1) AIRCRAFT PILOT PROGRAM.—For purposes
13 of the program established under subsection (a)(1),
14 an eligible project is a project—

15 “(A) to create and deliver curriculum that
16 provides high school or secondary school stu-
17 dents with meaningful aviation education to be-
18 come aircraft pilots, aerospace engineers, or un-
19 manned aircraft systems operators, including
20 purchasing and operating a computer-based
21 simulator associated with such curriculum;

22 “(B) to support the professional develop-
23 ment of teachers using the curriculum described
24 in subparagraph (A);

1 “(C) to establish or improve apprentice-
2 ship, internship, or scholarship programs for in-
3 dividuals pursuing employment as an aviation
4 pilot;

5 “(D) to create and deliver curriculum that
6 provides certified flight instructors with the
7 necessary instructional, leadership, and commu-
8 nication skills to better educate student pilots;

9 “(E) to support transition to professional
10 pilot careers, including for members of the
11 Armed Forces; or

12 “(F) to support robust outreach about ca-
13 reers in the commercial aviation as a profes-
14 sional pilot, including outreach to primary, sec-
15 ondary, and post-secondary school students.

16 “(2) AVIATION MAINTENANCE PROGRAM.—For
17 purposes of the program established under sub-
18 section (a)(2), an eligible project is a project—

19 “(A) to create and deliver curriculum that
20 provides high school and secondary school stu-
21 dents with meaningful aviation maintenance
22 education to become an aviation mechanic or
23 aviation maintenance technician, including pur-
24 chasing and operating equipment associated
25 with such curriculum;

1 “(B) to support the professional develop-
2 ment of teachers using the curriculum described
3 in subparagraph (A);

4 “(C) to establish or improve apprentice-
5 ship, internship, or scholarship programs for in-
6 dividuals pursuing employment in the aviation
7 maintenance industry;

8 “(D) to support transition to aviation
9 maintenance careers, including for members of
10 the Armed Forces; or

11 “(E) to support robust outreach about ca-
12 reers in the aviation maintenance industry, in-
13 cluding outreach to primary, secondary, and
14 post-secondary school students.

15 “(3) AVIATION MANUFACTURING PROGRAM.—
16 For purposes of the program established under sub-
17 section (a)(3), and eligible project is a project—

18 “(A) to create and deliver curriculum that
19 provides high school and secondary school stu-
20 dents with meaningful aviation manufacturing
21 education, including teaching the technical
22 skills used in the production of components,
23 parts, or systems thereof for inclusion in an air-
24 craft, aircraft engine, propeller, or appliance;

1 “(B) to support the professional develop-
2 ment of teachers using the curriculum described
3 in subparagraph (A);

4 “(C) to establish apprenticeship, intern-
5 ship, or scholarship programs for individuals
6 pursuing employment in the aviation manufac-
7 turing industry;

8 “(D) to support transition to aviation
9 manufacturing careers, including for members
10 of the Armed Forces; or

11 “(E) to support robust outreach about ca-
12 reers in the aviation manufacturing industry,
13 including outreach to primary, secondary, and
14 post-secondary school students.”.

15 (e) REPORTING AND MONITORING REQUIRE-
16 MENTS.—Section 625 of the FAA Reauthorization Act of
17 2018 (49 U.S.C. 40101 note) is amended by adding at
18 the end the following:

19 “(f) REPORTING AND MONITORING REQUIRE-
20 MENTS.—The Secretary shall establish reasonable report-
21 ing and monitoring requirements for grant recipients
22 under this section to measure relevant outcomes for the
23 grant programs established under paragraphs (1), (2),
24 and (3) of subsection (a).

25 “(g) NOTICE OF GRANTS.—

1 “(1) **TIMELY PUBLIC NOTICE.**—The Secretary
2 shall provide public notice of any grant awarded
3 under this section in a timely fashion after the Sec-
4 retary awards such grant.

5 “(2) **NOTICE TO CONGRESS.**—The Secretary
6 shall provide to the Committee on Transportation
7 and Infrastructure of the House of Representatives
8 and the Committee on Commerce, Science, and
9 Transportation of the Senate advance notice of a
10 grant to be made under this section.

11 “(h) **TERMINATION.**—The authority of the Secretary
12 to issue grants under this section shall terminate on Sep-
13 tember 30, 2026.”.

14 **SEC. 303. NATIONAL CENTER FOR THE ADVANCEMENT OF**
15 **AEROSPACE.**

16 (a) **IN GENERAL.**—Chapter 1 of title 49, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 **“§ 120. National Center for the Advancement of Aero-**
20 **space**

21 “(a) **FEDERAL CHARTER AND STATUS.**—

22 “(1) **IN GENERAL.**—The National Center for
23 the Advancement of Aerospace (in this section re-
24 ferred to as the ‘Center’) is a federally chartered en-
25 tity which shall be incorporated in the District of

1 Columbia. The Center is a private independent enti-
2 ty, not a department, agency, or instrumentality of
3 the United States Government or a component
4 thereof. Except as provided in subsection (f)(1), an
5 officer or employee of the Center is not an officer or
6 employee of the Federal Government.

7 “(2) PERPETUAL EXISTENCE.—Except as oth-
8 erwise provided, the Center shall have perpetual ex-
9 istence.

10 “(b) GOVERNING BODY.—

11 “(1) IN GENERAL.—The Board of Directors (in
12 this section referred to as the ‘Board’) is the gov-
13 erning body of the Center.

14 “(2) AUTHORITY.—

15 “(A) IN GENERAL.—The Board shall adopt
16 bylaws, policies, and procedures to carry out the
17 purpose of the Center and may take any other
18 action that it considers necessary (in accord-
19 ance with the duties and powers of the Center)
20 for the management and operation of the Cen-
21 ter. The Board is responsible for the general
22 policies and management of the Center and for
23 the control of all funds of the Center.

24 “(B) POWERS OF BOARD.—The Board
25 shall have the power to do the following:

1 “(i) Adopt and alter a corporate seal.

2 “(ii) Establish and maintain offices to
3 conduct its activities.

4 “(iii) Enter into contracts or agree-
5 ments as a private entity not subject to the
6 requirements of title 41.

7 “(iv) Acquire, own, lease, encumber,
8 transfer, and dispose of property as nec-
9 essary and appropriate to carry out the
10 purposes of the Center.

11 “(v) Publish documents and other
12 publications in a publicly accessible man-
13 ner.

14 “(vi) Incur and pay obligations as a
15 private entity not subject to the require-
16 ments of title 31.

17 “(vii) Perform any other act necessary
18 and proper to carry out the purposes of
19 the Center as described in its bylaws or
20 duties outlined in this section.

21 “(3) MEMBERSHIP OF THE BOARD.—

22 “(A) IN GENERAL.—The Board shall have
23 10 Directors as follows:

24 “(i) EX-OFFICIO MEMBERSHIP.—The
25 following individuals, or their designees,

1 shall be considered ex-officio members of
2 the Board:

3 “(I) The Administrator of the
4 Federal Aviation Administration.

5 “(II) The Executive Director,
6 pursuant to paragraph (5)(D).

7 “(ii) APPOINTMENTS.—

8 “(I) IN GENERAL.—From among
9 those members of the public who are
10 highly respected and have expert
11 knowledge and experience in the fields
12 of aviation, finance, or academia—

13 “(aa) the Secretary of
14 Transportation shall appoint 5
15 members to the Board;

16 “(bb) the Secretary of De-
17 fense shall appoint 1 member to
18 the Board;

19 “(cc) the Secretary of Vet-
20 erans Affairs shall appoint 1
21 member to the Board; and

22 “(dd) the Secretary of Edu-
23 cation shall appoint 1 member to
24 the Board.

25 “(II) TERMS.—

1 “(aa) IN GENERAL.—The
2 members appointed under sub-
3 clause (I) shall serve for a term
4 of 3 years and may be re-
5 appointed.

6 “(bb) STAGGERING
7 TERMS.—The Board shall stag-
8 ger the duration of the terms of
9 the initial members appointed to
10 promote the stability of the
11 Board.

12 “(B) VACANCIES.—A vacancy on the
13 Board shall be filled in the same manner as the
14 initial appointment.

15 “(C) STATUS.—All Members of the Board
16 shall have equal voting powers, regardless if
17 they are ex-officio members or appointed.

18 “(4) CHAIR OF THE BOARD.—The Board shall
19 choose a Chair of the Board from among the mem-
20 bers of the Board that are not ex-officio members
21 under paragraph (3)(A)(i).

22 “(5) ADMINISTRATIVE MATTERS.—

23 “(A) MEETINGS.—

24 “(i) IN GENERAL.—The Board shall
25 meet at the call of the Chair but not less

1 than 2 times each year and may, as appro-
2 priate, conduct business by telephone or
3 other electronic means.

4 “(ii) OPEN.—

5 “(I) IN GENERAL.—Except as
6 provided in subclause (II), a meeting
7 of the Board shall be open to the pub-
8 lic.

9 “(II) EXCEPTION.—A meeting,
10 or any portion of a meeting, may be
11 closed if the Board, in public session,
12 votes to close the meeting because the
13 matters to be discussed—

14 “(aa) relate solely to the in-
15 ternal personnel rules, practices,
16 and matters of the Center;

17 “(bb) may result in disclo-
18 sure of commercial or financial
19 information obtained from a per-
20 son that is privileged or confiden-
21 tial;

22 “(cc) may disclose informa-
23 tion of a personal nature where
24 disclosure would constitute an

1 unwarranted invasion of personal
2 privacy; or

3 “(dd) are matters that are
4 specifically exempted from disclo-
5 sure by Federal or District of Co-
6 lumbia law.

7 “(iii) PUBLIC ANNOUNCEMENT.—At
8 least 1 week before a meeting of the
9 Board, and as soon as practicable there-
10 after if there are any changes to the infor-
11 mation described in subclauses (I) through
12 (III), the Board shall make a public an-
13 nouncement of the meeting that de-
14 scribes—

15 “(I) the time, place, and subject
16 matter of the meeting;

17 “(II) whether the meeting is to
18 be open or closed to the public; and

19 “(III) the name and appropriate
20 contact information of a person who
21 can respond to requests for informa-
22 tion about the meeting.

23 “(iv) RECORD.—The Board shall keep
24 minutes from each Board meeting. Such
25 minutes shall be made available to the pub-

1 lic in an accessible format, except for por-
2 tions of the meeting that are closed pursu-
3 ant to subparagraph (A)(ii)(II).

4 “(B) QUORUM.—A majority of members of
5 the Board shall constitute a quorum.

6 “(C) CODE OF ETHICS.—The Board shall
7 adopt a code of ethics for Directors, officers,
8 agents, and employees of the Center to—

9 “(i) prevent inappropriate conflicts of
10 interest and promote good employee con-
11 duct; and

12 “(ii) at a minimum, prohibit any
13 member of the Board from participating in
14 any proceeding, application, ruling, or
15 other determination, contract claim, award,
16 controversy, or other matter in which the
17 member, the member’s employer or pro-
18 spective employer, or the member’s imme-
19 diate family member has a direct financial
20 interest.

21 “(D) EXECUTIVE DIRECTOR.—The Board
22 shall appoint and fix the pay of an Executive
23 Director of the Center (in this section referred
24 to as the ‘Executive Director’) who shall—

1 “(i) serve as an ex officio Member of
2 the Board;

3 “(ii) serve at the pleasure of the
4 Board, under such terms and conditions as
5 the Board shall establish;

6 “(iii) is subject to removal by the
7 Board at the discretion of the Board; and

8 “(iv) be responsible for the daily man-
9 agement and operation of the Center and
10 for carrying out the purposes and duties of
11 the Center.

12 “(E) APPOINTMENT OF PERSONNEL.—The
13 Board shall delegate to the Executive Director
14 the authority to appoint additional personnel as
15 the Board considers appropriate and necessary
16 to carry out the purposes and duties of the
17 Center.

18 “(6) RECORDS.—The Board shall keep correct
19 and complete records of accounts.

20 “(7) PUBLIC INFORMATION.—With the excep-
21 tion of the matters described in subsection
22 (b)(5)(A)(ii)(II), nothing in this section may be con-
23 strued to withhold disclosure of information or
24 records that are subject to disclosure under section
25 552 of title 5.

1 “(c) PURPOSE.—The purpose of the Center is to—

2 “(1) develop a skilled and robust aerospace
3 workforce in the United States;

4 “(2) provide a forum to support collaboration
5 and cooperation between governmental, nongovern-
6 mental, and private aerospace sector stakeholders re-
7 garding the advancement of the aerospace workforce,
8 including general, business, and commercial aviation,
9 education, labor, manufacturing, international orga-
10 nizations, and commercial space transportation orga-
11 nizations;

12 “(3) serve as a repository for research con-
13 ducted by institutions of higher education, research
14 institutions, or other stakeholders regarding the
15 aerospace workforce and related technical and skill
16 development.

17 “(4) serve as a centralized resource that pro-
18 vides comprehensive and relevant information
19 sources on the following:

20 “(A) Aviation pathway programs and pro-
21 fessional development opportunities.

22 “(B) Aviation apprenticeship, scholarship,
23 and internship programs.

24 “(C) Aviation-related curricula and re-
25 sources about aviation occupations and career

1 pathways developed for students, teachers, and
2 guidance counselors at all levels of education.

3 “(D) Aviation industry organizations.

4 “(d) DUTIES.—In order to accomplish the purpose
5 described in subsection (c), the Center shall perform the
6 following duties:

7 “(1) Improve access to aerospace education and
8 related skills training to help grow the U.S. aero-
9 space workforce, including by—

10 “(A) assessing the state of the aerospace
11 workforce, including challenges and identifying
12 actions to address such challenges;

13 “(B) developing a comprehensive workforce
14 strategy to help coordinate workforce develop-
15 ment initiatives;

16 “(C) establishing or supporting apprentice-
17 ship, scholarship, internship, and mentorship
18 programs that assist individuals who wish to
19 pursue a career in an aerospace-related field;

20 “(D) supporting the development of aero-
21 space education curricula, including syllabi,
22 training materials, and lesson plans, for use by
23 an institution of higher education (as defined in
24 section 101 of the Higher Education Act of
25 1965 (20 U.S.C. 1001)), a postsecondary voca-

1 tional institution (as defined in section 102(c)
2 of the Higher Education Act of 1965 (20
3 U.S.C. 1002)), or a high school or secondary
4 school (as such terms are defined in section
5 8101 of the Elementary and Secondary Edu-
6 cation Act of 1965 (20 U.S.C. 7801)); and

7 “(E) building awareness of youth-oriented
8 aerospace programs and other robust outreach
9 programs, including for primary, secondary,
10 and post-secondary school students.

11 “(F) supporting the professional develop-
12 ment of teachers using the curricula, syllabi,
13 training materials, and lesson plans described
14 in subparagraph (D); and

15 “(G) developing an array of educational
16 and informative aviation-related educational ac-
17 tivities and materials for students of varying
18 ages and levels of education to use in the class-
19 room and at home.

20 “(2) Support personnel or veterans of the
21 Armed Forces seeking to transition to a career in
22 aerospace through outreach, training, scholarships,
23 apprenticeships, or other means.

24 “(3) Amplify and support the work carried out
25 at the Centers of Excellence and Technical Centers

1 of the Federal Aviation Administration regarding
2 the aerospace workforce, or related technical and
3 skills advancement, including organizing and hosting
4 symposiums, conferences, and other forums as ap-
5 propriate.

6 “(4) Administer on behalf of the Secretary of
7 the Department of Transportation the Cooperative
8 Aviation Recruitment, Enrichment, and Employment
9 Readiness Program established by subsection (a) of
10 40131.

11 “(e) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—
12 The Center shall be operated in a manner and for pur-
13 poses that qualify the Center for exemption from taxation
14 under the Internal Revenue Code as an organization de-
15 scribed in section 501(c)(3) of such Code.

16 “(f) ADMINISTRATIVE MATTERS OF CENTER.—

17 “(1) DETAILEES.—

18 “(A) IN GENERAL.—At the request of the
19 Center, the head of any Federal agency or de-
20 partment may, at the discretion of such agency
21 or department, detail to the Center, on a reim-
22 bursable basis, an employee of the agency or
23 department.

24 “(B) CIVIL SERVANT STATUS.—The detail
25 of an employee under subparagraph (A) shall be

1 without interruption or loss of civil service sta-
2 tus or privilege.

3 “(2) NAMES AND SYMBOLS.—The Center may
4 accept, retain, and use proceeds derived from the
5 Center’s use of the exclusive right to use its name
6 and seal, emblems, and badges incorporating such
7 name as lawfully adopted by the Board in further-
8 ance of the purpose and duties of the Center.

9 “(3) GIFTS, GRANTS, BEQUESTS, AND DE-
10 VISES.—The Center may accept, retain, use, and
11 dispose of gifts, grants, bequests, or devises of
12 money, services, or property from any public or pri-
13 vate source for the purpose of covering the costs in-
14 curred by the Center in furtherance of the purpose
15 and duties of the Center.

16 “(4) VOLUNTARY SERVICES.—The Center may
17 accept voluntary services from any person that are
18 provided in furtherance of the purpose and duties of
19 the Center.

20 “(g) RESTRICTIONS.—

21 “(1) PROFIT.—The Center may not engage in
22 business activity for profit.

23 “(2) STOCKS AND DIVIDENDS.—The Center
24 may not issue any shares of stock or declare or pay
25 any dividends.

1 “(3) POLITICAL ACTIVITIES.—The Center shall
2 be nonpolitical and may not provide financial aid or
3 assistance to, or otherwise contribute to or promote
4 the candidacy of, any individual seeking elective pub-
5 lic office or political party. The Center may not en-
6 gage in activities that are, directly, or indirectly, in-
7 tended to be or likely to be perceived as advocating
8 or influencing the legislative process.

9 “(4) DISTRIBUTION OF INCOME OR ASSETS.—
10 The assets of the Center may not inure to the ben-
11 efit of any member of the Board, or any officer or
12 employee of the Center or be distributed to any per-
13 son. This paragraph does not prevent the payment
14 of reasonable compensation to any officer, employee,
15 or other person or reimbursement for actual and
16 necessary expenses in amounts approved by the
17 Board.

18 “(5) LOANS.—The Center may not make a loan
19 to any member of the Board or any officer or em-
20 ployee of the Center.

21 “(6) NO CLAIM OF GOVERNMENTAL APPROVAL
22 OR AUTHORITY.—Except as otherwise provided by
23 section 40131, the Center may not claim approval of
24 Congress or of the authority of the United States for
25 any of its activities.

1 “(h) ADVISORY COMMITTEE.—

2 “(1) IN GENERAL.—The Executive Director
3 shall appoint members to an advisory committee
4 subject to approval by the Board. Members of the
5 Board may not sit on the advisory committee.

6 “(2) MEMBERSHIP.—The advisory committee
7 shall consist of not more than 15 members who rep-
8 resent various aviation industry and labor stake-
9 holders, stakeholder associations, and others as de-
10 termined appropriate by the Board. The advisory
11 committee shall select a Chair and Vice Chair from
12 among its members by majority vote.

13 “(3) DUTIES.—The advisory committee shall—

14 “(A) provide recommendations to the
15 Board on an annual basis regarding the prior-
16 ities for the activities of the Center;

17 “(B) consult with the Board on an ongoing
18 basis regarding the appropriate powers of the
19 Board to accomplish the purposes and duties of
20 the Center; and

21 “(C) provide relevant data and information
22 to the Center in order to carry out the duties
23 set forth in subsection (d).

24 “(4) MEETINGS.—The provisions for meetings
25 of the Board under subsection (b)(5) shall apply as

1 similarly as is practicable to meetings of the advi-
2 sory committee.

3 “(i) WORKING GROUPS.—

4 “(1) IN GENERAL.—The Board may establish
5 working groups as determined necessary and appro-
6 priate to achieve the purpose of the Center under
7 subsection (c).

8 “(2) MEMBERSHIP.—Any working group estab-
9 lished by the Board shall be composed of private sec-
10 tor representatives, stakeholder associations, mem-
11 bers of the public, labor representatives, and other
12 relevant parties, as determined appropriate by the
13 Board. Once established, the membership of such
14 working group shall choose a Chair from among the
15 members of the working group by majority vote.

16 “(j) CAREER COUNCIL.—

17 “(1) ESTABLISHMENT.—Not later than Sep-
18 tember 30, 2026, the Executive Director, in coordi-
19 nation with the Secretary, shall establish a council
20 (in this section referred to as the ‘CAREER Coun-
21 cil’) for the CAREER Program established under
22 section 40131.

23 “(2) DUTIES.—The CAREER Council shall aid
24 the Secretary and the Center in carrying out the

1 CAREER Program by reviewing grant applications
2 and recommending grant recipients.

3 “(3) APPOINTMENT.—The CAREER Council
4 shall be appointed from candidates nominated by na-
5 tional associations representing various sectors of
6 the aviation industry, including—

7 “(A) general aviation;

8 “(B) commercial aviation;

9 “(C) aviation labor, including collective
10 bargaining representatives of Federal Aviation
11 Administration aviation safety inspectors, avia-
12 tion safety engineers, and air traffic controllers;

13 “(D) aviation maintenance, repair, and
14 overhaul; and

15 “(E) unmanned aviation.

16 “(4) TERM.—Each council member appointed
17 under paragraph (3) shall serve a term of 4 years.

18 “(k) ANNUAL REPORT.—The Board shall submit an
19 annual report to the Committee on Transportation and In-
20 frastructure of the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate that, at minimum, includes a review and examina-
23 tion of—

24 “(1) the activities performed as set forth in
25 subsection (d) during the prior fiscal year;

1 “(2) the advisory committee described in sub-
2 section (h);

3 “(3) the working groups described in subsection
4 (i); and

5 “(4) the Cooperative Aviation Recruitment, En-
6 richment, and Employment Readiness Program and
7 related activities established under section 40131,
8 including activities of the CAREER Council estab-
9 lished under subsection (j).

10 “(1) AUDIT BY DEPARTMENT OF TRANSPORTATION
11 INSPECTOR GENERAL.—

12 “(1) IN GENERAL.—Not later than 2 years
13 after the date on which the Center is established
14 under subsection (a), the inspector general of the
15 Department of Transportation shall conduct a re-
16 view of the Center.

17 “(2) CONTENTS.—The review shall—

18 “(A) include, at a minimum, an evaluation
19 of the efforts taken at the Center to achieve the
20 purpose set forth in subsection (c); and

21 “(B) provide any other information that
22 the inspector general determines is appropriate.

23 “(3) REPORT ON AUDIT.—

24 “(A) REPORT TO SECRETARY.—Not later
25 than 30 days after the date of completion of the

1 audit, the inspector general shall submit to the
2 Secretary a report on the results of the audit.

3 “(B) REPORT TO CONGRESS.—Not later
4 than 60 days after the date of receipt of the re-
5 port under subparagraph (A), the Secretary
6 shall submit to the appropriate committees of
7 Congress a copy of the report, together with, if
8 appropriate, a description of any actions taken
9 or to be taken to address the results of the
10 audit.

11 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to the National Center
13 for the Advancement of Aerospace out of the Airport and
14 Airway Trust Fund to carry out this section—

15 “(1) \$10,000,000 for fiscal year 2024;

16 “(2) \$10,000,000 for fiscal year 2025;

17 “(3) \$10,000,000 for fiscal year 2026;

18 “(4) \$11,000,000 for fiscal year 2027; and

19 “(5) \$11,000,000 for fiscal year 2028.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 1 of title 49, United States Code, is amended by insert-
22 ing after the item relating to section 119 the following:

“120. National Center for the Advancement of Aerospace.”.

1 **SEC. 304. COOPERATIVE AVIATION RECRUITMENT, ENRICH-**
2 **MENT, AND EMPLOYMENT READINESS PRO-**
3 **GRAM.**

4 (a) IN GENERAL.—Chapter 401 of title 49, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 40131. Cooperative Aviation Recruitment, Enrich-**
8 **ment, and Employment Readiness Pro-**
9 **gram**

10 “(a) ESTABLISHMENT.—Not later than September
11 30, 2026, the Secretary of Transportation, through the
12 National Center for the Advancement of Aerospace (in
13 this section referred to as the ‘Center’), shall establish an
14 aviation workforce cooperative development program to be
15 known as the Cooperative Aviation Recruitment, Enrich-
16 ment, and Employment Readiness Program (in this sec-
17 tion referred to as the ‘CAREER Program’) to support
18 the education, recruitment, training, and retention of fu-
19 ture aviation professionals, including veterans of the
20 Armed Forces, and the development of a robust United
21 States aviation workforce by—

22 “(1) using relevant workforce forecasts to pre-
23 dict and identify aviation-related workforce chal-
24 lenges; and

1 “(2) funding projects that address such chal-
2 lenges and help to sustain the long-term growth of
3 civil aviation.

4 “(b) IMPLEMENTATION.—

5 “(1) PARTNERSHIP WITH NCAA.—In imple-
6 menting the CAREER Program established under
7 subsection (a), the Secretary shall partner with the
8 CAREER Council established in subsection (j) of
9 section 120.

10 “(2) NONDELEGATION.—Except as provided in
11 paragraph (3), the Secretary may not delegate any
12 of the authorities or responsibilities under this sec-
13 tion to the Administrator of the Federal Aviation
14 Administration.

15 “(3) SUPPORT.—To support the administration
16 of the CAREER Program, the Secretary may assign
17 employees of the Department of Transportation, in-
18 cluding employees of the Federal Aviation Adminis-
19 tration, on detail to the Center.

20 “(c) SOLICITATION, REVIEW, AND EVALUATION
21 PROCESS.—In carrying out the CAREER Program, the
22 Secretary shall establish a solicitation, review, and evalua-
23 tion process that ensures funds made available to carry
24 out this section are awarded to eligible entities with pro-

1 posals that have adequate merit and relevancy to the mis-
2 sion of the program.

3 “(d) ELIGIBLE ENTITIES.—An eligible entity under
4 this section is—

5 “(1) an air carrier;

6 “(2) an entity that holds management specifica-
7 tions under subpart K of title 91 of title 14, Code
8 of Federal Regulations;

9 “(3) a holder of a certificate issued under parts
10 139, 145, or 147 of title 14, Code of Federal Regu-
11 lations;

12 “(4) an institution of higher education (as de-
13 fined in section 101 of the Higher Education Act of
14 1965 (20 U.S.C. 1001)), a postsecondary vocational
15 institution (as defined in section 102(c) of the High-
16 er Education Act of 1965 (20 U.S.C. 1002)), or a
17 high school or secondary school (as such terms are
18 defined in section 8101 of the Elementary and Sec-
19 ondary Education Act of 1965 (20 U.S.C. 7801));

20 “(5) a flight school that provides flight training,
21 as defined in part 61 of title 14, Code of Federal
22 Regulations, or that holds a pilot school certificate
23 under part 141 of title 14, Code of Federal Regula-
24 tions;

25 “(6) an aviation labor organization;

1 “(7) a State, local, territorial, or Tribal govern-
2 ment, including a political subdivision thereof;

3 “(8) an aviation-related nonprofit organization
4 described in section 501(c)(3) of the Internal Rev-
5 enue Code of 1986 that is exempt from taxation
6 under section 501(a) of such Code;

7 “(9) an entity that—

8 “(A) actively designs or manufactures any
9 aircraft, aircraft engine, propeller, or appliance,
10 or a component, part, or system thereof, cov-
11 ered under a type or production certificate
12 issued under section 44704; and

13 “(B) has significant operations in the
14 United States and a majority of the employees
15 of such entity that are engaged in aviation
16 manufacturing or development activities and
17 services are based in the United States; or

18 “(10) a non-profit organization described in
19 section 501(c)(3) of the Internal Revenue Code of
20 1986 that is exempt from taxation under 501(a) of
21 such Code that assists veterans of the Armed Forces
22 seeking to transition to careers in civil aviation.

23 “(e) REPORTING AND MONITORING REQUIRE-
24 MENTS.—The Secretary shall establish reasonable report-
25 ing and monitoring requirements for grant recipients

1 under this section to measure relevant outcomes of the
2 program maintained pursuant to subsection (a).

3 “(f) REPORT.—Not later than September 30, 2027,
4 and annually through fiscal year 2028, the Secretary shall
5 submit to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on the program that includes—

9 “(1) a summary of projects awarded grants
10 under this section and the progress of each recipient
11 towards fulfilling program expectations;

12 “(2) an evaluation of how such projects cumula-
13 tively impact the future supply of individuals in the
14 U.S. aviation workforce, including best practices or
15 programs to incentivize, recruit, and retain individ-
16 uals in aviation professions;

17 “(3) recommendations for better coordinating
18 actions by governmental entities, educational institu-
19 tions, and businesses, aviation labor organizations,
20 or other stakeholders to support aviation workforce
21 growth; and

22 “(4) a review of how many recipients engaged
23 veteran populations and how many veterans were re-
24 cruited and retrained as part of the aviation work-
25 force.

1 “(g) NOTICE OF GRANTS.—

2 “(1) TIMELY PUBLIC NOTICE.—The Secretary
3 shall provide public notice of any grant awarded
4 under the CAREER Program in a timely fashion
5 after the Secretary awards such grant.

6 “(2) NOTICE TO CONGRESS.—The Secretary
7 shall provide advance notice of a grant to be made
8 under the CAREER Program to the Committee on
9 Transportation and Infrastructure of the House of
10 Representatives and the Committee on Commerce,
11 Science, and Transportation of the Senate.

12 “(h) AUTHORIZATION OF APPROPRIATIONS.—Of the
13 amounts made available under section 48105,
14 \$50,000,000 for each of fiscal years 2027 and 2028 is
15 authorized to be expended to provide grants under the pro-
16 gram established under subsection (a).”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 401 of title 49, United States Code, is amended by
19 adding at the end the following:

“40131. Cooperative Aviation Recruitment, Enrichment, and Employment Read-
iness Program.”.

20 **SEC. 305. REPEAL OF DUPLICATIVE OR OBSOLETE WORK-**
21 **FORCE PROGRAMS.**

22 (a) REPEAL.—Sections 44510 and 44515 of title 49,
23 United States Code, are repealed.

1 (b) CLERICAL AMENDMENTS.—The analysis for
2 chapter 445 of title 49, United States Code, is amended
3 by striking the items relating to sections 44510 and
4 44515.

5 **SEC. 306. CIVIL AIRMEN STATISTICS.**

6 (a) PUBLICATION FREQUENCY.—The Administrator
7 of the Federal Aviation Administration shall publish the
8 study commonly referred to as the “U.S. Civil Airmen Sta-
9 tistics” on a monthly basis.

10 (b) PRESENTATION OF DATA.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Administrator
13 of the Federal Aviation Administration shall estab-
14 lish a web-based dashboard for purposes of pre-
15 senting the findings of the study described in sub-
16 section (a).

17 (2) DOWNLOADABLE FORMAT.—The Adminis-
18 trator shall make the data publicly available on the
19 website of the Administration in a downloadable for-
20 mat.

21 (c) EXPANDED DATA CRITERIA.—Not later than 1
22 year after the date of enactment of this Act, the Adminis-
23 trator shall ensure that data sets and tables published as
24 part of the study described in subsection (a) display infor-

1 mation relating to the sex of certificate holders in more
2 instances.

3 (d) HISTORICAL DATA.—Not later than 1 year after
4 the date of enactment of this Act, the Administrator shall
5 make all previously published annual data from the study
6 described in subsection (a) available on the website of the
7 Administration.

8 **SEC. 307. BESSIE COLEMAN WOMEN IN AVIATION ADVISORY**
9 **COMMITTEE.**

10 (a) ESTABLISHMENT.—Not later than 120 days after
11 the date of enactment of this Act, the Secretary of Trans-
12 portation shall establish a Bessie Coleman Women in
13 Aviation Advisory Committee (hereinafter referred to as
14 the “Committee”).

15 (b) PURPOSE.—The Committee shall advise the Sec-
16 retary and the Administrator of the Federal Aviation Ad-
17 ministration on matters and policies related to the recruit-
18 ment, retention, employment, education, training, well-
19 being, and treatment of women in the aviation industry
20 and aviation-focused Federal civil service positions.

21 (c) FORM OF DIRECTIVES.—All activities carried out
22 by the Committee, including special committees, shall be
23 in response to written terms of reference or taskings from
24 the Secretary and may not duplicate the objectives of the
25 Air Carrier Training Aviation Rulemaking Committee.

1 (d) FUNCTIONS.—In carrying out the directives de-
2 scribed in subsection (c), the functions of the Committee
3 are as follows:

4 (1) Foster industry collaboration in an open
5 and transparent manner by engaging, as prescribed
6 by this section, representatives of the private sector
7 associated with an entity described in subsection
8 (e)(1)(B).

9 (2) Make recommendations for strategic objec-
10 tives, priorities, and policies that would improve the
11 recruitment, retention, and training of women in
12 aviation professions.

13 (3) Evaluate opportunities for the Administra-
14 tion to improve the recruitment and retention of
15 women in the Administration.

16 (e) MEMBERSHIP.—

17 (1) VOTING MEMBERS.—The Advisory Com-
18 mittee shall be composed of the following members:

19 (A) The Administrator, or the designee of
20 the Administrator.

21 (B) At least 25 individuals, appointed by
22 the Secretary, representing the following:

23 (i) Transport aircraft and engine
24 manufacturers.

- 1 (ii) General aviation aircraft and en-
2 gine manufacturers.
- 3 (iii) Avionics and equipment manufac-
4 turers.
- 5 (iv) Public and private aviation labor
6 organizations, including collective bar-
7 gaining representatives of—
- 8 (I) aviation safety inspectors and
9 safety engineers of the Federal Avia-
10 tion Administration;
- 11 (II) air traffic controllers;
- 12 (III) certified aircraft mainte-
13 nance technicians; and
- 14 (IV) commercial airline pilots.
- 15 (v) General aviation operators.
- 16 (vi) Air carriers.
- 17 (vii) Business aviation operators.
- 18 (viii) Unmanned aircraft systems
19 manufacturers and operators.
- 20 (ix) Aviation safety management ex-
21 perts.
- 22 (x) Aviation maintenance, repair, and
23 overhaul entities.
- 24 (xi) Airport owners and operators.

1 (xii) Advanced air mobility manufac-
2 turers and operators.

3 (xiii) Institutions of higher education
4 (as defined in section 101 of the Higher
5 Education Act of 1965 (20 U.S.C. 1001)),
6 a postsecondary vocational institution (as
7 defined in section 102(c) of the Higher
8 Education Act of 1965 (20 U.S.C. 1002)),
9 or a high school or secondary school (as
10 such terms are defined in section 8101 of
11 the Elementary and Secondary Education
12 Act of 1965 (20 U.S.C. 7801)).

13 (xiv) A flight school that provides
14 flight training, as defined in part 61 of
15 title 14, Code of Federal Regulations, or
16 that holds a pilot school certificate under
17 part 141 of title 14, Code of Federal Regu-
18 lations.

19 (xv) Aviation maintenance technician
20 schools governed under part 147 of title
21 14, Code of Federal Regulations.

22 (2) NONVOTING MEMBERS.—

23 (A) IN GENERAL.—In addition to the
24 members appointed under paragraph (1), the
25 Committee shall be composed of not more than

1 5 nonvoting members appointed by the Sec-
2 retary from among officers or employees of the
3 FAA.

4 (B) DUTIES.—The nonvoting members
5 may—

6 (i) take part in deliberations of the
7 Committee; and

8 (ii) provide subject matter expertise
9 with respect to reports and recommenda-
10 tions of the Committee.

11 (C) LIMITATION.—The nonvoting members
12 may not represent any stakeholder interest
13 other than that of the FAA.

14 (3) TERMS.—Each voting member and non-
15 voting member of the Committee appointed by the
16 Secretary shall be appointed for a term of 4 years.

17 (4) COMMITTEE CHARACTERISTICS.—The Com-
18 mittee shall have the following characteristics:

19 (A) The ability to obtain necessary infor-
20 mation from additional experts in the aviation
21 and aerospace communities.

22 (B) A membership size that enables the
23 Committee to have substantive discussions and
24 reach consensus on issues in a timely manner.

1 (C) Appropriate expertise, including exper-
2 tise in human resources, human capital man-
3 agement, policy, labor relations, employment
4 training, workforce development, and youth out-
5 reach.

6 (f) CHAIRPERSON.—

7 (1) IN GENERAL.—The Chairperson of the
8 Committee shall be appointed by the Secretary from
9 among the voting members of the Committee under
10 subsection (e)(1)(B).

11 (2) TERM.—The Chairperson shall serve a 2-
12 year term.

13 (g) MEETINGS.—

14 (1) FREQUENCY.—The Committee shall meet at
15 least twice each year at the call of the Chairperson
16 or the Secretary.

17 (2) PUBLIC ATTENDANCE.—The meetings of
18 the Committee shall be open and accessible to the
19 public.

20 (h) SPECIAL COMMITTEES.—

21 (1) ESTABLISHMENT.—The Committee may es-
22 tablish special committees composed of private sec-
23 tor representatives, members of the public, labor
24 representatives, and other relevant parties in com-

1 plying with the consultation and participation re-
2 quirements under subsection (d).

3 (2) AUTHORITIES.—A special committee estab-
4 lished by the Committee may provide rulemaking ad-
5 vice, recommendations, and additional opportunities
6 to obtain firsthand information to the Committee
7 with respect to issues regarding the advancement of
8 women in aviation.

9 (3) APPLICABLE LAW.—Public Law 92-463
10 shall not apply to a special committee established by
11 the Committee.

12 (i) PERSONNEL MATTERS.—

13 (1) NO COMPENSATION OF MEMBERS.—

14 (A) NON-FEDERAL EMPLOYEES.—A mem-
15 ber of the Committee who is not an officer or
16 employee of the Federal Government shall serve
17 without compensation.

18 (B) FEDERAL EMPLOYEES.—A member of
19 the Committee who is an officer or employee of
20 the Federal Government shall serve without
21 compensation in addition to the compensation
22 received for the services of the member as an
23 officer or employee of the Federal Government.

24 (2) TRAVEL EXPENSES.—The members of the
25 Committee shall be allowed travel expenses, includ-

1 Federal Aviation Administration shall partner with the
2 National Center for the Advancement of Aerospace (in
3 this section referred to as the “Center”) to establish a
4 high-quality, web-based resource center that provides
5 stream-lined public access to information sources on the
6 following:

7 (1) Aviation pathway programs and professional
8 development opportunities.

9 (2) Aviation apprenticeship, scholarship, and in-
10 ternship programs.

11 (3) Aviation-related curricula and resources
12 about aviation occupations and career pathways de-
13 veloped for students, teachers, and guidance coun-
14 selors at all levels of education.

15 (4) Aviation industry organizations.

16 (b) LEVERAGING FAA EDUCATION, RESEARCH, AND
17 PARTNERSHIP PROGRAMS.—In carrying out subsection
18 (a)(3), the Administrator and the Executive Director of
19 the Center, in partnership with museums, nonprofit orga-
20 nizations, and commercial entities, shall, to the maximum
21 extent practicable, leverage field and regional offices of the
22 Federal Aviation Administration, the Mike Monroney
23 Aeronautical Center, the William J. Hughes Technical
24 Center for Advanced Aerospace, Air Transportation Cen-
25 ters of Excellence, and the Aviation and Space Education

1 program of the Federal Aviation Administration to develop
2 an array of educational and informative aviation-related
3 educational activities and materials for students of varying
4 ages and levels of education to use in the classroom, for
5 after-school programs and at home.

6 (c) BRIEFING.—Not later than 2 year after the date
7 of the enactment of this Act, the Administrator shall brief
8 the Committee on Transportation and Infrastructure of
9 the House of Representatives and the Committee on Com-
10 merce, Science, and Technology of the Senate on—

11 (1) the web-based aviation resource center es-
12 tablished under subsection (a); and

13 (2) the manner in which the education develop-
14 ment and engagement activities of the Federal Avia-
15 tion Administration are organized and funded.

16 **SEC. 309. DIRECT HIRE AUTHORITY FROM UAS COLLE-**
17 **GIATE TRAINING INITIATIVE.**

18 (a) IN GENERAL.—The Administrator of the Federal
19 Aviation Administration may hire individuals from eligible
20 institutions of higher education under the Unmanned Air-
21 craft System Collegiate Training Initiative (in this section
22 referred to as “UAS CTI”), as established in section 632
23 of the FAA Reauthorization Act of 2018 (49 U.S.C.
24 40101 note), without regard to—

1 (1) sections 3309 through 3318 of title 5,
2 United States Code;

3 (2) part 211 of title 5, Code of Federal Regula-
4 tions; or

5 (3) subpart A of part 337 of title 5, Code of
6 Federal Regulations.

7 (b) ELIGIBILITY.—Individuals eligible for employ-
8 ment by the Administrator under subsection (a) shall—

9 (1) be in good standing or have graduated in
10 good standing from an institution of higher edu-
11 cation with a signed memorandum of understanding
12 under the UAS CTI;

13 (2) hold or have completed the majority of a re-
14 lated Bachelors or Associates degree, as described by
15 the eligibility requirements of the UAS CTI;

16 (3) have completed all requirements for a re-
17 lated minor, concentration, or certificate, as de-
18 scribed by the eligibility requirements of the UAS
19 CTI; or

20 (4) meet any other criteria as considered appro-
21 priate by the Administrator.

22 (c) DEFINITIONS.—In this section:

23 (1) INSTITUTION OF HIGHER EDUCATION.—The
24 term “institution of higher education” has the

1 meaning given such term in section 101 of the High-
2 er Education Act of 1965 (20 U.S.C. 1001).

3 (2) GOOD STANDING.—The term “good stand-
4 ing” means in good standing, as determined by the
5 applicable institution of higher education.

6 (d) SUNSET.—The authority of the Administrator
7 under this section shall terminate on September 30, 2028.

8 **Subtitle B—Improving Training**
9 **and Rebuilding Talent Pipelines**

10 **SEC. 311. JOINT AVIATION EMPLOYMENT TRAINING WORK-**
11 **ING GROUP.**

12 (a) ESTABLISHMENT.—Not later than 120 days after
13 the date of enactment of this Act, the Secretary of Trans-
14 portation shall establish an interagency working group (in
15 this section referred to as the “working group”) to advise
16 the Secretary of Transportation and the Secretary of De-
17 fense on matters and policies related to the training and
18 certification of a covered aviation professional to improve
19 career transition between the military and civilian
20 workforces.

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The working group shall
23 consist of—

24 (A) 2 co-chairs described in paragraph (2);

1 (B) not less than 6 representatives of the
2 Federal Aviation Administration, to be ap-
3 pointed by the co-chair described in paragraph
4 (2)(A); and

5 (C) not less than 1 representative of each
6 component of the armed forces (as such term is
7 defined in section 101 of title 10, United States
8 Code), to be appointed by the co-chair described
9 in paragraph (2)(B).

10 (2) CO-CHAIRS.—The working group shall be
11 co-chaired by—

12 (A) a representative of the Department of
13 Transportation, to be appointed by the Sec-
14 retary of Transportation; and

15 (B) a representative of the Department of
16 Defense, to be appointed by the Secretary of
17 Defense.

18 (c) ACTIVITIES.—The working group shall—

19 (1) evaluate and compare all regulatory require-
20 ments, guidance, and orders affecting covered avia-
21 tion professionals and identify challenges that inhibit
22 recruitment, training, and retention within the re-
23 spective workforces of such professionals; and

24 (2) assess appropriate areas for increased inter-
25 agency information sharing and harmonization

1 across workforces on matters related to certification
2 pathways and certification requirements, including
3 knowledge testing, affecting covered aviation profes-
4 sionals.

5 (d) INITIAL REPORT TO CONGRESS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date on which the Secretary of Transportation
8 establishes the working group, the working group
9 shall submit to the appropriate committees of Con-
10 gress an initial report on the activities of the work-
11 ing group.

12 (2) CONTENTS.—The report required under
13 paragraph (1) shall include—

14 (A) a detailed description of the findings of
15 the working group pursuant to the activities re-
16 quired under subsection (c); and

17 (B) recommendations for regulatory, pol-
18 icy, or legislative action to improve the training
19 and certification of covered aviation profes-
20 sionals across the civilian and military
21 workforces.

22 (e) ANNUAL REPORTING.—Not later than 1 year
23 after the date on which the working group submits the
24 initial report under subsection (d), and annually there-

1 after, the working group shall submit to the appropriate
2 committees of Congress a report—

3 (1) describing the continued activities of the
4 working group;

5 (2) describing any progress made by the Sec-
6 retary of Transportation or Secretary of Defense in
7 implementing the recommendations described in sub-
8 section (d)(2)(B); and

9 (3) containing any other recommendations the
10 working group may have with respect to efforts to
11 improve the employment and training of covered
12 aviation professionals in the civilian and military
13 workforces.

14 (f) SUNSET.—The working group shall terminate on
15 the date that is 4 years after the date on which the work-
16 ing group submits the initial report to Congress pursuant
17 to subsection (d).

18 (g) DEFINITIONS.—In this section:

19 (1) APPROPRIATE COMMITTEES OF CON-
20 GRESS.—The term “appropriate committees of Con-
21 gress” means—

22 (A) the Committee on Armed Services of
23 the House of Representatives;

24 (B) the Committee on Armed Services of
25 the Senate;

1 (C) the Committee on Transportation and
2 Infrastructure of the House of Representatives;
3 and

4 (D) the Committee on Commerce, Science,
5 and Transportation of the Senate.

6 (2) COVERED AVIATION PROFESSION.—The
7 term “covered aviation professional” means—

8 (A) an airman;

9 (B) an aircraft maintenance and repair
10 technician;

11 (C) an air traffic controller; and

12 (D) any other aviation-related professional
13 that has comparable tasks and duties across the
14 civilian and military workforces, as determined
15 jointly by the co-chairs of the working group.

16 **SEC. 312. AIRMAN KNOWLEDGE TESTING WORKING GROUP.**

17 (a) WORKING GROUP.—Not later than 180 days after
18 the date of enactment of this Act, the Administrator of
19 the Federal Aviation Administration shall task the Avia-
20 tion Rulemaking Advisory Committee to establish a work-
21 ing group to review knowledge testing processes and proce-
22 dures to improve the facilitation, administration, and ac-
23 cessibility of knowledge tests.

24 (b) ACTIVITIES.—The working group established pur-
25 suant to subsection (a) shall—

1 (1) assess methods to increase knowledge test-
2 ing capacity, including through—

3 (A) the adoption of alternative proctoring
4 methods; and

5 (B) increased utilization of pilot schools
6 that hold a pilot school certificate under part
7 141 of title 14, Code of Federal Regulations,
8 and aviation maintenance technician schools
9 governed under part 147 of title 14, Code of
10 Federal Regulations; and

11 (2) evaluate the following:

12 (A) The management and provision of
13 knowledge tests by testing centers.

14 (B) The testing registration process for
15 students.

16 (C) Student access to knowledge tests.

17 (D) Fees associated with knowledge tests.

18 (E) The accuracy of public sample knowl-
19 edge tests available to students.

20 (F) Development and maintenance of
21 knowledge tests and forms.

22 (c) MECHANIC GENERAL KNOWLEDGE TEST.—In
23 addition to the activities under subsection (b), the Aviation
24 Rulemaking Advisory Committee shall task the working
25 group established pursuant to subsection (a) with assess-

1 ing opportunities to allow a high school student upon suc-
2 cessful completion of an aviation maintenance curriculum
3 to take the general written knowledge portion of the me-
4 chanic exam described in section 65.75 of title 14, Code
5 of Federal Regulations, at an Administration-approved
6 testing center.

7 (d) REPORT.—Not later than 18 months after the
8 Aviation Rulemaking Advisory Committee tasks the work-
9 ing group under subsection (a), the working group shall
10 submit to the Administrator a final report making rec-
11 ommendations to improve the facilitation, administration,
12 and accessibility of knowledge tests.

13 (e) DEFINITIONS.—In this section:

14 (1) HIGH SCHOOL.—The term “high school”
15 has the meaning given such term in section 8101 of
16 the Elementary and Secondary Education Act of
17 1965 (20 U.S.C. 7801).

18 (2) KNOWLEDGE TEST.—The term “knowledge
19 test” means a test prescribed under parts 61 and 65
20 of title 14, Code of Federal Regulations.

21 (3) SECONDARY SCHOOL.—The term “sec-
22 ondary school” has the meaning given such term in
23 section 8101 of the Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 7801).

1 **SEC. 313. AIRMAN CERTIFICATION SYSTEM WORKING**
2 **GROUP AND TIMELY PUBLICATION OF**
3 **STANDARDS.**

4 (a) **WORKING GROUP.**—The Administrator of the
5 Federal Aviation Administration shall task the Airman
6 Certification System Working Group established under the
7 Aviation Rulemaking Advisory Committee of the Adminis-
8 tration to review Airman Certification Standards to ensure
9 that airman proficiency and knowledge correlates and cor-
10 responds to regulations, procedures, equipment, aviation
11 infrastructure, and safety trends at the time of such re-
12 view.

13 (b) **ACS PUBLICATION.**—Not later than 180 days
14 after the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall publish on
16 the website of the Administration—

17 (1) the process by which the Airman Certifi-
18 cation Standards are to be established, updated, and
19 maintained;

20 (2) the process by which relevant guidance doc-
21 uments, handbooks, and test materials associated
22 with such standards are to be established, updated,
23 and maintained; and

24 (3) any anticipated or required updates to such
25 standards, including providing a date by which such

1 modifications can be expected to be completed and
2 made available to the public.

3 **SEC. 314. AIR TRAFFIC CONTROL WORKFORCE STAFFING.**

4 (a) RESPONSIBILITY FOR CONTROLLER WORKFORCE
5 PLAN.—

6 (1) AIR TRAFFIC CONTROLLER STAFFING INI-
7 TIATIVES AND ANALYSIS.—Section 221 of the Vision
8 100–Century of Aviation Reauthorization Act (49
9 U.S.C. 44506 note) is amended by striking “Admin-
10 istrator of the Federal Aviation Administration” and
11 inserting “Chief Operating Officer of the Air Traffic
12 Organization of the Federal Aviation Administra-
13 tion”.

14 (2) STAFFING REPORT.—Section 44506(e) of
15 title 49, United States Code, is amended in the mat-
16 ter before paragraph (1) by striking “Administrator
17 of the Federal Aviation Administration” and insert-
18 ing “Chief Operating Officer of the Air Traffic Or-
19 ganization of the Federal Aviation Administration”.

20 (b) MAXIMUM HIRING.—Subject to the availability of
21 appropriations, for each of fiscal years 2024 through
22 2028, the Administrator of the Federal Aviation Adminis-
23 tration shall set as the hiring target for new air traffic
24 controllers (excluding individuals described in section
25 44506(f)(1)(A) of title 49, United States Code) the max-

1 imum number of individuals able to be trained at the Fed-
2 eral Aviation Administration Academy.

3 (c) HIRING AND STAFFING.—The Chief Operating
4 Officer of the Federal Aviation Administration shall revise
5 the air traffic control hiring plans and staffing standards
6 of the Administration to—

7 (1) provide that the controller and management
8 workforce is adequately staffed to safely and effi-
9 ciently manage and oversee the air traffic control
10 system to the satisfaction of the Chief Operating Of-
11 ficer;

12 (2) account for the target number of certified
13 professional controllers able to control traffic at each
14 independent facility; and

15 (3) avoid any required or requested reduction of
16 national airspace system capacity or aircraft oper-
17 ations as a result of inadequate air traffic control
18 system staffing.

19 (d) INTERIM ADOPTION OF COLLABORATIVE RE-
20 SOURCE WORKGROUP MODELS.—

21 (1) IN GENERAL.—In carrying out subsection
22 (c) and in submitting a Controller Workforce Plan
23 of the Administration published after the date of en-
24 actment of this Act, the Chief Operating Officer
25 shall adopt and utilize the staffing models and meth-

1 odologies developed by the Collaborative Resource
2 Workgroup that were recommended in a report sub-
3 mitted to the Administrator and referenced in the
4 Controller Workforce Plan submitted to Congress on
5 May 5, 2023.

6 (2) SUNSET.—The requirement under para-
7 graph (1) shall cease to be effective upon the adop-
8 tion of a staffing model required under subsection
9 (f).

10 (e) ASSESSMENT.—

11 (1) REVIEW.—Not later than 180 days after
12 the date of enactment of this Act, the Administrator
13 shall enter into an agreement with the Transpor-
14 tation Research Board to—

15 (A) compare the Administration’s staffing
16 models and methodologies in determining staff-
17 ing standards targets with those developed by
18 the Collaborative Resource Workgroup, includ-
19 ing—

20 (ii) the availability factor multiplier
21 and other formula components; and

22 (iii) the independent facility staffing
23 targets of certified professional controllers
24 able to control traffic; and

1 (B) assess future needs of the air traffic
2 control system and potential impacts on staffing
3 standards.

4 (2) REPORT.—

5 (A) FINDINGS.—In carrying out this sub-
6 section, the Transportation Research Board
7 shall—

8 (i) report to the Administrator and
9 Congress on the findings of the review
10 under this subsection; and

11 (ii) determine which staffing models
12 and methodologies best accounts for the
13 operational staffing needs of the air traffic
14 control system and provide a justification
15 for such determination.

16 (B) MODIFICATIONS TO IDENTIFIED
17 MODEL.—The Transportation Research Board
18 may make recommendations to improve the
19 staffing model described in (2)(A)(ii).

20 (3) CONSULTATION.—In conducting the assess-
21 ment under this subsection, the Transportation Re-
22 search Board shall consult with—

23 (A) exclusive bargaining representatives of
24 air traffic controllers certified under section
25 7111 of title 5, United States Code;

1 (B) Administration officials and executives;

2 (C) front line managers of the air traffic
3 control system;

4 (D) managers and employees responsible
5 for training air traffic controllers;

6 (E) the MITRE Corporation;

7 (F) the Chief Operating Officer of the Air
8 Traffic Organization of the Federal Aviation
9 Administration; and

10 (G) users of the air traffic control system.

11 (f) REQUIRED IMPLEMENTATION OF IDENTIFIED
12 STAFFING MODEL.—The Administrator shall take such
13 action that may be necessary to adopt and utilize the staff-
14 ing model identified by the Transportation Research
15 Board pursuant to subsection (e)(2)(A)(ii), including any
16 recommendations for improving such model.

17 (g) CONTROLLER TRAINING.—In any Controller
18 Workforce Plan of the Administration published after the
19 date of enactment of this Act, the Chief Operating Officer
20 shall—

21 (1) identify all limiting factors on the Adminis-
22 tration's ability to hire and train controllers in line
23 with the staffing standards target set out in such
24 Plan; and

1 (2) describe what actions the Administration
2 will take to rectify any impediments to meeting
3 staffing standards targets and identify contributing
4 factors that are outside the control of the Adminis-
5 tration.

6 **SEC. 315. AVIATION SAFETY WORKFORCE ASSESSMENT.**

7 (a) IN GENERAL.—The Administrator of the Federal
8 Aviation Administration shall assess, on a recurring basis,
9 staffing levels, critical competencies, and skills gaps of
10 safety critical positions in the Flight Standards Service
11 and Aircraft Certification Service and within other offices
12 of the Administration that support such services.

13 (b) CONSIDERATIONS.—In completing the assessment
14 described in subsection (a), the Administrator shall—

15 (1) evaluate the workload at the time of the as-
16 sessment, historic workload, and estimated future
17 workload of such personnel;

18 (2) conduct a critical competency and skills gap
19 analysis to determine the knowledge and skill sets
20 needed for work at the time of the assessment and
21 anticipated work, with an emphasis on work per-
22 taining to—

23 (A) new and novel aircraft propulsion and
24 power methods;

1 (B) simplified vehicle operations and
2 human factors; and

3 (C) autonomy, machine learning, and arti-
4 ficial intelligence;

5 (3) compare the outcome of such analysis de-
6 scribed in paragraph (2) to the competency and
7 skills of the workforce at the time of the assessment;
8 and

9 (4) review opportunities for employees of the
10 Administration to gain or enhance expertise, knowl-
11 edge, skills, and abilities through cooperative train-
12 ing with appropriate companies and organizations;
13 and

14 (5) develop hiring and recruitment plans to—

15 (A) address hard to fill positions; and

16 (B) address competency and skill gaps at
17 various levels of experience and management
18 within Flight Standards Service and Aircraft
19 Certification Service.

20 (c) REPORT.—Upon completion of an assessment de-
21 scribed in subsection (a), the Administrator shall submit
22 to the Committee on Transportation and Infrastructure
23 of the House of Representatives and the Committee on
24 Commerce, Science, and Transportation of the Senate a
25 report detailing the following:

1 (1) The methodology and findings of the assess-
2 ment described in subsection (a), including an anal-
3 ysis of hiring authorities of the Administration at
4 the time of the assessment, including direct hiring
5 authorities, by occupation series for inspector, engi-
6 neer, and other safety critical positions within Flight
7 Standards Service and Aircraft Certification Service.

8 (2) Action based recommendations the Adminis-
9 tration can take to improve—

10 (A) the Aviation Safety Workforce Plan;

11 (B) the skill sets and competencies of in-
12 spectors, engineers, and other safety critical po-
13 sitions at the time of the assessment;

14 (C) competition with industry and other
15 non-aviation sectors for candidates with identi-
16 fied competencies and technical skill sets; and

17 (D) overall hiring and retention of inspec-
18 tors, engineers, and other critical positions.

19 (3) Actions Congress can take to improve the
20 recruitment, hiring, upskilling, and retention of in-
21 spectors, engineers, and other safety critical posi-
22 tions in Flight Standards Service and Aircraft Cer-
23 tification Service and within other offices of the Ad-
24 ministration that support such services.

1 (d) SAFETY CRITICAL POSITION DEFINED.—In this
2 section, the term “safety critical position” means—

3 (1) an aviation safety inspector, an aviation
4 safety specialist (denoted by the Administration as
5 1801 series), an aviation safety technician, and an
6 operations support position in the Flight Standards
7 Service; and

8 (2) a manufacturing safety inspector, a pilots,
9 an engineer, a Chief Scientist Technical Advisor, an
10 aviation safety specialist (denoted by the Adminis-
11 tration as 1801 series), a safety technical specialist,
12 and an operational support position in the Aircraft
13 Certification Service.

14 **SEC. 316. MILITARY AVIATION MAINTENANCE.**

15 (a) STREAMLINED CERTIFICATION FOR ELIGIBLE
16 MILITARY MAINTENANCE TECHNICIANS.—Not later than
17 1 year after the interagency working group in section 311
18 of this Act is convened, the Administrator of the Federal
19 Aviation Administration shall task such working group
20 with evaluating the appropriateness of revising part 65 of
21 title 14, Code of Federal Regulations, to—

22 (1) create a mechanic written competency test
23 for eligible military maintenance technicians;

24 (2) develop, as necessary, a relevant Airman
25 Certification Standard to qualify eligible military

1 maintenance technicians for a mechanic certificate
2 issued by the Federal Aviation Administration with
3 an airframe rating or a powerplant rating, or both;
4 and

5 (3) allow a certificate of eligibility from the
6 Joint Services Aviation Maintenance Technician Cer-
7 tification Council (in this section referred to as the
8 “JSAMTCC”) evidencing completion of a training
9 curriculum for any rating sought to serve as a sub-
10 stitute to fulfill the requirement under such part 65
11 for oral and practical tests administered by a des-
12 ignated mechanic examiner for eligible military
13 maintenance technicians.

14 (b) FINAL RULE.—If the working group finds that
15 revising part 65 of title 14, Code of Federal Regulations,
16 as described in section (a) is appropriate, not later than
17 1 year after the finding, the Administrator shall issue a
18 final rule that revises part 65 of title 14, Code of Federal
19 Regulations, as described in subsection (a).

20 (c) AERONAUTICAL KNOWLEDGE SUBJECT AREAS.—

21 (1) IN GENERAL.—The military mechanic writ-
22 ten competency test and Airman Certification Stand-
23 ard described in subsection (a)(1) and subsection
24 (a)(2), respectively, shall focus on the aeronautical
25 knowledge subject areas contained in the Aviation

1 Mechanic General, Airframe, and Powerplant Air-
2 man Certificate Standards, as appropriate to the
3 rating sought.

4 (2) IDENTIFICATION OF SUBJECT AREAS.—The
5 aeronautical knowledge subject areas described in
6 paragraph (1) shall be identified in consultation with
7 industry stakeholders and the Airman Certification
8 System Working Group.

9 (d) EXPANSION OF TESTING LOCATIONS.—The
10 interagency working group described in subsection (a)
11 shall determine whether an expansion of the number of
12 active testing locations operated within military installa-
13 tion testing centers would increase access to testing, as
14 well as how to implement such expansion.

15 (e) OUTREACH AND AWARENESS.—The interagency
16 working group described in subsection (a) shall develop a
17 plan to increase outreach and awareness regarding—

18 (1) the services made available by the
19 JSAMTCC; and

20 (2) the military mechanic written competency
21 test described in subsection (a), if appropriate.

22 (f) ELIGIBLE MILITARY MAINTENANCE TECHNICIAN
23 DEFINED.—In this section, the term “eligible military
24 maintenance technician” means an individual who is a
25 current or former military aviation maintenance techni-

1 cian who was honorably discharged or has retired from
2 the armed forces (as such term is defined in section 101
3 of title 10, United States Code).

4 **Subtitle C—Engaging and** 5 **Retaining the Workforce**

6 **SEC. 321. AIRMAN’S MEDICAL BILL OF RIGHTS.**

7 (a) IN GENERAL.—

8 (1) DEVELOPMENT.—Not later than 1 year
9 after the date of enactment of this Act, the Adminis-
10 trator of the Federal Aviation Administration shall
11 develop a document (in this section referred to as
12 the “Airman’s Medical Bill of Rights”) detailing the
13 right of an individual before, during, and after a
14 medical exam conducted by an Aviation Medical Ex-
15 aminer.

16 (2) CONTENTS.—The Airman’s Medical Bill of
17 Rights required under paragraph (1) shall, at a min-
18 imum, contain information about the right of an in-
19 dividual to—

20 (A) bring a trusted companion or request
21 to have a chaperone present for a medical
22 exam;

23 (B) terminate an exam at any time and for
24 any reason;

1 (C) receive care with respect and recogni-
2 tion of the dignity of the individual;

3 (D) be assured of privacy and confiden-
4 tiality;

5 (E) select an Aviation Medical Examiner
6 without interference;

7 (F) privacy when changing, undressing,
8 and using the restroom;

9 (G) ask questions about the health status
10 of the individual or any suggested treatments or
11 evaluations, and to have such questions fully
12 answered;

13 (H) report an incident of misconduct by an
14 Aviation Medical Examiner to the appropriate
15 authorities, including to the State licensing
16 board of the Aviation Medical Examiner or the
17 Federal Aviation Administration;

18 (I) report to the Administrator an allega-
19 tion regarding alleged Aviation Medical Exam-
20 iner misconduct without fear of retaliation or
21 negative action relating to an airman certificate
22 of the individual; and

23 (J) be advised of any known conflicts of in-
24 terest an Aviation Medical Examiner may have
25 with respect to the care of the individual.

1 (3) PUBLIC AVAILABILITY.—The Airman’s
2 Medical Bill of Rights required under paragraph (1)
3 shall be—

4 (A) made available to, and acknowledged
5 by, an individual in the MedXpress system;

6 (B) made available in a hard-copy format
7 by an Aviation Medical Examiner at the time of
8 exam upon request by an individual; and

9 (C) displayed in a common space in the of-
10 fice of the Aviation Medical Examiner.

11 (b) EXPECTATIONS FOR MEDICAL EXAMINATIONS.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, the Administrator
14 shall develop a simplified document explaining the
15 standard procedures performed during a medical ex-
16 amination conducted by an Aviation Medical Exam-
17 iner.

18 (2) PUBLIC AVAILABILITY.—The document re-
19 quired under paragraph (1) shall be—

20 (A) made available to, and acknowledged
21 by, an individual in the MedXpress system;

22 (B) made available in a hard-copy format
23 by an Aviation Medical Examiner at the time of
24 exam upon request by an individual; and

1 (C) displayed in a common space in the of-
2 fice of the Aviation Medical Examiner.

3 **SEC. 322. IMPROVED DESIGNEE MISCONDUCT REPORTING**
4 **PROCESS.**

5 (a) IMPROVED DESIGNEE MISCONDUCT REPORTING
6 PROCESS.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Administrator
9 of the Federal Aviation Administration shall estab-
10 lish a streamlined process for individuals involved in
11 incidents of alleged misconduct by a designee to re-
12 port such incidents in a manner that protects the
13 privacy and confidentiality of such individuals.

14 (2) PUBLIC ACCESS TO REPORTING PROCESS.—
15 The process for reporting alleged misconduct by a
16 designee shall be made available to the public on the
17 website of the Administration, including—

18 (A) the designee locator search webpage;
19 and

20 (B) the webpage of the Office of Audit and
21 Evaluation of the Federal Aviation Administra-
22 tion.

23 (3) OBLIGATION TO REPORT CRIMINAL
24 CHARGES.—Not later than 90 days after the date of
25 enactment of this Act, the Administrator shall revise

1 the orders and policies governing the Designee Man-
2 agement System to clarify that designees are obli-
3 gated to report any arrest, indictment, or conviction
4 for violation of a local, State, or Federal law within
5 a period of time specified by the Administrator.

6 (4) AUDIT OF REPORTING PROCESS BY INSPEC-
7 TOR GENERAL.—

8 (A) IN GENERAL.—Not later than 3 years
9 after the date on which the Administrator final-
10 izes the update of the reporting process under
11 paragraph (1), the inspector general of the De-
12 partment of Transportation shall conduct an
13 audit of such reporting process.

14 (B) CONTENTS.—In conducting the audit
15 of the reporting process described in subpara-
16 graph (A), the inspector general shall, at a min-
17 imum—

18 (i) review the efforts of the Adminis-
19 tration to improve the reporting process
20 and solutions developed to respond to and
21 investigate allegations of misconduct;

22 (ii) analyze reports of misconduct
23 brought to the Administrator prior to any
24 changes made to the reporting process as
25 a result of the enactment of this Act, in-

1 cluding the ultimate outcomes of those re-
2 ports and whether any reports resulted in
3 the Administrator taking action against
4 the accused designee;

5 (iii) determine whether the reporting
6 process results in appropriate action, in-
7 cluding reviewing, investigating, and clos-
8 ing out reports; and

9 (iv) if applicable, make recommenda-
10 tions to improve the reporting process.

11 (C) REPORT.—Not later than 1 year after
12 the date of initiation of the audit described in
13 subparagraph (A), the inspector general shall
14 submit to the Committee on Transportation and
15 Infrastructure of the House of Representatives
16 and the Committee on Commerce, Science, and
17 Transportation of the Senate a report on the
18 results of such audit, including findings and
19 recommendations.

20 (b) DESIGNEE DEFINED.—In this section, the term
21 “designee” means an individual who has been designated
22 to act as a representative of the Administrator as—

23 (1) an Aviation Medical Examiner (as described
24 in section 183.21 of title 14, Code of Federal Regu-
25 lations);

1 (2) a pilot examiner (as described in section
2 183.23 of such title); or

3 (3) a technical personnel examiner (as described
4 in section 183.25 of such title).

5 **SEC. 323. REPORT ON SAFE UNIFORM OPTIONS FOR CER-**
6 **TAIN AVIATION EMPLOYEES.**

7 (a) IN GENERAL.—The Administrator of the Federal
8 Aviation Administration shall conduct a review to deter-
9 mine whether air carriers operating under part 121 of title
10 14, Code of Federal Regulations, and repair stations cer-
11 tificated under part 145 of such title have in place uniform
12 policies and uniform offerings that ensure pregnant em-
13 ployees can perform required duties safely.

14 (b) CONSULTATION.—In conducting the review re-
15 quired under subsection (a), the Administrator shall con-
16 sult with air carriers and repair stations described in sub-
17 section (a) and employees of such air carriers and such
18 stations who are required to adhere to a uniform policy.

19 (c) BRIEFING.—Not later than 2 years after the date
20 of enactment of this Act, the Administrator shall brief the
21 Committee on Transportation and Infrastructure of the
22 House of Representatives and the Committee on Com-
23 merce, Science, and Transportation of the Senate on the
24 results of the review required under subsection (a).

1 **SEC. 324. EXTENSION OF SAMYA ROSE STUMO NATIONAL**
2 **AIR GRANT FELLOWSHIP PROGRAM.**

3 Section 131(d) of the Aircraft Certification, Safety,
4 and Accountability Act (49 U.S.C. 40101 note) is amend-
5 ed by striking “fiscal years 2021 through 2025” and in-
6 serting “fiscal years 2023 through 2028”.

7 **SEC. 325. PROMOTION OF CIVIL AERONAUTICS AND SAFETY**
8 **OF AIR COMMERCE.**

9 Section 40104 of title 49, United States Code, is
10 amended—

11 (1) in subsection (a) by striking “In carrying
12 out” and all that follows through “other interested
13 organizations.”;

14 (2) by redesignating subsection (d) as sub-
15 section (e);

16 (3) by redesignating subsection (b) as sub-
17 section (d); and

18 (4) by redesignating subsection (c) as sub-
19 section (b) and reordering the subsections accord-
20 ingly.

21 **SEC. 326. EDUCATIONAL AND PROFESSIONAL DEVELOP-**
22 **MENT.**

23 Section 40104 of title 49, United States Code, is fur-
24 ther amended by inserting after subsection (b) (as redesi-
25 gnated by section 325) the following:

1 “(c) EDUCATIONAL AND PROFESSIONAL DEVELOP-
2 MENT.—

3 “(1) IN GENERAL.—In carrying out subsection
4 (a), the Administrator shall support and undertake
5 efforts, including through the National Center for
6 the Advancement of Aerospace, to promote and sup-
7 port the education of current and future aerospace
8 professionals.

9 “(2) EDUCATION MATERIALS.—Based on the
10 availability of resources, the Administrator shall dis-
11 tribute civil aviation information, and educational
12 materials, and provide expertise to State and local
13 school administrators, college and university offi-
14 cials, and officers of other interested organizations
15 and entities.

16 “(3) SUPPORT FOR PROFESSIONAL DEVELOP-
17 MENT AND CONTINUING EDUCATION.—To the extent
18 a nonprofit organization, association, industry
19 group, educational institution, collective bargaining
20 unit, governmental organization, or other entity that
21 organizes or hosts a lecture, conference, convention,
22 meeting, round table, or any other type of program
23 with the purpose of sharing educational information
24 related to aerospace with a broad audience, the Ad-
25 ministrator shall—

1 “(A) strongly consider accepting an invita-
2 tion to attend, present, and contribute to con-
3 tent generation; and

4 “(B) make efforts to share information
5 each year, putting a particular emphasis on
6 reaching audiences consisting of representatives
7 of the Administrator and entities regulated en-
8 tities by the Administrator.

9 “(4) CONTENT.—In planning for the opportuni-
10 ties under paragraph (3), the Administrator shall
11 maintain presentations and content covering topics
12 of broad relevance, including—

13 “(A) ethical decision-making and the re-
14 sponsibilities of aerospace professionals;

15 “(B) managing a workforce, encouraging
16 proper reporting of prospective safety issues,
17 and educating employees on safety management
18 systems; and

19 “(C) responsibilities as a designee or rep-
20 resentative of the Administrator.”.

21 **SEC. 327. HUMAN FACTORS PROFESSIONALS.**

22 The Administrator of the Federal Aviation Adminis-
23 tration shall establish a new work code for human factors
24 professionals who—

1 (1) perform work involving the design and test-
2 ing of technologies, processes, and systems which re-
3 quire effective and safe human performance;

4 (2) generate and apply theories, principles,
5 practical concepts, systems, and processes related to
6 the design and testing of technologies, systems, and
7 training programs to support and evaluate human
8 performance in work contexts; and

9 (3) meet education or experience requirements
10 as determined by the Administrator.

11 **SEC. 328. AEROMEDICAL INNOVATION AND MODERNIZA-**
12 **TION WORKING GROUP.**

13 (a) ESTABLISHMENT.—Not later than 180 days after
14 the date of enactment of this Act, the Administrator of
15 the Federal Aviation Administration shall establish a
16 working group (in this section referred to as the “working
17 group”) to review the medical processes, policies, and pro-
18 cedures of the Administration and to make recommenda-
19 tions to the Administrator on modernizing such processes,
20 policies, and procedures to ensure timely and efficient cer-
21 tification of airmen.

22 (b) MEMBERSHIP.—

23 (1) IN GENERAL.—The working group shall
24 consist of—

1 (A) 2 co-chairs described in paragraph (2);
2 and

3 (B) not less than 15 individuals appointed
4 by the Administrator, each of whom shall have
5 knowledge or a background in aerospace medi-
6 cine, psychology, neurology, cardiology, or inter-
7 nal medicine.

8 (2) CO-CHAIRS.—The working group shall be
9 co-chaired by—

10 (A) the Federal Air Surgeon of the Fed-
11 eral Aviation Administration; and

12 (B) a member described under paragraph
13 (1)(A) to be selected by members of the work-
14 ing group.

15 (3) PREFERENCE.—The Administrator, in ap-
16 pointing members pursuant to paragraph (1)(B),
17 shall give preference to—

18 (A) Aviation Medical Examiners (as de-
19 scribed in section 183.21 of title 14, Code of
20 Federal Regulations);

21 (B) licensed medical physicians;

22 (C) practitioners holding a pilot certificate;

23 (D) individuals having demonstrated re-
24 search and expertise in aeromedical research or
25 sciences; and

1 (E) representatives of organizations with
2 memberships affected by the medical processes,
3 policies, and procedures of the Administration.

4 (c) ACTIVITIES.—In reviewing the aeromedical deci-
5 sion-making processes, policies, and procedures of the Ad-
6 ministration in accordance with subsection (a), the work-
7 ing group, at a minimum, shall—

8 (1) assess the medical conditions an Aviation
9 Medical Examiner may issue a medical certificate di-
10 rectly to an individual;

11 (2) determine the appropriateness of expanding
12 the list of such medical conditions;

13 (3) assess the special issuance process;

14 (4) determine whether the renewal of a special
15 issuance can be based on a medical evaluation and
16 treatment plan by the treating medical specialist of
17 the individual with concurrence from an Aviation
18 Medical Examiner;

19 (5) evaluate advancements in technologies to
20 address forms of red-green color blindness;

21 (6) determine whether such technologies may be
22 approved for use by airmen;

23 (7) review policies and guidance relating to At-
24 tention-Deficit Hyperactivity Disorder and Attention
25 Deficit Disorder;

1 (8) evaluate whether medications used to treat
2 such disorders may be safely prescribed to an air-
3 man;

4 (9) review protocols pertaining to the Human
5 Intervention Motivation Study of the Federal Avia-
6 tion Administration;

7 (10) review protocols and policies relating to—

8 (A) neurological disorders; and

9 (B) cardiovascular conditions to ensure
10 alignment with medical best practices, latest re-
11 search;

12 (11) review mental health protocols, including
13 mental health conditions such as depression and
14 anxiety;

15 (12) evaluate medications approved for treating
16 such mental health conditions, including
17 antidepressants;

18 (13) assess processes and protocols pertaining
19 to recertification of an airman receiving disability in-
20 surance post-recovery from the medical condition, in-
21 jury, or disability that precludes an airman from ex-
22 ercising the privileges of an airman certificate;

23 (14) assess processes and protocols pertaining
24 to the certification of veterans reporting a disability
25 rating from the Department of Veterans Affairs; and

1 (15) assess and evaluate the user interface and
2 information-sharing capabilities of any online med-
3 ical portal administered by the Federal Aviation Ad-
4 ministration.

5 (d) PILOT MENTAL HEALTH TASK GROUP.—

6 (1) ESTABLISHMENT.—Not later than 120 days
7 after the working group pursuant to subsection (a)
8 is established, the co-chairs of such working groups
9 shall establish a pilot mental health task group (re-
10 ferred to in this subsection as the “task group”) to
11 develop and provide recommendations related to sup-
12 porting the mental health of aircraft pilots.

13 (2) COMPOSITION.—The co-chairs of such
14 working group shall appoint—

15 (A) a Chair of the task group; and

16 (B) members of the task group from
17 among the members of the working group ap-
18 pointed by the Administrator under subsection
19 (b)(1).

20 (3) DUTIES.—The duties of the task group
21 shall include—

22 (A) carrying out the activities described in
23 subsection (c)(11) and subsection (c)(12);

1 (B) reviewing and evaluating guidance
2 issued by the International Civil Aviation Orga-
3 nization on pilot mental health;

4 (C) consider implementing the final rec-
5 ommendations report issue by the Office of the
6 inspector general of the Department of Trans-
7 portation titled, “FAA Conduct Comprehensive
8 Evaluations of Pilots With Mental Health Chal-
9 lenges, but Opportunities Exist to Further Miti-
10 gate Safety Risks” and published on July 12,
11 2023; and

12 (D) providing recommendations for—

13 (i) best practices for detecting, assess-
14 ing, and reporting mental health conditions
15 and treatment options as part of pilot
16 aeromedical assessments;

17 (ii) improving the training of aviation
18 medical examiners to identify mental
19 health conditions among pilots, including
20 guidance on referrals to a mental health
21 provider or other aeromedical resource;

22 (iii) expanding and improving mental
23 health outreach, education, and assistance
24 programs for pilots; and

1 (iv) reducing the stigma of assistance
2 for mental health in the aviation industry.

3 (4) REPORT.—Not later than 2 years after the
4 date of the establishment of the task group, the task
5 group shall submit to the Secretary, the Committee
6 on Transportation and Infrastructure of the House
7 of Representatives, and the Committee on Com-
8 merce, Science, and Transportation of the Senate a
9 report detailing—

10 (A) the results of the review and evalua-
11 tion under paragraph (3)(A); and

12 (B) recommendations developed pursuant
13 to paragraph (3)(C).

14 (d) SUPPORT.—The Administrator shall seek to enter
15 into one or more agreements with the National Academies
16 to support the activities of the working group described
17 in subsection (c).

18 (e) FINDINGS; RECOMMENDATIONS.—

19 (1) FINDINGS.—The working group shall report
20 annually to the Administrator, the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives, and the Committee on Commerce,
23 Science, and Transportation of the Senate on find-
24 ings resulting from the activities carried out pursu-
25 ant to subsection (c).

1 (2) RECOMMENDATIONS.—Findings reported
2 pursuant to paragraph (1) shall be accompanied by
3 recommendations for regulatory, policy, or legislative
4 action to improve or modernize the medical certifi-
5 cation and aeromedical processes, procedures, and
6 policies of the Administration.

7 (f) IMPLEMENTATION.—Not later than 1 year after
8 receiving recommendations outlined in the report under
9 subsection (b), the Administrator shall take such action,
10 as appropriate, to implement those recommendations.

11 (g) SUNSET.—The working group shall terminate on
12 September 30, 2028.

13 **SEC. 329. FRONTLINE MANAGER WORKLOAD STUDY.**

14 (a) IN GENERAL.—Not later than 2 years after the
15 date of enactment of this Act, the Chief Operating Officer
16 of the Air Traffic Organization of the Federal Aviation
17 Administration shall conduct a study on frontline manager
18 workload challenges in air traffic control facilities.

19 (b) CONSIDERATIONS.—In conducting the study re-
20 quired under subsection (a), the Chief Operating Officer
21 may—

22 (1) consider—

23 (A) workload challenges including—

24 (i) the managerial tasks expected to
25 be performed by frontline managers, in-

1 including employee development, manage-
2 ment, and counseling;

3 (ii) the number of supervisory posi-
4 tions of operations requiring watch cov-
5 erage in each air traffic control facility;

6 (iii) the complexity of traffic and
7 managerial responsibilities; and

8 (iv) proficiency and training require-
9 ments;

10 (B) facility type;

11 (C) facility staffing levels; and

12 (D) any other factors as the Chief Oper-
13 ating Officer considers appropriate; and

14 (2) describe recommendations for updates to
15 the Frontline Manager's Quick Reference Guide that
16 reflect current operational standards.

17 (c) BRIEFING.—Not later than 3 years after the date
18 of enactment of this Act, the Chief Operating Officer shall
19 brief the Committee on Transportation and Infrastructure
20 of the House of Representatives and the Committee on
21 Commerce, Science, and Transportation of the Senate on
22 the results of the study conducted under subsection (a).

23 **SEC. 330. AGE STANDARDS FOR PILOTS.**

24 Section 44729 of title 49, United States Code, is
25 amended—

1 (1) in subsection (a)—

2 (A) by striking “Subject to the limitation
3 in subsection (c), a” and inserting “A”; and

4 (B) by striking “65” and inserting “67”;

5 (2) in subsection (b)(1) by striking “; or” and
6 inserting “, unless the operation takes place in air-
7 space where such operations are not permitted; or”;

8 (3) by striking subsection (c) and redesignating
9 subsections (d) through (h) as subsections (c)
10 through (g), respectively;

11 (4) in subsection (c), as so redesignated—

12 (A) in the heading by striking “60” and
13 inserting “65”;

14 (B) by striking “the date of enactment of
15 this section,” and inserting “the date of enact-
16 ment of the Securing Growth and Robust Lead-
17 ership in American Aviation Act,”;

18 (C) by striking “section 121.383(c)” and
19 inserting “subsections (d) and (e) of section
20 121.383”; and

21 (D) by inserting “(or any successor regula-
22 tions)” after “Regulations”;

23 (5) in subsection (d), as so redesignated—

24 (A) by striking paragraph (1) and insert-
25 ing the following:

1 “(1) RETROACTIVITY.—A person who has at-
2 tained 65 years of age on or before the date of en-
3 actment of the Securing Growth and Robust Leader-
4 ship in American Aviation Act may return to service
5 as a pilot for an air carrier engaged in covered oper-
6 ations.”; and

7 (B) in paragraph (2) by striking “section,
8 taken in conformance with a regulation issued
9 to carry out this section, or taken prior to the
10 date of enactment of this section in conform-
11 ance with section 121.383(e) of title 14, Code
12 of Federal Regulations (as in effect before such
13 date of enactment), may” and inserting “sec-
14 tion or taken in conformance with a regulation
15 issued to carry out this section, may”; and

16 (6) by adding at the end the following:

17 “(h) SAVINGS CLAUSE.—An air carrier engaged in
18 covered operations described in subsection (b)(1) on or
19 after the date of enactment of the Securing Growth and
20 Robust Leadership in American Aviation Act may not re-
21 quire employed pilots to serve in such covered operations
22 after attaining 65 years of age.”.

23 **SEC. 331. MEDICAL PORTAL MODERNIZATION TASK GROUP.**

24 (a) ESTABLISHMENT.—Not later than 120 days after
25 the working group pursuant to section 328 of this Act is

1 established, the co-chairs of such working group shall es-
2 tablish a medical portal modernization task group (re-
3 ferred to in this subsection as the “task group”) to evalu-
4 ate the user interface and information sharing capabilities
5 of an online medical portal administered by the Federal
6 Aviation Administration.

7 (b) COMPOSITION.—The co-chairs of the working
8 group provided for in section 328 shall appoint—

9 (1) a Chair of the task group; and

10 (2) members of the task group from among the
11 members of the working group appointed by the Ad-
12 ministrator under section 328(b)

13 (c) ASSESSMENT; RECOMMENDATIONS.—The task
14 group shall, at a minimum, assess and evaluate the capa-
15 bilities of any such medical portal and provide rec-
16 ommendations to improve the following:

17 (1) The cyber security protections and protocols
18 of any such medical portal, including the secure ex-
19 change of health information and records between
20 Aviation Medical Examiners and pilots, or their des-
21 ignee, including the ability for an airman to submit
22 additional information requested by the Adminis-
23 trator.

24 (2) The status of an airman’s medical applica-
25 tion and the disclosure of how long an airman can

1 expect to wait for a final determination to be issued
2 by the Administrator.

3 (3) The disclosure of the name and contact in-
4 formation of the Administrator's representative
5 managing an airman's case so that an Aviation Med-
6 ical Examiner has a point of contact within the Ad-
7 ministration who is familiar with an airman's appli-
8 cation.

9 (d) CONSULTATION.—In carrying out the duties de-
10 scribed in subsection (c), the task group may consult cy-
11 bersecurity experts and individuals with a knowledge of
12 securing electronic health care transactions.

13 (e) REPORT.—Not later than 1 years after the date
14 of the establishment of the task group, the task group
15 shall submit to the Administrator, the Committee on
16 Transportation and Infrastructure of the House of Rep-
17 resentatives, and the Committee on Commerce, Science,
18 and Transportation of the Senate a report detailing activi-
19 ties and recommendations of the task group.

20 (f) IMPLEMENTATION.—Not later than 1 year after
21 receiving the report described in subsection (e), the Ad-
22 ministrator shall take such action as may be necessary to
23 implement recommendations of the task group to improve
24 any such medical portal.

1 **TITLE IV—AIRPORT**
2 **INFRASTRUCTURE**
3 **Subtitle A—Airport Improvement**
4 **Program Modifications**

5 **SEC. 401. AIP DEFINITIONS.**

6 (a) IN GENERAL.—Section 47102 of title 49, United
7 States Code, is amended—

8 (1) by striking paragraph (1) and inserting the
9 following:

10 “(1) ‘air carrier’ has the meaning given the
11 term in section 40102.”;

12 (2) in paragraph (3)—

13 (A) in subparagraph (A)—

14 (i) in clause (i) by striking “and” at
15 the end;

16 (ii) in clause (ii) by striking the pe-
17 riod at the end and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(iii) a secondary runway at a nonhub
21 airport that is equivalent in size and type
22 to the primary runway of such airport.”;

23 (B) in subparagraph (B)(iii) by inserting
24 “and fuel infrastructure” after “surveillance
25 equipment”;

1 (C) in subparagraph (E) by striking “after
2 December 31, 1991,”;

3 (D) in subparagraph (K) by striking “if
4 the airport is located in an air quality non-
5 attainment or maintenance area (as defined in
6 sections 171(2) and 175A of the Clean Air Act
7 (42 U.S.C. 7501(2); 7505a)) and if the airport
8 would be able to receive emission credits, as de-
9 scribed in section 47139”;

10 (E) in subparagraph (L) by striking “the
11 airport is located in an air quality nonattain-
12 ment or maintenance area (as defined in sec-
13 tions 171(2) and 175A of the Clean Air Act (42
14 U.S.C. 7501(2); 7505a)), if the airport would
15 be able to receive appropriate emission credits
16 (as described in section 47139), and”;

17 (F) in subparagraph (P) by striking “im-
18 prove the reliability and efficiency of the air-
19 port’s power supply” and inserting “improve re-
20 liability and efficiency of the airport’s power
21 supply or meet current and future electrical
22 power demand”; and

23 (G) by adding at the end the following:

24 “(S) construction or renovation of
25 childcare facilities for the exclusive use of air-

1 port employees or other individuals who work
2 on airport property, including for air carriers
3 and airport concessionaires.

4 “(T) advanced digital construction man-
5 agement systems and related technology used in
6 the planning, design and engineering, construc-
7 tion, operations, and maintenance of airport fa-
8 cilities.

9 “(U) improvements, or planning for im-
10 provements, that would be necessary to sustain
11 commercial service flight operations or permit
12 the resumption of flight operations following a
13 natural disaster (defined as an earthquake,
14 flooding, high water, wildfires, hurricane, storm
15 surge, tidal wave, tornado, tsunami, wind driven
16 water, sea level rise, tropical storm, cyclone,
17 land instability, or winter storm) at—

18 “(i) a primary airport; or

19 “(ii) a general aviation airport that is
20 designated as a Federal staging area or In-
21 cident support base by the Administrator
22 of the Federal Emergency Management
23 Agency.

24 “(V) a project to comply with rulemakings
25 and recommendations on cybersecurity stand-

1 ards from the rulemaking committee convened
2 under section 574 of the Securing Growth and
3 Robust Leadership in American Aviation Act.

4 “(W) any other activity that the Secretary
5 concludes will reasonably improve or contribute
6 to the maintenance of the safety, efficiency, or
7 capacity of the airport.”;

8 (3) in paragraph (5)—

9 (A) in subparagraph (A) by inserting “and
10 catchment area analyses” after “planning”;

11 (B) in subparagraph (B) by striking “and”
12 at the end;

13 (C) in subsection (C) by striking the period
14 at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(D) assessing current and future elec-
17 trical power demand for airport airside and
18 landside activities.”;

19 (4) by redesignating paragraphs (9), (10), (11),
20 (12), (13), (14), (15), (16), (17), (18), (19), (20),
21 (21), (22), (23), (24), (25), (26), (27), and (28) as
22 paragraphs (10), (11), (12), (13), (14), (15), (16),
23 (17), (18), (19), (20), (21), (22), (23), (24), (25),
24 (26), (27), (28), and (29), respectively;

1 (5) by inserting after paragraph (8) the fol-
2 lowing:

3 “(9) ‘heliport’—

4 “(A) means an area of land, water, or
5 structure used or intended to be used for the
6 landing or takeoff of aircraft capable of vertical
7 takeoff and landing profiles; and

8 “(B) includes a vertiport.”;

9 (6) in paragraph (28) (as so redesignated) by
10 striking “the Trust Territory of the Pacific Is-
11 lands,”;

12 (7) in paragraph (29)(B) (as so redesignated)
13 by striking “described in section 47119(a)(1)(B)”
14 and inserting “for moving passengers and baggage
15 between terminal facilities and between terminal fa-
16 cilities and aircraft”; and

17 (8) by adding at the end the following:

18 “(30) ‘vertiport’ means an area of land, water,
19 or structure used or intended to be used for the
20 landing or takeoff of powered-lift aircraft capable of
21 vertical takeoff and landing profiles.”.

22 (b) CONFORMING AMENDMENT.—Section 47127(a)
23 of title 49, United States Code, is amended by striking
24 “air carrier airport” and inserting “commercial service
25 airport”.

1 **SEC. 402. REVENUE DIVERSION PENALTY ENHANCEMENT.**

2 (a) IN GENERAL.—Section 47107 of title 49, United
3 States Code, is amended—

4 (1) in subsection (m)(4) by striking “an
5 amount equal to” and inserting “an amount equal to
6 double”; and

7 (2) in subsection (n)(1) by striking “an amount
8 equal to” and inserting “an amount equal to dou-
9 ble”.

10 (b) APPLICABILITY.—The amendments made by sub-
11 section (a) shall not apply to any illegal diversion of air-
12 port revenues (as described in section 47107(m) of title
13 49, United States Code) that occurred prior to the date
14 of enactment of this Act.

15 **SEC. 403. EXTENSION OF COMPETITIVE ACCESS REPORT**
16 **REQUIREMENT.**

17 Section 47107(r)(3) of title 49, United States Code,
18 is amended by striking “2023” and inserting “2028”.

19 **SEC. 404. RENEWAL OF CERTAIN LEASES.**

20 Section 47107(t)(2) of title 49, United States Code,
21 is amended—

22 (1) in subparagraph (A) by striking “the date
23 of enactment of this subsection” and inserting “Oc-
24 tober 7, 2016”; and

25 (2) by striking subparagraph (D) and inserting
26 the following:

1 “(D) that—

2 “(i) supports the operation of military
3 aircraft by the Air Force or Air National
4 Guard—

5 “(I) at the airport; or

6 “(II) remotely from the airport;

7 or

8 “(ii) is for the use of nonaeronautical
9 land or facilities of the airport by the Na-
10 tional Guard.”.

11 **SEC. 405. COMMUNITY USE OF AIRPORT LAND.**

12 Section 47107(v) of title 49, United States Code, is
13 amended to read as follows:

14 “(v) COMMUNITY USE OF AIRPORT LAND.—

15 “(1) IN GENERAL.—Notwithstanding sub-
16 sections (a)(13), (b), and (c), and section 47133,
17 and subject to paragraph (2), the sponsor of a pub-
18 lic-use airport shall not be considered to be in viola-
19 tion of this subtitle, or to be found in violation of
20 a grant assurance made under this section, or under
21 any other provision of law, as a condition for the re-
22 ceipt of Federal financial assistance for airport de-
23 velopment, solely because the sponsor has—

24 “(A) entered into an agreement, including
25 a revised agreement, with a local government

1 providing for the use of airport property for an
2 interim compatible recreational purpose at
3 below fair market value; or

4 “(B) permanently restricted the use of air-
5 port property to compatible recreational and
6 public park use without paying or otherwise ob-
7 taining payment of fair market value for the
8 property.

9 “(2) RESTRICTIONS.—

10 “(A) INTERIM COMPATIBLE REC-
11 REATIONAL PURPOSE.—Paragraph (1) shall
12 apply, with respect to a sponsor that has taken
13 the action described in subparagraph (A) of
14 such paragraph, only—

15 “(i) to an agreement regarding airport
16 property that was initially entered into be-
17 fore the publication of the Federal Aviation
18 Administration’s Policy and Procedures
19 Concerning the Use of Airport Revenue,
20 dated February 16, 1999;

21 “(ii) if the agreement between the
22 sponsor and the local government is subor-
23 dinate to any existing or future agreements
24 between the sponsor and the Secretary, in-

1 including agreements related to a grant as-
2 surance under this section;

3 “(iii) to airport property that was ac-
4 quired under a Federal airport develop-
5 ment grant program;

6 “(iv) if the airport sponsor has pro-
7 vided a written statement to the Adminis-
8 trator that the property made available for
9 a recreational purpose will not be needed
10 for any aeronautical purpose during the
11 next 10 years;

12 “(v) if the agreement includes a term
13 of not more than 2 years to prepare the
14 airport property for the interim compatible
15 recreational purpose and not more than 10
16 years of use for that purpose;

17 “(vi) if the recreational purpose will
18 not impact the aeronautical use of the air-
19 port;

20 “(vii) if the airport sponsor provides a
21 certification that the sponsor is not respon-
22 sible for preparation, startup, operations,
23 maintenance, or any other costs associated
24 with the recreational purpose; and

1 “(viii) if the recreational purpose is
2 consistent with Federal land use compat-
3 ibility criteria under section 47502.

4 “(B) PERMANENT RECREATIONAL USE.—
5 Paragraph (1) shall apply, with respect to a
6 sponsor that has taken the action described in
7 subparagraph (B) of such paragraph, only—

8 “(i) to airport property that was pur-
9 chased using funds from a Federal grant
10 for acquiring land issued prior to January
11 1, 1989;

12 “(ii) to airport property that has been
13 continuously leased or licensed through a
14 written agreement with a governmental en-
15 tity or non-profit entity for recreational or
16 public park uses since July 1, 2003;

17 “(iii) if the airport sponsor has pro-
18 vided a written statement to the Adminis-
19 trator that the recreational and public use
20 does not impact the aeronautical use of the
21 airport and that the property to be perma-
22 nently restricted for recreational and pub-
23 lic park use is not needed for any aero-
24 nautical use at the time the written state-
25 ment is provided and is not expected to be

1 needed for any aeronautical use at any
2 time after such statement is provided;

3 “(iv) if the airport sponsor provides a
4 certification to the Administrator that the
5 sponsor is not responsible for operations,
6 maintenance, or any other costs associated
7 with the recreational and public park use;

8 “(v) if the recreational purpose is con-
9 sistent with Federal land use compatibility
10 criteria under section 47502; and

11 “(vi) if the airport sponsor will—

12 “(I) lease the property to a local
13 government entity or non-profit entity
14 to operate and maintain the property
15 at no cost to the airport sponsor; or

16 “(II) sell the property to a local
17 government entity or non-profit entity
18 subject to a permanent deed restric-
19 tion ensuring compatible airport use
20 under regulations issued pursuant to
21 section 47502.

22 “(3) REVENUE FROM CERTAIN SALES OF AIR-
23 PORT PROPERTY.—Notwithstanding any other provi-
24 sion of law, an airport sponsor leasing or selling a

1 portion of airport property as described in para-
2 graph (2)(B)(vi) may—

3 “(A) lease or sell such portion of airport
4 property for less than fair market value; and

5 “(B) subject to the requirements of sub-
6 section (b), retain the revenue from the lease or
7 sale of such portion of airport property.

8 “(4) STATUTORY CONSTRUCTION.—Nothing in
9 this subsection may be construed as permitting a di-
10 version of airport revenue for the capital or oper-
11 ating costs associated with the community use of
12 airport land.

13 “(5) AERONAUTICAL USE; AERONAUTICAL PUR-
14 POSE DEFINED.—In this subsection, the terms ‘aero-
15 nautical use’ and ‘aeronautical purpose’—

16 “(A) mean all activities that involve or are
17 directly related to the operation of aircraft, in-
18 cluding activities that make the operation of
19 aircraft possible and safe;

20 “(B) include services located on an airport
21 that are directly and substantially related to the
22 movement of passengers, baggage, mail, and
23 cargo; and

24 “(C) do not include any uses of an airport
25 that are not described in subparagraph (A) or

1 (B), including any aviation-related uses that do
2 not need to be located on an airport, such as
3 flight kitchens and airline reservation centers.

4 “(6) ADMINISTRATOR REVIEW AND AP-
5 PROVAL.—

6 “(A) IN GENERAL.—Notwithstanding any
7 other provision of law and subject to the spon-
8 sor providing any written statements or certifi-
9 cations to the Administrator required under
10 this subsection, no actions of or requirements
11 on the sponsor under this subsection shall re-
12 quire the review or approval of the Secretary of
13 Transportation or Administrator.

14 “(B) BURDEN OF DEMONSTRATION.—The
15 Secretary shall have the burden of dem-
16 onstrating that a sponsor does not meet the re-
17 quirements or restrictions of this subsection.”.

18 **SEC. 406. PRICE ADJUSTMENT PROVISIONS.**

19 Section 47108 of title 49, United States Code, is
20 amended—

21 (1) in subsection (a) by striking
22 “47114(d)(3)(A) of this title” and inserting
23 “47114(d)(2)(A)”;

24 (2) by striking subsection (b) and inserting the
25 following:

1 “(b) INCREASING GOVERNMENT SHARE.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2) or (3), the amount stated in an offer as
4 the maximum amount the Government will pay may
5 not be increased when the offer has been accepted
6 in writing.

7 “(2) EXCEPTION.—For a project receiving as-
8 sistance under a grant approved under this chapter
9 or chapter 475, the amount may be increased—

10 “(A) for an airport development project, by
11 not more than 15 percent; and

12 “(B) to acquire an interest in land for an
13 airport (except a primary airport), by not more
14 than the greater of the following, based on cur-
15 rent creditable appraisals or a court award in a
16 condemnation proceeding:

17 “(i) 15 percent; or

18 “(ii) 25 percent of the total increase
19 in allowable project costs attributable to
20 acquiring an interest in land.

21 “(3) PRICE ADJUSTMENT PROVISIONS.—

22 “(A) IN GENERAL.—The Secretary may in-
23 corporate a provision in a project grant agree-
24 ment under which the Secretary agrees to pay
25 more than the maximum amount otherwise

1 specified in the agreement if the Secretary finds
2 that commodity or labor prices have increased
3 since the agreement was made.

4 “(B) DECREASE IN COSTS.—A provision
5 incorporated in a project grant agreement
6 under this paragraph shall ensure that the Sec-
7 retary realizes any financial benefit associated
8 with a decrease in material or labor costs for
9 the project.”;

10 (3) by striking subsection (c); and

11 (4) by redesignating subsections (d) and (e) as
12 subsections (c) and (d), respectively.

13 **SEC. 407. ALLOWABLE PROJECT COSTS AND LETTERS OF**
14 **INTENT.**

15 Section 47110 of title 49, United States Code, is
16 amended—

17 (1) in subsection (c)—

18 (A) in the matter preceding paragraph (1)
19 by striking “after May 13, 1946, and”; and

20 (B) in paragraph (1)—

21 (i) by inserting “or preparing for”
22 after “formulating”; and

23 (ii) by inserting “utility relocation,
24 work site preparation,” before “and admin-
25 istration”;

1 (2) in subsection (d)(1) by striking “section
2 47114(e)(1) or 47114(d)” and inserting “section
3 47114 or distributed from the small airport fund
4 under section 47116”;

5 (3) in subsection (e)(2)(C) by striking “com-
6 mercial service airport having at least 0.25 percent
7 of the boardings each year at all such airports” and
8 inserting “medium hub airport or large hub air-
9 port”;

10 (4) in subsection (h) by striking “section
11 47114(d)(3)(A)” and inserting “section
12 47114(e)(1)(D) or section 47114(d)(2)(A)”;

13 (5) by striking subsection (i).

14 **SEC. 408. SMALL AIRPORT LETTERS OF INTENT.**

15 (a) IN GENERAL.—Section 47110 of title 49, United
16 States Code, is further amended by adding at the end the
17 following:

18 “(i) SMALL AIRPORT LETTERS OF INTENT.—

19 “(1) IN GENERAL.—The Secretary may issue a
20 letter of intent to a sponsor stating an intention to
21 obligate an amount from future budget authority for
22 an airport development project (including costs of
23 formulating the project) at a nonhub airport or an
24 airport that is not a primary airport. The letter shall
25 establish a schedule under which the Secretary will

1 reimburse the sponsor for the Government's share of
2 allowable project costs, as amounts become available,
3 if the sponsor, after the Secretary issues the letter,
4 carries out the project without receiving amounts
5 under this subchapter.

6 “(2) LIMITATIONS.—The amount the Secretary
7 intends to obligate in a letter of intent issued under
8 this subsection shall not exceed the larger of—

9 “(A) the Government's share of allowable
10 project costs; or

11 “(B) \$10,000,000.

12 “(3) FINANCING.—Allowable project costs
13 under paragraph (1) may include costs associated
14 with making payments for debt service on indebted-
15 ness incurred to carry out the project.

16 “(4) REQUIREMENTS.—The Secretary shall
17 only issue a letter of intent under paragraph (1) if—

18 “(A) the sponsor notifies the Secretary, be-
19 fore the project begins, of the sponsor's intent
20 to carry out the project and requests a letter of
21 intent; and

22 “(B) the sponsor agrees to comply with all
23 statutory and administrative requirements that
24 would apply to the project if it were carried out

1 with amounts made available under this sub-
2 chapter.

3 “(5) ASSESSMENT.—In reviewing a request for
4 a letter of intent under this subsection, the Sec-
5 retary shall consider the grant history of an airport,
6 the airport’s enplanements or operations, and such
7 other factors as the Secretary determines appro-
8 priate.

9 “(6) PRIORITIZATION.—In issuing letters of in-
10 tent under this subsection, the Secretary shall—

11 “(A) prioritize projects that—

12 “(i) cannot reasonably be funded by
13 an airport sponsor using funds apportioned
14 under section 47114(c), 47114(d)(2)(A)(i),
15 or 47114(d)(6), including funds appor-
16 tioned under those sections in multiple fis-
17 cal years pursuant to section 47117(b)(1);
18 and

19 “(ii) are necessary to an airport’s con-
20 tinued safe operation or development; and

21 “(B) structure the reimbursement sched-
22 ules under such letters in a manner that mini-
23 mizes unnecessary or undesirable project seg-
24 mentation.

25 “(7) REQUIRED USE.—

1 “(A) IN GENERAL.—Beginning in fiscal
2 year 2028, and in each fiscal year thereafter,
3 the Secretary shall ensure that not less than
4 \$100,000,000 is committed to be reimbursed in
5 such fiscal year pursuant to letters of intent
6 issued under this subsection.

7 “(B) WAIVER.—The Secretary may waive
8 the requirement under subparagraph (A) for a
9 fiscal year if the Secretary determines there are
10 insufficient letter of intent requests that meet
11 the requirements of paragraph (4). Upon such
12 waiver, the Secretary shall provide a briefing to
13 the Committee on Transportation and Infra-
14 structure of the House of Representatives and
15 the Committee on Commerce, Science, and
16 Transportation of the Senate on the reasons
17 contributing to the need for such waiver and
18 the actions the Secretary intends to take to en-
19 sure that there are sufficient letter of intent re-
20 quests that meet the requirements of paragraph
21 (4) in the fiscal year succeeding the fiscal year
22 for which the Secretary issued such waiver.

23 “(C) RESTRICTION.—The total estimated
24 amount of future Government obligations cov-
25 ered by all outstanding letters of intent under

1 paragraph (1) may not be more than the
2 amount authorized to carry out section 48103
3 of this title, less an amount reasonably esti-
4 mated by the Secretary to be needed for grants
5 under section 48103 that are not covered by a
6 letter.

7 “(8) NO OBLIGATION OR COMMITMENT.—A let-
8 ter of intent issued under this subsection is not an
9 obligation of the Government under section 1501 of
10 title 31, and the letter is not deemed to be an ad-
11 ministrative commitment for financing. An obliga-
12 tion or administrative commitment may be made
13 only as amounts are provided in authorization and
14 appropriation laws.

15 “(9) LIMITATION ON STATUTORY CONSTRUC-
16 TION.—Nothing in this section shall be construed to
17 prohibit the obligation of amounts pursuant to a let-
18 ter of intent under this subsection in the same fiscal
19 year as the letter of intent is issued.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) LETTERS OF INTENT.—Section 47110(e)(7)
22 of title 49, United States Code, is amended by strik-
23 ing “under this section” and inserting “under this
24 subsection”.

1 (2) PRIORITY FOR LETTERS OF INTENT.—Sec-
2 tion 47115(h) of title 49, United States Code, is
3 amended by inserting “prior to fulfilling intentions
4 to obligate under section 47110(i)” after “section
5 47110(e)”.

6 **SEC. 409. PROHIBITION ON USE OF AIP FUNDS TO PRO-**
7 **CURE CERTAIN PASSENGER BOARDING**
8 **BRIDGES.**

9 Section 47110 of title 49, United States Code, is fur-
10 ther amended by adding at the end the following:

11 “(j) ADDITIONAL NONALLOWABLE COSTS.—

12 “(1) IN GENERAL.—A cost is not an allowable
13 airport development project cost under this chapter
14 if the cost relates to a contract for procurement or
15 installation of a passenger boarding bridge if the
16 contract is with an entity on the list required under
17 paragraph (2).

18 “(2) REQUIRED LIST.—Not later than 30 days
19 after the date of enactment of this subsection, the
20 Secretary shall, based on information provided by
21 the United States Trade Representative and the At-
22 torney General, publish and annually update a list of
23 entities manufacturing airport passenger boarding
24 bridges—

1 “(A) that are owned, directed, or sub-
2 sidized by the People’s Republic of China; and

3 “(B) that—

4 “(i) have been determined by a Fed-
5 eral court to have misappropriated intellec-
6 tual property or trade secrets from an enti-
7 ty organized under the laws of the United
8 States or any jurisdiction within the
9 United States; or

10 “(ii) own or control, are owned or
11 controlled by, are under common owner-
12 ship or control with, or are successors to,
13 an entity described in clause (i).”.

14 **SEC. 410. FUEL INFRASTRUCTURE.**

15 Section 47110 of title 49, United States Code, is fur-
16 ther amended by adding at the end the following:

17 “(k) FUEL INFRASTRUCTURE.—

18 “(1) IN GENERAL.—Notwithstanding any other
19 provision of law, the Secretary may decide that cov-
20 ered costs are allowable for an airport development
21 project at a primary or nonprimary airport where
22 such costs are paid for with funds apportioned to
23 the sponsor of such airport under section 47114 or
24 provided pursuant to section 47115.

1 “(2) PRIORITIZATION.—If the Secretary makes
2 grants from the discretionary fund under section
3 47115 for covered costs, the Secretary shall
4 prioritize providing such grants to general aviation
5 airports.

6 “(3) COVERED COSTS DEFINED.—In this sub-
7 section, the term ‘covered costs’—

8 “(A) means construction costs related to
9 an airport-owned—

10 “(i) aeronautical fueling system for
11 unleaded fuel; and

12 “(ii) fueling systems for type certifi-
13 cated hydrogen-powered aircraft; and

14 “(B) may include capital costs for fuel
15 farms and other equipment and infrastructure
16 used for the delivery and storage of fuel.”.

17 **SEC. 411. APPORTIONMENTS.**

18 (a) PRIMARY, COMMERCIAL SERVICE, AND CARGO
19 AIRPORTS.—

20 (1) PRIMARY AND COMMERCIAL SERVICE AIR-
21 PORTS.—Section 47114(c)(1) of title 49, United
22 States Code, is amended to read as follows:

23 “(1) PRIMARY AND COMMERCIAL SERVICE AIR-
24 PORTS.—

1 “(A) PRIMARY AIRPORT APPORTION-
2 MENT.—The Secretary shall apportion to the
3 sponsor of each primary airport for each fiscal
4 year an amount equal to—

5 “(i) \$15.60 for each of the first
6 50,000 passenger boardings at the airport
7 during the prior calendar year;

8 “(ii) \$10.40 for each of the next
9 50,000 passenger boardings at the airport
10 during the prior calendar year;

11 “(iii) \$5.20 for each of the next
12 400,000 passenger boardings at the airport
13 during the prior calendar year;

14 “(iv) \$1.30 for each of the next
15 500,000 passenger boardings at the airport
16 during the prior calendar year; and

17 “(v) \$1.00 for each additional pas-
18 senger boarding at the airport during the
19 prior calendar year.

20 “(B) MINIMUM AND MAXIMUM APPORTION-
21 MENTS.—Not less than \$1,300,000 nor more
22 than \$22,000,000 may be apportioned under
23 subparagraph (A) to an airport sponsor for a
24 primary airport for each fiscal year.

1 “(C) NEW AIRPORT.—Notwithstanding
2 subparagraph (A), the Secretary shall apportion
3 in the first fiscal year following the official
4 opening of a new airport with scheduled pas-
5 senger air transportation an amount equal to
6 \$1,300,000 to the sponsor of such airport.

7 “(D) NONPRIMARY COMMERCIAL SERVICE
8 AIRPORT APPORTIONMENT.—

9 “(i) IN GENERAL.—The Secretary
10 shall apportion to each commercial service
11 airport that is not a primary airport an
12 amount equal to—

13 “(I) \$60 for each of the first
14 2,500 passenger boardings at the air-
15 port during the prior calendar year;
16 and

17 “(II) \$153.33 for each of the
18 next 7,499 passenger boardings at the
19 airport during the prior calendar year.

20 “(ii) APPLICABILITY.—Paragraphs (4)
21 and (5) of subsection (d) shall apply to
22 funds apportioned under this subpara-
23 graph.

24 “(E) SPECIAL RULE FOR AIR RESERVE
25 STATIONS.—Notwithstanding section 47102,

1 the Secretary shall consider a public-use airport
2 that is co-located with an air reserve station to
3 be a primary airport for purposes of this chap-
4 ter.

5 “(F) SPECIAL RULE FOR FISCAL YEARS
6 2024 AND 2025.—Notwithstanding any other
7 provision of this paragraph or the absence of
8 scheduled passenger service at an airport, the
9 Secretary shall apportion in fiscal years 2024
10 and 2025 to the sponsor of an airport an
11 amount based on the number of passenger
12 boardings at the airport during whichever of
13 the following years that would result in the
14 highest apportioned amount under this para-
15 graph:

16 “(i) Calendar year 2018.

17 “(ii) Calendar year 2019.

18 “(iii) The prior full calendar year
19 prior to the current fiscal year.”.

20 (2) CARGO AIRPORTS.—Section 47114(e)(2) of
21 title 49, United States Code, is amended—

22 (A) in subparagraph (A)—

23 (i) by striking “3.5” and inserting
24 “4”; and

1 (ii) by striking “100,000,000 pounds”
2 and inserting “25,000,000 pounds”;
3 (B) by striking subparagraph (C); and
4 (C) by redesignating subparagraphs (D)
5 and (E) as subparagraphs (C) and (D), respec-
6 tively.

7 (b) GENERAL AVIATION AIRPORTS.—Section
8 47114(d) of title 49, United States Code, is amended—
9 (1) in paragraph (3)—

10 (A) in the heading by striking “SPECIAL
11 RULE” and inserting “APPORTIONMENT”;

12 (B) by striking “excluding primary air-
13 ports but including reliever and nonprimary
14 commercial service airports” each place it ap-
15 pears and inserting “excluding commercial serv-
16 ice airports but including reliever airports”;

17 (C) in the matter preceding subparagraph
18 (A) by striking “20 percent” and inserting “25
19 percent”; and

20 (D) by striking subparagraphs (C) and (D)
21 and inserting the following:

22 “(C) An airport that has previously been
23 listed as unclassified under the national plan of
24 integrated airport systems that has reestab-
25 lished the classified status of such airport as of

1 the date of apportionment shall be eligible to
2 accrue apportionment funds pursuant to sub-
3 paragraph (A) so long as such airport retains
4 such classified status.”;

5 (2) in paragraph (4)—

6 (A) in the heading by striking “AIRPORTS
7 IN ALASKA, PUERTO RICO, AND HAWAII” and in-
8 serting “AIRPORTS IN NONCONTIGUOUS
9 STATES AND TERRITORIES”;

10 (B) by striking “An amount apportioned
11 under paragraph (2) or (3)” and inserting the
12 following:

13 “(A) ALASKA, PUERTO RICO, AND HA-
14 WAI.—An amount apportioned under this sub-
15 section”; and

16 (C) by adding at the end the following:

17 “(B) OTHER TERRITORIES.—An amount
18 apportioned under paragraph (2)(B)(i) may be
19 made available by the Secretary for any public-
20 use airport in Guam, American Samoa, the
21 Commonwealth of the Northern Mariana Is-
22 lands, and the United States Virgin Islands if
23 the Secretary determines that there are insuffi-
24 cient qualified grant applications for projects at
25 airports that are otherwise eligible for funding

1 under that paragraph. The Secretary shall
2 prioritize the use of such amounts in the terri-
3 tory the amount was originally apportioned
4 in.”;

5 (3) in paragraph (5) by inserting “or subsection
6 (c)(1)(D)” after “under this subsection”;

7 (4) in paragraph (6)—

8 (A) by striking “provision of this sub-
9 section” and inserting “provision of this sec-
10 tion”; and

11 (B) by inserting “or subsection (c)(1)(D)”
12 after “under this subsection”;

13 (5) by striking paragraph (2); and

14 (6) by redesignating paragraphs (3) through
15 (7) as paragraphs (2) through (6), respectively.

16 (c) CONFORMING AMENDMENT.—Section
17 47106(a)(7) of title 49, United States Code, is amended
18 by striking “section 47114(d)(3)(B)” and inserting “sec-
19 tion 47114(d)(2)(B)”

20 **SEC. 412. PFC TURNBACK REDUCTION.**

21 (a) IN GENERAL.—Section 47114(f) of title 49,
22 United States Code, is amended—

23 (1) in paragraph (1)—

24 (A) by striking “sponsor of an airport hav-
25 ing at least .25 percent of the total number of

1 boardings each year in the United States and”
2 and inserting “sponsor of a medium or large
3 hub airport”;

4 (B) in subparagraph (A) by striking “50
5 percent” and inserting “40 percent” each place
6 it appears; and

7 (C) in subparagraph (B) by striking “75
8 percent” and inserting “60 percent” each place
9 it appears; and

10 (2) by striking paragraphs (2) and (3) and in-
11 serting the following:

12 “(2) EFFECTIVE DATE OF REDUCTION.—

13 “(A) NEW CHARGE COLLECTION.—A re-
14 duction in an apportionment under paragraph
15 (1) shall not take effect until the first fiscal
16 year following the year in which the collection
17 of the charge imposed under section 40117 has
18 begun.

19 “(B) NEW CATEGORIZATION.—A reduction
20 in an apportionment under paragraph (1) shall
21 only be applied to an airport if such airport has
22 been designated as a medium or large hub air-
23 port for 3 consecutive years.”.

24 (b) APPLICABILITY.—For an airport that increased
25 in categorization from a small hub to a medium hub in

1 any fiscal year beginning after the date of enactment of
2 the FAA Reauthorization Act of 2018 (Public Law 115–
3 254) and prior to the date of enactment of this Act, the
4 amendment to section 47114(f)(2) of title 49, United
5 States Code, under subsection (a) shall be applied as
6 though the airport increased in categorization from a
7 small hub to a medium hub in the calendar year prior to
8 the first fiscal year in which such amendment is applica-
9 ble.

10 **SEC. 413. TRANSFER OF AIP SUPPLEMENTAL FUNDS TO**
11 **FORMULA PROGRAM.**

12 Section 47115(j) of title 49, United States Code, is
13 amended—

14 (1) in paragraph (3) by striking subparagraph
15 (B) and inserting the following:

16 “(B) MINIMUM ALLOCATION.—Not more
17 than 25 percent of the amounts available under
18 this subsection shall be used to provide grants
19 at nonhub and small hub airports.

20 “(C) PRIORITIZATION.—In making grants
21 under this subsection, the Secretary shall
22 prioritize projects that reduce runway incur-
23 sions or increase runway or taxiway safety.”;

24 (2) in paragraph (4)(A) by striking clause (v)
25 and inserting the following:

1 “(v) \$1,110,000,000 for fiscal year
2 2023.

3 “(vi) \$100,000,000 for fiscal year
4 2024.

5 “(vii) \$100,000,000 for fiscal year
6 2025.

7 “(viii) \$100,000,000 for fiscal year
8 2026.

9 “(ix) \$100,000,000 for fiscal year
10 2027.

11 “(x) \$100,000,000 for fiscal year
12 2028.”; and

13 (3) in paragraph (4)(B) by striking “2 fiscal
14 years” and inserting “3 fiscal years”.

15 **SEC. 414. SMALL AIRPORT FUND.**

16 Section 47116 of title 49, United States Code, is
17 amended—

18 (1) in subsection (b) by striking paragraphs (1)
19 and (2) and inserting the following:

20 “(1) Not more than 25 percent for grants for
21 projects at small hub airports.

22 “(2) Not less than 25 percent for grants to
23 sponsors of public-use airports (except commercial
24 service airports).

1 “(3) Not less than 50 percent for grants to
2 sponsors of commercial service airports that are not
3 larger than a nonhub airport.”;

4 (2) in subsection (d)—

5 (A) by striking paragraph (2); and

6 (B) by redesignating paragraph (3) as
7 paragraph (2); and

8 (3) by striking subsections (e) and (f) and in-
9 serting the following:

10 “(e) GENERAL AVIATION HANGARS AND TRANSIENT
11 APRONS.—In distributing amounts from the fund de-
12 scribed in subsection (a) to sponsors described in sub-
13 section (b)(2) and (b)(3)—

14 “(1) 5 percent of each amount shall be used for
15 projects to construct aircraft hangars that are not
16 larger than 5,000 square feet; and

17 “(2) 5 percent of each amount shall be used for
18 projects to construct or rehabilitate aprons intended
19 to be used for itinerant general aviation aircraft
20 parking.”.

21 **SEC. 415. REVISION OF DISCRETIONARY CATEGORIES.**

22 Section 47117 of title 49, United States Code, is
23 amended—

24 (1) in subsection (b)(2)—

- 1 (A) in subparagraph (A)(i) by striking “or
2 (3)(A), whichever is applicable”; and
3 (B) in subparagraph (B)—
4 (i) by striking “section
5 47114(d)(3)(A)” and inserting “section
6 47114(d)(2)(A)”; and
7 (ii) by striking “section
8 47114(d)(3)(B)” and inserting “section
9 47114(d)(2)(B)”;
10 (2) in subsection (c)(2) by striking
11 “47114(d)(3)(A)” and inserting “47114(d)(2)(A)”;
12 (3) in subsection (d)—
13 (A) in paragraph (1) by striking “section
14 47114(d)(2)(A) of this title” and inserting
15 “section 47114(d)(2)(B)(i)”; and
16 (B) in paragraph (2)—
17 (i) by striking “section
18 47114(d)(2)(B) or (C)” and inserting
19 “section 47114(d)(2)(B)(ii) or (iii)” in
20 each place it appears; and
21 (ii) by striking “of this title”;
22 (4) in subsection (e)—
23 (A) in paragraph (1)—
24 (i) in subparagraph (A)—

1 (I) by striking “\$300,000,000”
2 and inserting “\$200,000,000”;

3 (II) by striking “for compatible
4 land use planning and projects carried
5 out by State and local governments
6 under section 47141,”;

7 (III) by striking “section
8 47102(3)(Q)” and inserting “subpara-
9 graphs (O) through (Q) of section
10 47102(3)”;

11 (IV) by striking “to comply with
12 the Clean Air Act (42 U.S.C. 7401 et
13 seq.)”; and

14 (V) by adding at the end the fol-
15 lowing: “The Secretary shall provide
16 not less than two-thirds of amounts
17 under this subparagraph and para-
18 graph (3) for grants to sponsors of
19 small hub, medium hub, and large
20 hub airports.”; and

21 (ii) by striking subparagraph (C); and

22 (B) by striking paragraph (3) and insert-
23 ing the following:

24 “(3) SPECIAL RULE.—Beginning in fiscal year
25 2025, if the amount made available under paragraph

1 (1)(A) was not equal to or greater than
2 \$150,000,000 in the preceding fiscal year, the Sec-
3 retary shall issue grants for projects eligible under
4 paragraph (1)(A) from apportionment funds made
5 available under section 47114 that are not required
6 during the fiscal year pursuant to subsection (b)(1)
7 in an amount that is not less than—

8 “(A) \$150,000,000; minus

9 “(B) the amount made available under
10 paragraph (1)(A) in the preceding fiscal year.”;

11 and

12 (5) in subsection (f)(1) by striking “Subject to
13 paragraph (2)” and inserting “Subject to paragraph
14 (2) and except as provided in section 47116(b)(2)”.

15 **SEC. 416. TERMINAL DEVELOPMENT.**

16 Section 47119 of title 49, United States Code, is
17 amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1) by striking “in a non-
20 revenue-producing public-use area of a commer-
21 cial service airport” and all that follows through
22 “of the Government” and inserting the fol-
23 lowing: “at an airport if the sponsor certifies
24 that the airport, on the date the grant applica-
25 tion is submitted to the Secretary, has—

1 “(A) that any necessary airport develop-
2 ment project affecting airport safety, security,
3 or capacity will not be deferred if the Secretary
4 approves a terminal development project under
5 this section; and

6 “(B) provided for access by passengers to
7 the area of the airport for boarding or exiting
8 aircraft that are not air carrier aircraft.”; and

9 (B) in paragraph (2) by striking “parking
10 lot if” and all that follows through “Secretary’s
11 approval” and inserting “parking lot”;

12 (2) by striking subsections (b), (e) and (f);

13 (3) by redesignating subsection (c) and (d) as
14 subsections (b) and (c), respectively; and

15 (4) in subsection (b) (as so redesignated) by
16 striking paragraphs (1) through (5) and inserting
17 the following:

18 “(1) any part of amounts apportioned to an air-
19 port sponsor under subsection (c) or (d) of section
20 47114 to pay project costs allowable under sub-
21 section (a);

22 “(2) on the approval of the Secretary, any part
23 of amounts that may be distributed for the fiscal
24 year from the discretionary fund established under

1 section 47115 to the sponsor of an airport to pay
2 project costs allowable under subsection (a);

3 “(3) on the approval of the Secretary, any part
4 of amounts that may be distributed for the fiscal
5 year from the small airport fund established under
6 section 47116 to the sponsor of an airport eligible
7 to receive funds under section 47116 to pay project
8 costs allowable under subsection (a);”.

9 **SEC. 417. STATE BLOCK GRANT PROGRAM.**

10 (a) **OFFSETTING ADMINISTRATIVE EXPENSES BUR-**
11 **DEN ON STATES.**—Section 47109(a)(2) of title 49, United
12 States Code, is amended by striking “90 percent” and in-
13 serting “91 percent”.

14 (b) **TRAINING.**—Section 47128 of title 49, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

17 “(e) **TRAINING FOR PARTICIPATING STATES.**—

18 “(1) **IN GENERAL.**—The Secretary shall provide
19 to each State participating in the block grant pro-
20 gram under this section training or updated training
21 materials for the administrative responsibilities as-
22 sumed by the State under such program at no cost
23 to the State.

24 “(2) **TIMING.**—The training or updated train-
25 ing materials provided under paragraph (1) shall be

1 provided at least once during each 2-year period and
2 at any time there is a material change in the pro-
3 gram.”.

4 (c) ADMINISTRATION.—Section 47128 of title 49,
5 United States Code, is further amended by adding at the
6 end the following:

7 “(f) ROLES AND RESPONSIBILITIES OF PARTICI-
8 PATING STATES.—

9 “(1) AIRPORTS.—Unless a State participating
10 in the block grant program under this section ex-
11 pressly agrees in a memorandum of agreement, the
12 Secretary shall not require the State to manage
13 functions and responsibilities for airport actions or
14 projects that do not relate to such program.

15 “(2) PROGRAM DOCUMENTATION.—Any grant
16 agreement providing funds to be administered under
17 such program shall be consistent with the most re-
18 cently executed memorandum of agreement between
19 the State and the Federal Aviation Administration.
20 The Administrator of the Federal Aviation Adminis-
21 tration shall provide parity to participating States
22 and shall only require the same type of information
23 and level of detail for any program agreements and
24 documentation that the Administrator would per-

1 form with respect to such action if the State did not
2 participate in the program.

3 “(3) RESPONSIBILITIES.—The Administrator
4 shall retain responsibility for the following, unless
5 expressly agreed to by the State:

6 “(A) Grant compliance investigations, de-
7 terminations, and enforcement.

8 “(B) Obstruction evaluation and airport
9 airspace analysis, determinations, and enforce-
10 ment off airport property.

11 “(C) Non-rulemaking analysis, determina-
12 tions, and enforcement for proposed improve-
13 ments on airport properties not associated with
14 this subchapter, or off airport property.

15 “(D) Land use determinations under sec-
16 tion 163 of the FAA Reauthorization Act of
17 2018 (49 U.S.C. 47107 note), compatibility
18 planning, and airport layout plan review and
19 approval for projects not funded by amounts
20 available under this subchapter.

21 “(E) Nonaeronautical and special event
22 recommendations and approvals.

23 “(F) Instrument approach procedure eval-
24 uations and determinations.

1 “(G) Environmental review for projects not
2 funded by amounts available under this sub-
3 chapter.

4 “(H) Review and approval of land leases,
5 land releases, changes in on-airport land-use
6 designation, and through-the-fence agree-
7 ments.”.

8 (d) REPORT.—The Comptroller General of the
9 United States shall issue a report on the Office of Airports
10 of the Federal Aviation Administration and the airport im-
11 provement program under subchapter I of chapter 471
12 and chapter 475 of title 49, United States Code, and in-
13 clude in such report a description of—

14 (1) the responsibilities of States participating in
15 the block grant program under section 47128 of title
16 49, United States Code; and

17 (2) the impact of title VIII of division J of the
18 Infrastructure Investment and Jobs Act (Public Law
19 117–58) and other Federal administrative funding
20 sources on the ability of such States to disburse and
21 administer airport improvement program funds.

22 (e) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that Congress supports the disbursement of a per-
24 centage of administrative funds made available under the
25 heading “Federal Aviation Administration—Airport Infra-

1 structure Grants” in title VIII of division J of the Infra-
2 structure Investment and Jobs Act (Public Law 117–58)
3 to non-primary airports participating in the State’s block
4 grant program each fiscal year of the Airport Infrastruc-
5 ture Grants program.

6 **SEC. 418. INNOVATIVE FINANCING TECHNIQUES.**

7 Section 47135 of title 49, United States Code, is
8 amended—

9 (1) by striking subsections (a) and (b) and in-
10 serting the following:

11 “(a) **AUTHORITY.**—

12 “(1) **IN GENERAL.**—The Secretary of Transpor-
13 tation may approve an application by an airport
14 sponsor to use grants received under this subchapter
15 for innovative financing techniques related to an air-
16 port development project that is located at an air-
17 port that is not a large hub airport.

18 “(2) **APPROVAL.**—The Secretary may approve
19 not more than 30 applications described under para-
20 graph (1) in a fiscal year.

21 “(b) **PURPOSES.**—The purpose of grants made under
22 this section shall be to—

23 “(1) provide information on the benefits and
24 difficulties of using innovative financing techniques
25 for airport development projects;

1 “(2) lower the total cost of an airport develop-
2 ment project; or

3 “(3) expedite the delivery or completion of an
4 airport development project without reducing safety
5 or causing environmental harm.”; and

6 (2) in subsection (c)(2)—

7 (A) in subparagraph (C) by striking “and”
8 at the end;

9 (B) in subparagraph (D) by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(E) any other techniques that the Sec-
13 retary determines are consistent with the pur-
14 poses of this section.”.

15 **SEC. 419. LONG-TERM MANAGEMENT PLANS.**

16 Section 47136(c) of title 49, United States Code is
17 amended—

18 (1) by striking “applicants that will” and in-
19 serting the following: “applicants that—

20 “(1) will”;

21 (2) by striking the period at the end and insert-
22 ing “; and”; and

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

24 “(2) provide a long-term management plan for
25 eligible vehicles and equipment that includes the ex-

1 isting and future infrastructure requirements of the
2 airport related to such vehicles and equipment.”.

3 **SEC. 420. ALTERNATIVE PROJECT DELIVERY.**

4 (a) IN GENERAL.—Section 47142 of title 49, United
5 States Code, is amended—

6 (1) in the section heading by striking “**De-**
7 **sign-build contracting**” and inserting “**Alter-**
8 **native project delivery**”;

9 (2) in subsection (a)—

10 (A) in the matter preceding paragraph

11 (1)—

12 (i) by striking “Administrator of the
13 Federal Aviation Administration” and in-
14 serting “Secretary of Transportation”; and

15 (ii) by striking “award a design-build”
16 and inserting “award a covered project de-
17 livery”;

18 (B) in paragraph (2) by striking “design-
19 build” and inserting “covered project delivery”;
20 and

21 (C) in paragraph (4) by striking “design-
22 build contract will” and inserting “covered
23 project delivery contract is projected to”; and

24 (3) by striking subsection (c) and inserting the
25 following:

1 “(c) COVERED PROJECT DELIVERY CONTRACT DE-
2 FINED.—In this section, the term ‘covered project delivery
3 contract’ means—

4 “(1) an agreement that provides for both design
5 and construction of a project by a contractor
6 through alternative project delivery methods, includ-
7 ing construction manager-at-risk and progressive de-
8 sign build; or

9 “(2) a single contract for the delivery of a
10 whole project that—

11 “(A) includes, at a minimum, the sponsor,
12 builder, and architect-engineer as parties that
13 are subject to the terms of the contract;

14 “(B) aligns the interests of all the parties
15 to the contract with respect to the project costs
16 and project outcomes; and

17 “(C) includes processes to ensure trans-
18 parency and collaboration among all parties to
19 the contract relating to project costs and
20 project outcomes.”.

21 (b) CLERICAL AMENDMENT.—The analysis for chap-
22 ter 471 of title 49, United States Code, is amended by
23 striking the item relating to section 47142 and inserting
24 the following:

“47142. Alternative project delivery.”.

1 **SEC. 421. NONMOVEMENT AREA SURVEILLANCE SURFACE**
2 **DISPLAY SYSTEMS PILOT PROGRAM.**

3 Section 47143(c) of title 49, United States Code, is
4 amended by striking “2023” and inserting “2028”.

5 **SEC. 422. REPEAL OF OBSOLETE CRIMINAL PROVISIONS.**

6 Section 47306 of title 49, United States Code, and
7 the item relating to such section in the analysis for chap-
8 ter 473 of such title, are repealed.

9 **SEC. 423. LIMITATION ON CERTAIN ROLLING STOCK PRO-**
10 **CUREMENTS.**

11 (a) IN GENERAL.—Section 50101 of title 49, United
12 States Code, is amended—

13 (1) by striking “(except section 47127)” each
14 place it appears; and

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

16 “(d) LIMITATION ON CERTAIN ROLLING STOCK PRO-
17 CUREMENTS.—

18 “(1) IN GENERAL.—Financial assistance made
19 available under the provisions described in sub-
20 section (a) shall not be used in awarding a contract
21 or subcontract to an entity on or after the date of
22 enactment of this subsection for the procurement of
23 rolling stock for use in an airport-related project if
24 the manufacturer of the rolling stock—

25 “(A) is incorporated in or has manufac-
26 turing facilities in the United States; and

1 “(B) is owned or controlled by, is a sub-
2 sidiary of, or is otherwise related legally or fi-
3 nancially to a corporation based in a country
4 that—

5 “(i) is identified as a nonmarket econ-
6 omy country (as defined in section 771(18)
7 of the Tariff Act of 1930 (19 U.S.C.
8 1677(18))) as of the date of enactment of
9 this subsection;

10 “(ii) was identified by the United
11 States Trade Representative in the most
12 recent report required by section 182 of
13 the Trade Act of 1974 (19 U.S.C. 2242)
14 as a foreign country included on the pri-
15 ority watch list defined in subsection (g)(3)
16 of that section; and

17 “(iii) is subject to monitoring by the
18 Trade Representative under section 306 of
19 the Trade Act of 1974 (19 U.S.C. 2416).

20 “(2) EXCEPTION.—

21 “(A) IN GENERAL.—For purposes of para-
22 graph (1), the term ‘otherwise related legally or
23 financially’ does not include—

24 “(i) a minority relationship or invest-
25 ment; or

1 “(ii) relationship with or investment
2 in a subsidiary, joint venture, or other en-
3 tity based in a country described in para-
4 graph (1)(B) that does not export rolling
5 stock or components of rolling stock for
6 use in the United States.

7 “(B) CORPORATION BASED IN PEOPLE’S
8 REPUBLIC OF CHINA.—Notwithstanding sub-
9 paragraph (A)(i), for purposes of paragraph
10 (1), the term ‘otherwise related legally or finan-
11 cially’ includes a minority relationship or invest-
12 ment if the relationship or investment involves
13 a corporation based in the People’s Republic of
14 China.

15 “(3) INTERNATIONAL AGREEMENTS.—This sub-
16 section shall be applied in a manner consistent with
17 the obligations of the United States under inter-
18 national agreements.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) RESTRICTING CONTRACT AWARDS BECAUSE
21 OF DISCRIMINATION AGAINST UNITED STATES
22 GOODS OR SERVICES.—Section 50102 of title 49,
23 United States Code, is amended by striking “(except
24 section 47127)”.

1 (2) RESTRICTION ON AIRPORT PROJECTS USING
2 PRODUCTS OR SERVICES OF FOREIGN COUNTRIES
3 DENYING FAIR MARKET OPPORTUNITIES.—Section
4 50104(b) of title 49, United States Code, is amend-
5 ed by striking “(except section 47127)”.

6 (3) FRAUDULENT USE OF MADE IN AMERICA
7 LABEL.—Section 50105 of title 49, United States
8 Code, is amended by striking “(except section
9 47127)”.

10 **SEC. 424. REGULATORY APPLICATION.**

11 Section 40113(f) of title 49, United States Code, is
12 amended—

13 (1) by inserting “or in administering the Air-
14 port Improvement Program under chapter 471”
15 after “Code of Federal Regulations,”; and

16 (2) by inserting “or administrative” after “reg-
17 ulatory”.

18 **SEC. 425. NATIONAL PRIORITY SYSTEM FORMULAS.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation shall review and update the National Priority Sys-
22 tem prioritization formulas contained in Federal Aviation
23 Administration Order 5090.5 to account for the amend-
24 ments to chapter 471 of title 49, United States Code,
25 made by this Act.

1 (b) REQUIRED CONSULTATION.—In revising the for-
2 mulas under subsection (a), the Secretary shall consult
3 with representatives of the following:

4 (1) Primary airports, including large, medium,
5 small, and nonhub airports.

6 (2) Non-primary airports, including general
7 aviation airports.

8 (3) Airport trade associations, including trade
9 associations representing airport executives.

10 (4) State aviation officials, including associa-
11 tions representing such officials.

12 (5) Air carriers, including mainline, regional,
13 and low cost air carriers.

14 (6) Associations representing air carriers.

15 (c) PRIORITY PROJECTS.—In revising the formulas
16 under subsection (a), the Secretary shall assign the high-
17 est priority to projects that increase or maintain the safe-
18 ty, efficiency, and capacity of the aviation system.

19 **SEC. 426. MINORITY AND DISADVANTAGED BUSINESS PAR-**
20 **TICIPATION.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) While significant progress has occurred due
23 to the establishment of the airport disadvantaged
24 business enterprise program and the airport conces-
25 sions disadvantaged business enterprise program

1 under sections 47113 and 47107(e) of title 49,
2 United States Code, respectively, discrimination and
3 related barriers continue to pose significant obstacles
4 for minority- and women-owned businesses seeking
5 to do business in airport-related markets across the
6 Nation.

7 (2) Congress has received and reviewed testi-
8 mony and documentation of race and gender dis-
9 crimination from numerous sources, including con-
10 gressional hearings and roundtables, scientific re-
11 ports, reports issued by public and private agencies,
12 news stories, reports of discrimination by organiza-
13 tions and individuals, and discrimination lawsuits.
14 Such testimony and documentation show that race-
15 and gender-neutral efforts alone are insufficient to
16 address the problem.

17 (3) The testimony and documentation described
18 in paragraph (2) demonstrate that race and gender
19 discrimination poses a barrier to full and fair par-
20 ticipation in airport-related businesses of women
21 business owners and minority business owners in the
22 racial groups detailed in parts 23 and 26 of title 49,
23 Code of Federal Regulations, and has impacted firm
24 development and other aspects of airport-related
25 business in the public and private markets.

1 (4) The testimony and documentation described
2 in paragraph (2) provide a strong basis that there
3 is a compelling need for the continuation of the air-
4 port disadvantaged business enterprise program and
5 the airport concessions disadvantaged business en-
6 terprise program to address race and gender dis-
7 crimination in airport-related business.

8 (b) SUPPORTIVE SERVICES.—Section 47113 of title
9 49, United States Code, is amended by adding at the end
10 the following:

11 “(f) SUPPORTIVE SERVICES.—

12 “(1) IN GENERAL.—The Secretary of Transpor-
13 tation, in coordination with the Administrator of the
14 Federal Aviation Administration, may, at the re-
15 quest of an airport sponsor, provide assistance under
16 a grant issued under this subchapter to develop, con-
17 duct, and administer training programs and assist-
18 ance programs in connection with any airport im-
19 provement project subject to part 26 of title 49,
20 Code of Federal Regulations, for small business con-
21 cerns referred to in subsection (b) to achieve pro-
22 ficiency to compete, on an equal basis for contracts
23 and subcontracts related to such projects.

24 “(2) ELIGIBLE ENTITIES.—An entity eligible to
25 receive assistance under this section is—

1 “(A) a State;

2 “(B) a political subdivision of a State or
3 local government;

4 “(C) a Tribal government;

5 “(D) an airport sponsor;

6 “(E) a metropolitan planning organization;

7 “(F) a group of entities described in sub-
8 paragraphs (A) through (E); or

9 “(G) any other organization considered ap-
10 propriate by the Secretary.”

11 **SEC. 427. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.**

12 Section 162 of the FAA Reauthorization Act of 2018
13 (49 U.S.C. 47102 note) is amended in the matter pre-
14 ceding paragraph (1) by striking “2023” and inserting
15 “2028”.

16 **SEC. 428. LIMITED REGULATION OF NONFEDERALLY SPON-**
17 **SORED PROPERTY.**

18 Section 163 of the FAA Reauthorization Act of 2018
19 (49 U.S.C. 47107 note) is amended—

20 (1) by striking subsection (a) and inserting the
21 following:

22 “(a) IN GENERAL.—

23 “(1) LIMITED REGULATION.—Except as pro-
24 vided in subsection (b), the Secretary of Transpor-
25 tation may not require an airport to seek approval

1 for (including in the submission of an airport layout
2 plan), or directly or indirectly regulate (including
3 through any grant assurance)—

4 “(A) the acquisition, use, lease, encum-
5 brance, transfer, or disposal of land (including
6 any portion of such land) by an airport sponsor;
7 or

8 “(B) the construction, development, im-
9 provement, use, or removal of any facility (in-
10 cluding any portion of such facility) upon such
11 land.

12 “(2) BURDEN OF DEMONSTRATING APPLICA-
13 BILITY.—The burden of demonstrating the non-
14 applicability of paragraph (1), or the applicability of
15 an exception under subsection (b), shall be on the
16 Secretary.”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)—

19 (i) in the matter preceding subpara-
20 graph (A) by striking “regulation” and in-
21 serting “law, regulation, or grant assur-
22 ance”; and

23 (ii) in subparagraph (A) by striking
24 “aircraft operations” and inserting “air-
25 craft operations that occur or are projected

1 to occur at an airport as described in an
2 airport’s master plan”;

3 (B) in paragraph (2) by striking “facility”
4 and inserting “facility that the Secretary dem-
5 onstrates was”; and

6 (C) in paragraph (3) by striking “con-
7 tained” and inserting “that the Secretary dem-
8 onstrates is contained”; and

9 (3) by striking subsection (c) and inserting the
10 following:

11 “(c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
12 tion shall be construed—

13 “(1) to affect the applicability of sections
14 47107(b) or 47133 of title 49, United States Code,
15 to revenues generated by the use, lease, encum-
16 brance, transfer, or disposal of land under sub-
17 section (a), facilities upon such land, or any portion
18 of such land or facilities; or

19 “(2) to limit the Secretary’s authority to ap-
20 prove or regulate airport projects (or portions of air-
21 port projects) that are not subject to the provisions
22 of subsection (a).”.

23 **SEC. 429. MOTORCOACH ENPLANEMENT PILOT PROGRAM.**

24 With respect to fiscal years 2024 through 2028, pas-
25 sengers who board a motorcoach at an airport that is char-

1 tered or provided by an air carrier to transport such pas-
2 sengers to another airport at which the passengers board
3 an aircraft in service in air commerce, that entered the
4 sterile area of the airport at which such passengers ini-
5 tially boarded the motorcoach, shall be deemed to be in-
6 cluded under the term “passenger boardings” in section
7 47102 of title 49, United States Code.

8 **SEC. 430. POPULOUS COUNTIES WITHOUT AIRPORTS.**

9 Notwithstanding any other provision of law, the Sec-
10 retary of Transportation may not deny inclusion in the
11 national plan of integrated airport systems maintained
12 under section 47103 of title 49, United States Code, to
13 an airport or proposed airport if the airport or proposed
14 airport—

15 (1) is located in the most populous county (as
16 such term is defined in section 2 of title 1, United
17 States Code) of a State that does not have an air-
18 port listed in the national plan;

19 (2) has an airport sponsor that was established
20 before January 1, 2017;

21 (3) is located more than 15 miles away from
22 another airport listed in the national plan;

23 (4) demonstrates how the airport will meet the
24 operational activity required, through a forecast vali-

1 dated by the Secretary, within the first 10 years of
2 operation;

3 (5) meets Federal Aviation Administration air-
4 port design standards;

5 (6) submits a benefit-cost analysis;

6 (7) presents a detailed financial plan to accom-
7 plish construction and ongoing maintenance; and

8 (8) has the documented support of the State
9 government for the entry of the airport or proposed
10 airport into the national plan.

11 **SEC. 431. CONTINUED AVAILABILITY OF AVIATION GASO-**
12 **LINE.**

13 (a) IN GENERAL.—The Administrator of the Federal
14 Aviation Administration shall ensure that any of such va-
15 rieties of aviation gasoline as may be necessary to fuel any
16 model of piston-engine aircraft remain available for pur-
17 chase at each airport listed on the national plan of inte-
18 grated airport systems (as described in section 47103 of
19 title 49, United States Code) at which aviation gasoline
20 was available for purchase as of October 5, 2018.

21 (b) REMOVAL OF AVAILABILITY.—The Administrator
22 shall consider a prohibition or restriction on the sale of
23 such varieties of aviation gasoline to violate assurance 22
24 (or any successor assurance related to economic non-
25 discrimination) of grant assurances associated with the

1 airport improvement program under subchapter I of chap-
2 ter 471 and chapter 475 of title 49, United States Code.

3 (c) AVIATION GASOLINE DEFINED.—In this section,
4 the term “aviation gasoline” means a gasoline on which
5 a tax is imposed under section 4081(a)(2)(A)(ii) of the
6 Internal Revenue Code of 1986 (including a leaded or un-
7 leaded gasoline).

8 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion may be construed to—

10 (1) affect any airport sponsor under an inves-
11 tigation initiated by the Administrator under part
12 13 or 16 of title 14, Code of Federal Regulations,
13 relating to the availability of aviation gasoline found
14 to be out of compliance with the grant assurance de-
15 scribed in subsection (b) before the date of enact-
16 ment of this Act;

17 (2) require any particular action by the Admin-
18 istrator if the Administrator determines through
19 such investigation that such airport sponsor has vio-
20 lated a grant assurance; or

21 (3) prevent an airport or any retail fuel seller
22 at such airport from making available for purchase
23 and resale an unleaded aviation gasoline that has
24 been approved by the Federal Aviation Administra-
25 tion and has an industry consensus standard for use

1 in lieu of leaded aviation gasoline if such unleaded
2 aviation gasoline is certified for use in all aircraft
3 spark ignition piston engine models.

4 **SEC. 432. AIP HANDBOOK UPDATE.**

5 (a) IN GENERAL.—Not later than 4 years after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall revise the Airport
8 Improvement Program Handbook (Order 5100.38D) (in
9 this section referred to as the “Handbook”) to account
10 for legislative changes to the airport improvement pro-
11 gram under subchapter I of chapter 471 and chapter 475
12 of title 49, United States Code, and to make such other
13 changes as the Administrator determines necessary.

14 (b) REQUIREMENTS.—In updating the Handbook,
15 the Administrator may not impose any additional require-
16 ments or restrictions on the use of Airport Improvement
17 Program funds except as specifically directed by legisla-
18 tion.

19 (c) CONSULTATION AND PUBLIC COMMENT.—

20 (1) CONSULTATION.—In developing the revised
21 Handbook under this section, the Administrator
22 shall consult with aviation stakeholders, including
23 airports and air carriers.

24 (2) PUBLIC COMMENT.—

1 (A) IN GENERAL.—Not later than 30
2 months after the date of enactment of this Act,
3 the Administrator shall publish a draft revision
4 of the Handbook and make such draft available
5 for public comment for a period of not less than
6 90 days.

7 (B) REVIEW.—The Administrator shall re-
8 view all comments submitted during the public
9 comment period described under subparagraph
10 (A) and, as the Administrator considers appro-
11 priate, incorporate changes based on such com-
12 ments into the final revision of the Handbook.

13 (d) INTERIM IMPLEMENTATION OF CHANGES.—Not
14 later than 1 year after the date of enactment of this Act,
15 the Administrator shall issue program guidance letters to
16 provide for the interim implementation of amendments to
17 the Airport Improvement Program made by this Act.

18 **SEC. 433. GAO AUDIT OF AIRPORT FINANCIAL REPORTING**
19 **PROGRAM.**

20 (a) AUDIT.—Not later than 18 months after the date
21 of enactment of this Act, the Comptroller General of the
22 United States shall complete an audit of the airport finan-
23 cial reporting program of the Federal Aviation Adminis-
24 tration and provide recommendations to the Administrator

1 of the Federal Aviation Administration on improvements
2 to such program.

3 (b) REQUIREMENTS.—In conducting the audit re-
4 quired under subsection (a), the Comptroller General
5 shall, at a minimum—

6 (1) review relevant Administration guidance to
7 airports, including the version of Advisory Circular
8 150/5100–19, titled “Operating and Financial Sum-
9 mary”, that is in effect on the date of enactment of
10 this Act;

11 (2) evaluate the information requested or re-
12 quired by the Administrator from airports for com-
13 pleteness and usefulness by the Administration and
14 the public;

15 (3) assess the costs associated with collecting,
16 reporting, and maintaining such information for air-
17 ports and the Administration;

18 (4) determine if such information provided is—

19 (A) updated on a regular basis to make
20 such information useful; and

21 (B) audited and verified in an appropriate
22 manner;

23 (5) assess if the Administration has addressed
24 the issues the Administration discovered during the
25 apportionment and disbursement of relief funds to

1 airports under the Coronavirus Aid, Relief, and Eco-
2 nomic Security Act (Public Law 116–136) using in-
3 accurate and aged airport financial data; and

4 (6) determine whether the airport financial re-
5 porting program as structured as of the date of en-
6 actment provides value to the Administration, the
7 aviation industry, or the public.

8 (c) REPORT TO CONGRESS.—Not later than 3
9 months after the completion of the audit required under
10 subsection (a), the Comptroller General shall submit to the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a report
14 containing the findings of such audit and any rec-
15 ommendations provided to the Administrator to improve
16 or alter the airport financial reporting program.

17 **SEC. 434. GAO REVIEW OF NONAERONAUTICAL REVENUE**
18 **STREAMS AT AIRPORTS.**

19 (a) REVIEW.—Not later than 2 years after the date
20 of enactment of this Act, the Comptroller General of the
21 United States shall initiate a review of non-aeronautical
22 revenue streams currently used by hub airports of varying
23 size, assess the impact of nonaeronautical revenue on air-
24 ports, and evaluate opportunities for revenue that are un-
25 utilized or are underutilized by such airports.

1 (b) SCOPE.—In conducting the review required under
2 subsection (a), the Comptroller General shall, at a min-
3 imum—

4 (1) examine the nonaeronautical revenue
5 streams at a variety of public-use airports in the
6 United States;

7 (2) examine nonaeronautical revenue streams
8 used by foreign airports;

9 (3) examine revenue streams used by similar
10 types of infrastructure operators like train stations,
11 bus depots, and shopping malls;

12 (4) determine the revenue effects of entering
13 into, or choosing not to enter into, concessionaire
14 agreements with companies operating at airports
15 that are not a party to such agreements; and

16 (5) examine users and beneficiaries of airport
17 services, facilities, property, and passengers, and de-
18 termine if any such users or beneficiaries could or
19 should be considered as a source of nonaeronautical
20 revenue for an airport.

21 (c) CONSULTATION.—As part of the review required
22 under subsection (a), the Comptroller General shall con-
23 sult with representatives of airport concessionaires, airport
24 sponsors, airport governance entities, airport financial

1 planning consultants, and any other relevant stakeholders
2 the Comptroller General determines appropriate.

3 (d) FINDINGS, BEST PRACTICES, AND REC-
4 OMMENDATIONS.—As part of the review required under
5 subsection (a), the Comptroller General shall produce best
6 practices and recommendations that can be adopted by
7 public-use airports to increase non-aeronautical revenue.

8 (e) REPORT TO CONGRESS.—Not later than 3
9 months after the completion of the review required under
10 subsection (a), the Comptroller General shall submit to the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a report
14 containing the findings, best practices, and recommenda-
15 tions of such review.

16 **SEC. 435. MAINTAINING SAFE FIRE AND RESCUE STAFFING**
17 **LEVELS.**

18 (a) UPDATE TO REGULATION.—The Administrator of
19 the Federal Aviation Administration shall update the reg-
20 ulations contained in section 139.319 of title 14, Code of
21 Federal Regulations, to ensure that paragraph (4) of such
22 section provides that at least 1 individual maintains cer-
23 tification at the emergency medical technician basic level,
24 or higher.

1 (b) STAFFING REVIEW.—Not later than 2 years after
2 the date of enactment of this Act, the Administrator shall
3 conduct a review of airport environments and related regu-
4 lations to evaluate sufficient staffing levels necessary for
5 firefighting and rescue services and response at airports
6 certified under part 139 of title 14, Code of Federal Regu-
7 lations.

8 (c) REPORT.—Not later than 1 year after completing
9 the review under subsection (b), the Administrator shall
10 submit to the Committee on Transportation and Infra-
11 structure of the House of Representatives and the Com-
12 mittee on Commerce, Science, and Transportation of the
13 Senate a report containing the results of the review.

14 **SEC. 436. GAO STUDY OF ONSITE AIRPORT GENERATION.**

15 (a) STUDY.—Not later than 1 year after the date of
16 enactment of this Act, the Comptroller General of the
17 United States shall initiate a study on the feasibility of
18 installation and adoption of certain power generation
19 property at airports which receive funding from the Fed-
20 eral Government.

21 (b) CONTENT.—In carrying out the study required
22 under subsection (a), the Comptroller General shall exam-
23 ine—

24 (1) any safety impacts of the installation and
25 operation of such power generation property, either

1 in aggregate or around certain locations or struc-
2 tures at the airport;

3 (2) regulatory barriers to adoption;

4 (3) benefits to adoption;

5 (4) previous examples of adoptions;

6 (5) impacts on other entities; and

7 (6) previous examples of adoption and factors
8 pertaining to previous examples of adoption, includ-
9 ing—

10 (A) novel uses beyond supplemental power
11 generation, such as expanding nonresidential
12 property around airports to minimize noise,
13 power generation resilience, and market forces;

14 (B) challenges identified in the installation
15 process;

16 (C) upfront and long-term costs, both fore-
17 seen and unforeseen;

18 (D) funding sources used to pay for up-
19 front costs; and

20 (E) long-term savings.

21 (c) REPORT.—Not later than 2 years after the initi-
22 ation of the study under subsection (a), the Comptroller
23 General shall submit to the Committee on Transportation
24 and Infrastructure of the House of Representatives and
25 the Committee on Commerce, Science, and Transportation

1 of the Senate a report and recommendations on the results
2 of the study.

3 (d) **POWER GENERATION PROPERTY DEFINED.**—In
4 this section, the term “power generation property” means
5 equipment defined in section 48(a)(3)(A) of the Internal
6 Revenue Code of 1986.

7 **SEC. 437. TRANSPORTATION DEMAND MANAGEMENT AT**
8 **AIRPORTS.**

9 (a) **IN GENERAL.**—Not later than 1 year after the
10 date of enactment of this Act, the Comptroller General
11 of the United States shall conduct a study to examine the
12 efficacy of transportation demand management strategies
13 at United States airports.

14 (b) **CONSIDERATIONS.**—In conducting the study
15 under subsection (a), the Comptroller General shall exam-
16 ine, at minimum—

17 (1) whether transportation demand manage-
18 ment strategies should be considered by airports
19 when making infrastructure planning and construc-
20 tion decisions;

21 (2) the impact of transportation demand man-
22 agement strategies on existing multimodal options to
23 and from airports in the United States; and

24 (3) best practices for developing transportation
25 demand management strategies that can be used to

1 improve access to airports for passengers and air-
2 port and airline personnel.

3 (c) REPORT.—Upon completion of the study con-
4 ducted under subsection (a), the Comptroller General shall
5 submit to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on such study.

9 (d) DEFINITION.—In this section, the term “trans-
10 portation demand management strategy” means the use
11 of planning, programs, policy, marketing, communica-
12 tions, incentives, pricing, data, and technology to optimize
13 travel modes, routes used, departure times, and number
14 of trips.

15 **SEC. 438. COASTAL AIRPORTS ASSESSMENT.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of enactment of this Act, the Administrator of the
18 Federal Aviation Administration shall, in coordination
19 with the Chief of Engineers and Commanding General of
20 the United States Army Corps of Engineers, initiate an
21 assessment on the resiliency of coastal airports in the
22 United States.

23 (b) CONTENTS.—The assessment required under sub-
24 section (a) shall—

1 (1) examine the impact of sea-level rise and
2 other environmental factors that pose risks to coast-
3 al airports; and

4 (2) identify and evaluate current initiatives to
5 prevent and mitigate the impacts of factors de-
6 scribed in paragraph (1) on coastal airports.

7 (c) REPORT.—Upon completion of the assessment,
8 the Administrator of the Federal Aviation Administration
9 shall submit to the Committee on Transportation and In-
10 frastructure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a report on—

13 (1) the results of the assessment required under
14 subsection (a); and

15 (2) recommendations to improve the resiliency
16 of coastal airports in the United States.

17 **SEC. 439. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.**

18 Section 47134(b) of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(4) BENEFIT-COST ANALYSIS.—Prior to ap-
21 proving an application submitted under subsection
22 (a), the Secretary may require a benefit-cost anal-
23 ysis. If a benefit-cost analysis is required, the Sec-
24 retary shall issue a preliminary and conditional find-
25 ing, which shall—

1 “(A) be issued not later than 60 days after
2 the date on which the sponsor submits all infor-
3 mation required by the Secretary;

4 “(B) be based upon a collaborative review
5 process that includes the sponsor or sponsor’s
6 representative;

7 “(C) not constitute the issuance of a Fed-
8 eral grant or obligation to issue a grant under
9 this chapter or other provision of law; and

10 “(D) not constitute any other obligation on
11 the part of the Federal Government until the
12 conditions specified in the final benefit-cost
13 analysis are met.”.

14 **SEC. 440. GAO STUDY ON PER-TRIP AIRPORT FEES FOR TNC**
15 **CONSUMERS.**

16 (a) **STUDY.**—Not later than 90 days after the date
17 of enactment of this Act, the Comptroller General of the
18 United States shall conduct a study of fees that airports
19 assess against customers of transportation network com-
20 panies.

21 (b) **CONTENTS.**—In carrying out the study required
22 under subsection (a), the Comptroller General shall ad-
23 dress—

24 (1) the methodology used by airports to set a
25 fee for customers of TNCs;

1 (2) expenditures by airports of fees assessed
2 against customers of TNCs; and

3 (3) a comparison of the fees imposed by air-
4 ports on customers of TNCs and other comparable
5 modes of for-hire transportation, such as taxi.

6 (c) REPORT.—Not later than 12 months after the
7 date of enactment of this Act, the Comptroller General
8 shall submit to the Committee on Transportation and In-
9 frastructure of the House of Representatives and the Com-
10 mittee on Commerce, Science, and Transportation of the
11 Senate a report on the results of the study.

12 (d) TRANSPORTATION NETWORK COMPANY DE-
13 FINED; TNC DEFINED.—In this section, the term “trans-
14 portation network company” or “TNC”—

15 (1) means a corporation, partnership, sole pro-
16 prietorship, or other entity that uses a digital net-
17 work to connect riders to drivers affiliated with the
18 entity in order for the driver to transport the rider
19 using a vehicle owned, leased, or otherwise author-
20 ized for use by the driver to a point chosen by the
21 rider; and

22 (2) does not include a shared-expense carpool or
23 vanpool arrangement that is not intended to gen-
24 erate profit for the driver.

1 **SEC. 441. SPECIAL RULE FOR RECLASSIFICATION OF CER-**
2 **TAIN UNCLASSIFIED AIRPORTS.**

3 (a) REQUEST FOR RECLASSIFICATION.—

4 (1) IN GENERAL.—Not later than September
5 30, 2024, a privately owned reliever airport (as such
6 term is defined in section 47102 of title 49, United
7 States Code) that is identified as unclassified in the
8 National Plan of Integrated Airport Systems, 2021–
9 2025 (as published under section 47103 of title 49,
10 United States Code) may submit to the Secretary of
11 Transportation a request to reclassify the airport ac-
12 cording to the criteria used to classify a publicly
13 owned airport.

14 (2) REQUIRED INFORMATION.—In submitting a
15 request under paragraph (1), a privately owned re-
16 liever airport shall include the following information:

17 (A) A sworn statement and accompanying
18 documentation that demonstrates how the air-
19 port would satisfy the requirements of Federal
20 Aviation Administration Order 5090.5, titled
21 “Formulation of the NPIAS and ACIP” (or
22 any successor guidance), to be classified as
23 “Local” or “Basic” if the airport was publicly
24 owned.

25 (B) A report that—

1 (i) identifies the role of the airport to
2 the aviation system; and

3 (ii) describes the long-term fiscal via-
4 bility of the airport based on demonstrated
5 aeronautical activity and associated reve-
6 nues relative to ongoing operating and
7 maintenance costs.

8 (b) ELIGIBILITY REVIEW.—

9 (1) IN GENERAL.—Not later than 60 days after
10 receiving a request from a privately owned reliever
11 airport under subsection (a), the Secretary shall per-
12 form an eligibility review with respect to the airport,
13 including an assessment of the airport’s safety, secu-
14 rity, capacity, access, compliance with Federal grant
15 assurances, and protection of natural resources and
16 the quality of the environment, as prescribed by the
17 Secretary.

18 (2) PUBLIC SPONSOR.—In performing the eligi-
19 bility review under paragraph (1), the Secretary—

20 (A) may require the airport requesting re-
21 classification to provide information regarding
22 the outlook (whether positive or negative) for
23 obtaining a public sponsor; and

24 (B) may not require the airport to obtain
25 a public sponsor.

1 (c) RECLASSIFICATION BY THE SECRETARY.—

2 (1) IN GENERAL.—Not later than 60 days after
3 receiving a request from a privately owned reliever
4 airport under subsection (a)(1), the Secretary shall
5 grant such request if the following criteria are met:

6 (A) The request includes the required in-
7 formation under subsection (a)(2).

8 (B) The privately owned reliever airport, to
9 the satisfaction of the Secretary—

10 (i) passes the eligibility review per-
11 formed under subsection (b); or

12 (ii) submits a corrective action plan in
13 accordance with paragraph (2).

14 (2) CORRECTIVE ACTION PLAN.—With respect
15 to a privately owned reliever airport that does not,
16 to the satisfaction of the Secretary, pass the eligi-
17 bility review performed under subsection (b), such
18 airport may resubmit to the Secretary a reclassifica-
19 tion request along with a corrective action plan
20 that—

21 (A) resolves any shortcomings identified in
22 such eligibility review; and

23 (B) proves that any necessary corrective
24 action has been completed by the airport.

1 (d) EFFECTIVE DATE.—The reclassification of any
2 privately owned reliever airport under this section shall
3 take effect not later than—

4 (1) September 30, 2026, for any request grant-
5 ed under subsection (c)(1); and

6 (2) September 30, 2027, for any request grant-
7 ed after the submission of a corrective action plan
8 under subsection (c)(2).

9 **SEC. 442. PERMANENT SOLAR POWERED TAXIWAY EDGE**
10 **LIGHTING SYSTEMS.**

11 Not later than 18 months after the date of enactment
12 of this Act, the Administrator of the Federal Aviation Ad-
13 ministration shall produce an engineering brief that de-
14 scribes the acceptable use of permanent solar powered
15 taxiway edge lighting systems at regional, local, and basic
16 nonprimary airports (as categorized in the most recent
17 National Plan of Integrated Airport Systems).

18 **SEC. 443. SECONDARY RUNWAYS.**

19 In approving grants for projects with funds made
20 available pursuant to title VIII of division J of the Infra-
21 structure Investment and Jobs Act (Public Law 117–58)
22 under the heading “Federal Aviation Administration—
23 Airport Infrastructure Grants”, the Administrator of the
24 Federal Aviation Administration shall consider permitting
25 a nonhub or small hub airport to use such funds to extend

1 secondary runways, notwithstanding the level of oper-
2 ational activity as such airport.

3 **SEC. 444. INCREASING THE ENERGY EFFICIENCY OF AIR-**
4 **PORTS AND MEETING CURRENT AND FUTURE**
5 **ENERGY POWER DEMANDS.**

6 (a) IN GENERAL.—Section 47140 of title 49, United
7 States Code, is amended to read as follows:

8 **“§ 47140. Meeting current and future energy power**
9 **demand**

10 “(a) IN GENERAL.—The Secretary of Transportation
11 shall establish a program under which the Secretary
12 shall—

13 “(1) encourage the sponsor of each public-use
14 airport to—

15 “(A) conduct airport planning that as-
16 sses the airport’s—

17 “(i) current and future energy power
18 requirements, including—

19 “(I) heating and cooling;

20 “(II) on-road airport vehicles and
21 ground support equipment;

22 “(III) gate electrification;

23 “(IV) electric aircraft charging;

24 and

1 “(V) vehicles and equipment used
2 to transport passengers and employees
3 between the airport and—

4 “(aa) nearby facilities owned
5 or controlled by the airport or
6 which otherwise directly support
7 the functions or services provided
8 by the airport; or

9 “(bb) an intermodal surface
10 transportation facility adjacent to
11 the airport; and

12 “(ii) existing energy infrastructure
13 condition, location and capacity, including
14 base load and backup power, to meet the
15 current and future electrical power demand
16 as identified in this subparagraph; and

17 “(B) conduct airport development to in-
18 crease energy efficiency or meet future electrical
19 power demands as identified in subparagraph
20 (A); and

21 “(2) reimburse the airport sponsor for the costs
22 incurred in conducting the assessment under para-
23 graph (1).

24 “(b) GRANTS.—

1 “(1) IN GENERAL.—The Secretary shall make
2 grants from amounts made available under section
3 48103 to assist airport sponsors that have completed
4 the assessment described in subsection (a)(1)—

5 “(A) to acquire or construct equipment
6 that will increase energy efficiency at the air-
7 port; and

8 “(B) to pursue an airport development
9 project described in subsection (a)(1)(B).

10 “(c) APPLICATION.—To be eligible for a grant under
11 paragraph (1), the sponsor of a public-use airport shall
12 submit an application, including a certification that no
13 safety projects are being deferred by requesting a grant
14 under this section, to the Secretary at such time, in such
15 manner, and containing such information as the Secretary
16 may require.”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 471 of title 49, United States Code, is amended by
19 striking the item relating to section 47140 and inserting
20 the following:

 “47140. Meeting current and future energy power demand.”.

21 **SEC. 445. ELECTRIC AIRCRAFT INFRASTRUCTURE PILOT**
22 **PROGRAM.**

23 (a) IN GENERAL.—The Secretary of Transportation
24 may establish a pilot program under which the sponsors
25 of public-use airports may use funds made available under

1 chapter 471 or section 48103 of title 49, United States
2 Code, for use at up to 10 airports to carry out—

3 (1) activities associated with the acquisition, by
4 purchase or lease, operation, and installation of
5 equipment to support the operations of electric air-
6 craft, including interoperable electric vehicle charg-
7 ing equipment; and

8 (2) the construction or modification of infra-
9 structure to facilitate the delivery of power or serv-
10 ices necessary for the use of electric aircraft, includ-
11 ing—

12 (A) on airport utility upgrades; and

13 (B) associated design costs.

14 (b) ELIGIBILITY.—A public-use airport is eligible for
15 participation in the pilot program under this section if the
16 Secretary finds that funds made available under sub-
17 section (a) would support—

18 (1) electric aircraft operators at such airport, or
19 using such airport; or

20 (2) electric aircraft operators planning to oper-
21 ate at such airport with an associated agreement in
22 place.

23 (c) SUNSET.—The pilot program established under
24 subsection (a) shall sunset 5 years after the date of enact-
25 ment of this Act.

1 **SEC. 446. CURB MANAGEMENT PRACTICES.**

2 Nothing in this Act shall be construed to—

3 (1) prevent airports from engaging in curb
4 management practices, including determining and
5 assigning curb designations, regulations, and to in-
6 stall and maintain upon any of the roadways or
7 parts of roadways as many curb zones as necessary
8 to aid in the regulation, control, and inspection of
9 passenger loading and unloading; or

10 (2) prevent airports from enforcing curb zones
11 using sensor, camera, automated license plate rec-
12 ognition, and software technologies and issuing cita-
13 tions by mail to the registered owner of the vehicle.

14 **SEC. 447. NOTICE OF FUNDING OPPORTUNITY.**

15 Notwithstanding part 200 of title 2, Code of Federal
16 Regulations, or any other provision of law, funds made
17 available as part of the airport improvement program
18 under subchapter I of chapter 471 or chapter 475 of title
19 49, United States Code, shall not be subject to any public
20 notice of funding opportunity requirement.

21 **SEC. 448. SPECIAL CARRYOVER ASSUMPTION RULE.**

22 Section 47115 of title 49, United States Code, is
23 amended by adding at the end the following:

24 “(1) SPECIAL CARRYOVER ASSUMPTION RULE.—In
25 addition to amounts made available under paragraphs (1)
26 and (2) of subsection (a), the Secretary may add to the

1 discretionary fund an amount equal to one-third of the
2 apportionment funds made available under section 47114
3 that were not required during the previous fiscal year pur-
4 suant to section 47117(b)(1) out of the anticipated
5 amount of apportionment funds made available under sec-
6 tion 47114 that will not be required during the current
7 fiscal year pursuant to section 47117(b)(1).”.

8 **SEC. 449. RUNWAY SAFETY PROJECTS.**

9 In awarding grants under section 47115 of title 49,
10 United States Code, for runway safety projects, the Ad-
11 ministrator of the Federal Aviation Administration shall,
12 to the maximum extent practicable—

13 (1) reduce unnecessary or undesirable project
14 segmentation; and

15 (2) complete the entire project in an expeditious
16 manner.

17 **Subtitle B—Passenger Facility**
18 **Charges**

19 **SEC. 461. PFC APPLICATION APPROVALS.**

20 Section 40117(d) of title 49, United States Code, is
21 amended by striking paragraph (2) and inserting the fol-
22 lowing:

23 “(2) each project is an eligible airport-related
24 project;”.

1 **SEC. 462. PFC AUTHORIZATION PILOT PROGRAM IMPLE-**
2 **MENTATION.**

3 Section 40117(l) of title 49, United States Code, is
4 amended—

5 (1) in the subsection heading by striking
6 “PILOT PROGRAM” and inserting “ALTERNATIVE
7 PROCEDURES”; and

8 (2) by striking paragraph (1) and inserting the
9 following:

10 “(1) IN GENERAL.—In lieu of submitting an
11 application under subsection (c), an eligible agency
12 may impose a passenger facility charge in accord-
13 ance with the procedures under this subsection sub-
14 ject to the limitations of this section.”.

15 **Subtitle C—Noise and Environ-**
16 **mental Programs and Stream-**
17 **lining**

18 **SEC. 471. STREAMLINING CONSULTATION PROCESS.**

19 Section 47101(h) of title 49, United States Code, is
20 amended by striking “shall” and inserting “may”.

21 **SEC. 472. REPEAL OF BURDENSOME EMISSIONS CREDIT RE-**
22 **QUIREMENTS.**

23 Section 47139 of title 49, United States Code, is
24 amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph

2 (1)—

3 (i) by striking “airport sponsors re-
4 ceive” and inserting “airport sponsors may
5 receive”;

6 (ii) by striking “carrying out projects”
7 and inserting “carrying out projects, in-
8 cluding projects”; and

9 (iii) by striking “conditions” and in-
10 sserting “considerations”; and

11 (B) in paragraph (2)—

12 (i) by striking “airport sponsor” and
13 inserting “airport sponsor, including for an
14 airport outside of a nonattainment area,”;

15 (ii) by striking “only”;

16 (iii) by striking “or as offsets” and in-
17 sserting “, as offsets”; and

18 (iv) by striking the period at the end
19 and inserting “, or as part of a State im-
20 plementation plan.”;

21 (2) by striking subsection (b); and

22 (3) by redesignating subsection (c) as sub-
23 section (b).

1 **SEC. 473. EXPEDITED ENVIRONMENTAL REVIEW AND ONE**
2 **FEDERAL DECISION.**

3 Section 47171 of title 49, United States Code, is
4 amended—

5 (1) in subsection (a) by striking “Secretary of
6 Transportation” and inserting “Administrator of the
7 Federal Aviation Administration”;

8 (2) by striking “Secretary” in each place it ap-
9 pears and inserting “Administrator”;

10 (3) in subsection (a)—

11 (A) in the matter preceding paragraph

12 (1)—

13 (i) by striking “develop and”; and

14 (ii) by striking “projects at congested
15 airports” and all that follows through
16 “aviation security projects” and inserting
17 “projects, terminal development projects,
18 general aviation airport construction or im-
19 provement projects, and aviation safety
20 projects”; and

21 (B) in paragraph (1) by striking “better”
22 and inserting “streamlined”.

23 (4) by striking subsection (b) and inserting the
24 following:

25 “(b) AVIATION PROJECTS SUBJECT TO A STREAM-
26 LINED ENVIRONMENTAL REVIEW PROCESS.—

1 “(1) IN GENERAL.—Any airport capacity en-
2 hancement project, terminal development project, or
3 general aviation airport construction or improvement
4 project shall be subject to the coordinated and expe-
5 dited environmental review process requirements set
6 forth in this section.

7 “(2) PROJECT DESIGNATION CRITERIA.—

8 “(A) IN GENERAL.—The Administrator
9 may designate an aviation safety project for pri-
10 ority environmental review. A designated
11 project shall be subject to the coordinated and
12 expedited environmental review process require-
13 ments set forth in this section.

14 “(B) PROJECT DESIGNATION CRITERIA.—
15 The Administrator shall establish guidelines for
16 the designation of an aviation safety project or
17 aviation security project for priority environ-
18 mental review. Such guidelines shall provide for
19 consideration of—

20 “(i) the importance or urgency of the
21 project;

22 “(ii) the potential for undertaking the
23 environmental review under existing emer-
24 gency procedures under the National Envi-

1 ronmental Policy Act of 1969 (42 U.S.C.
2 4321 et seq.);

3 “(iii) the need for cooperation and
4 concurrent reviews by other Federal or
5 State agencies; and

6 “(iv) the prospect for undue delay if
7 the project is not designated for priority
8 review.”;

9 (5) in subsection (c) by striking “an airport ca-
10 pacity enhancement project at a congested airport or
11 a project designated under subsection (b)(3)” and
12 inserting “a project described or designated under
13 subsection (b)”;

14 (6) in subsection (d) by striking “each airport
15 capacity enhancement project at a congested airport
16 or a project designated under subsection (b)(3)” and
17 inserting “a project described or designated under
18 subsection (b)”;

19 (7) in subsection (h) by striking “designated
20 under subsection (b)(3)” and all that follows
21 through “congested airports” and inserting “de-
22 scribed in subsection (b)(1)”;

23 (8) in subsection (j)—

24 (A) by striking “For any” and inserting
25 the following:

1 “(1) IN GENERAL.—For any”; and

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

3 “(2) DEADLINE.—The Administrator shall de-
4 fine the purpose and need of a project not later than
5 45 days after receipt of a draft purpose and need
6 statement (or revision thereof that materially affects
7 a statement previously prepared or accepted by the
8 Administrator) from an airport sponsor. The Admin-
9 istrator shall provide airport sponsors with appro-
10 priate guidance to implement any applicable require-
11 ments.”;

12 (9) in subsection (k)—

13 (A) by striking “an airport capacity en-
14 hancement project at a congested airport or a
15 project designated under subsection (b)(3)” and
16 inserting “a project described or designated
17 under subsection (b)”;

18 (B) by striking “project shall consider”
19 and inserting the following:

20 “project shall—

21 “(1) consider”;

22 (C) by striking the period at the end and
23 inserting “; and”; and

24 (D) by adding at the end the following:

25 “(2) limit the comments of the agency to—

1 “(A) subject matter areas within the spe-
2 cial expertise of the agency; and

3 “(B) changes necessary to ensure the
4 agency is carrying out the obligations of that
5 agency under the National Environmental Pol-
6 icy Act of 1969 and other applicable law.”;

7 (10) in subsection (l) by striking the period at
8 the end and inserting “and section 1503 of title 40,
9 Code of Federal Regulations.”; and

10 (11) by striking subsection (m) and inserting
11 the following:

12 “(m) COORDINATION AND SCHEDULE.—

13 “(1) COORDINATION PLAN.—

14 “(A) IN GENERAL.—Not later than 90
15 days after the date of publication of a notice of
16 intent to prepare an environmental impact
17 statement or the initiation of an environmental
18 assessment, the Administrator of the Federal
19 Aviation Administration shall establish a plan
20 for coordinating public and agency participation
21 in and comment on the environmental review
22 process for a project described or designated
23 under subsection (b). The coordination plan
24 may be incorporated into a memorandum of un-
25 derstanding.

1 “(B) CLOUD-BASED, INTERACTIVE DIGITAL
2 PLATFORMS.—The Administrator is encouraged
3 to utilize cloud-based, interactive digital plat-
4 forms to meet community engagement and
5 agency coordination requirements under sub-
6 paragraph (A).

7 “(C) SCHEDULE.—

8 “(i) IN GENERAL.—The Administra-
9 tion shall establish as part of such coordi-
10 nation plan, after consultation with and
11 the concurrence of each participating agen-
12 cy for the project and with the State in
13 which the project is located (and, if the
14 State is not the project sponsor, with the
15 project sponsor), a schedule for—

16 “(I) interim milestones and dead-
17 lines for agency activities necessary to
18 complete the environmental review;
19 and

20 “(II) completion of the environ-
21 mental review process for the project.

22 “(ii) FACTORS FOR CONSIDER-
23 ATION.—In establishing the schedule under
24 clause (i), the Administration shall con-
25 sider factors such as—

1 “(I) the responsibilities of par-
2 ticipating agencies under applicable
3 laws;

4 “(II) resources available to the
5 cooperating agencies;

6 “(III) overall size and complexity
7 of the project;

8 “(IV) the overall time required
9 by an agency to conduct an environ-
10 mental review and make decisions
11 under applicable Federal law relating
12 to a project (including the issuance or
13 denial of a permit or license) and the
14 cost of the project; and

15 “(V) the sensitivity of the natural
16 and historic resources that could be
17 affected by the project.

18 “(iii) MAXIMUM PROJECT SCHED-
19 ULE.—To the maximum extent practicable
20 and consistent with applicable Federal law,
21 the Administrator shall develop, in concur-
22 rence with the project sponsor, a maximum
23 schedule for the project described or des-
24 ignated under subsection (b) that is not
25 more than 2 years for the completion of

1 the environmental review process for such
2 projects, as measured from, as applicable
3 the date of publication of a notice of intent
4 to prepare an environmental impact state-
5 ment to the record of decision.

6 “(iv) DISPUTE RESOLUTION.—

7 “(I) IN GENERAL.—Any issue or
8 dispute that arises between the Ad-
9 ministrator and participating agencies
10 (or amongst participating agencies)
11 during the environmental review proc-
12 ess will be addressed expeditiously to
13 avoid delay.

14 “(II) RESPONSIBILITIES.—The
15 Administrator and participating agen-
16 cies shall—

17 “(aa) implement the require-
18 ments of this section consistent
19 with any dispute resolution proc-
20 ess established in an applicable
21 law, regulation, or legally binding
22 agreement to the maximum ex-
23 tent permitted by law; and

24 “(bb) seek to resolve issues
25 or disputes at the earliest pos-

1 sible time at the project level
2 through agency employees who
3 have day-to-day involvement in
4 the project.

5 “(III) ELEVATION FOR MISSED
6 MILESTONE.—If a dispute between
7 the Administrator and participating
8 agencies (or amongst participating
9 agencies) causes a milestone to be
10 missed or extended, or the Adminis-
11 trator anticipates that a permitting
12 timetable milestone will be missed or
13 will need to be extended, then the dis-
14 pute shall be elevated to an official
15 designated by the relevant agency for
16 resolution. Such elevation should take
17 place as soon as practicable after the
18 Administrator becomes aware of the
19 dispute or potential missed milestone.

20 “(IV) EXCEPTION.—Disputes
21 that do not impact the ability of an
22 agency to meet a milestone may be
23 elevated as appropriate.

24 “(V) FURTHER EVALUATION.—
25 Once a dispute has been elevated to

1 the designated official, if no resolution
2 has been reached at the end of 30
3 days after the relevant milestone date
4 or extension date, then the relevant
5 agencies shall elevate the dispute to
6 senior agency leadership for resolu-
7 tion.

8 “(D) CONSISTENCY WITH OTHER TIME PE-
9 RIODS.—A schedule under subparagraph (B)
10 shall be consistent with any other relevant time
11 periods established under Federal law.

12 “(E) MODIFICATION.—

13 “(i) IN GENERAL.—Except as pro-
14 vided in clause (ii), the Administrator may
15 lengthen or shorten a schedule established
16 under subparagraph (B) for good cause. A
17 decision by a project sponsor to change,
18 modify, expand, or reduce the scope of a
19 project may be considered as good cause
20 for lengthening or shortening of such
21 schedule as appropriate and based on the
22 nature and extent of the proposed project
23 adjustment.

24 “(ii) LIMITATIONS.—

1 “(I) LENGTHENED SCHEDULE.—

2 The Administrator may lengthen a
3 schedule under clause (i) for a cooper-
4 ating Federal agency by not more
5 than 1 year after the latest deadline
6 established for the project described
7 or designated under subsection (b) by
8 the Administration.

9 “(II) SHORTENED SCHEDULE.—

10 The Administrator may not shorten a
11 schedule under clause (i) if doing so
12 would impair the ability of a cooper-
13 ating Federal agency to conduct nec-
14 essary analyses or otherwise carry out
15 relevant obligations of the Federal
16 agency for the project.

17 “(F) FAILURE TO MEET DEADLINE.—If a
18 cooperating Federal agency fails to meet a
19 deadline established under subparagraph
20 (D)(ii)(I)—

21 “(i) the cooperating Federal agency
22 shall, not later than 10 days after meeting
23 the deadline, submit to the Administrator
24 a report that describes the reasons why the
25 deadline was not met; and

1 “(ii) the Secretary shall—

2 “(I) submit to the Committee on
3 Transportation and Infrastructure of
4 the House of Representatives and the
5 Committee on Commerce, Science,
6 and Transportation of the Senate a
7 copy of the report under clause (i);
8 and

9 “(II) make the report under
10 clause (i) publicly available on the
11 website of the agency.

12 “(G) DISSEMINATION.—A copy of a sched-
13 ule under subparagraph (B), and of any modi-
14 fications to the schedule, shall be—

15 “(i) provided to all participating agen-
16 cies and to the State transportation de-
17 partment of the State in which the project
18 is located (and, if the State is not the
19 project sponsor, to the project sponsor);
20 and

21 “(ii) made available to the public.

22 “(2) COMMENT DEADLINES.—The Adminis-
23 trator shall establish the following deadlines for com-
24 ment during the environmental review process for a
25 project:

1 “(A) For comments by agencies and the
2 public on a draft environmental impact state-
3 ment, a period of not more than 60 days after
4 publication in the Federal Register of notice of
5 the date of public availability of such statement,
6 unless—

7 “(i) a different deadline is established
8 by agreement of the lead agency, the
9 project sponsor, and all participating agen-
10 cies; or

11 “(ii) the deadline is extended by the
12 lead agency for good cause.

13 “(B) For all other comment periods estab-
14 lished by the lead agency for agency or public
15 comments in the environmental review process,
16 a period of no more than 30 days from avail-
17 ability of the materials on which comment is re-
18 quested, unless—

19 “(i) a different deadline is established
20 by agreement of the Administrator, the
21 project sponsor, and all participating agen-
22 cies; or

23 “(ii) the deadline is extended by the
24 lead agency for good cause.

1 “(3) DEADLINES FOR DECISIONS UNDER
2 OTHER LAWS.—In any case in which a decision
3 under any Federal law relating to a project de-
4 scribed or designated under subsection (b) (including
5 the issuance or denial of a permit or license) is re-
6 quired to be made by the later of the date that is
7 180 days after the date on which the Administrator
8 made all final decisions of the lead agency with re-
9 spect to the project, or 180 days after the date on
10 which an application was submitted for the permit
11 or license, the Administrator shall submit to the
12 Committee on Transportation and Infrastructure of
13 the House of Representatives and the Committee on
14 Commerce, Science, and Transportation of the Sen-
15 ate, and publish on the website of the Administra-
16 tion—

17 “(A) as soon as practicable after the 180-
18 day period, an initial notice of the failure of the
19 Federal agency to make the decision; and

20 “(B) every 60 days thereafter until such
21 date as all decisions of the Federal agency re-
22 lating to the project have been made by the
23 Federal agency, an additional notice that de-
24 scribes the number of decisions of the Federal

1 agency that remain outstanding as of the date
2 of the additional notice.

3 “(4) INVOLVEMENT OF THE PUBLIC.—Nothing
4 in this subsection shall reduce any time period pro-
5 vided for public comment in the environmental re-
6 view process under existing Federal law, including a
7 regulation.

8 “(n) CONCURRENT REVIEWS AND SINGLE NEPA
9 DOCUMENT.—

10 “(1) CONCURRENT REVIEWS.—Each partici-
11 pating agency and cooperating agency under the ex-
12 pedited and coordinated environmental review proc-
13 ess established under this section shall—

14 “(A) carry out the obligations of that
15 agency under other applicable law concurrently,
16 and in conjunction, with the review required
17 under the National Environmental Policy Act of
18 1969 (42 U.S.C. 4321 et seq.), unless doing so
19 would impair the ability of the Federal agency
20 to conduct needed analysis or otherwise carry
21 out such obligations; and

22 “(B) formulate and implement administra-
23 tive, policy, and procedural mechanisms to en-
24 able the agency to ensure completion of the en-

1 vironmental review process in a timely, coordi-
2 nated, and environmentally responsible manner.

3 “(2) SINGLE NEPA DOCUMENT.—

4 “(A) IN GENERAL.—Except as inconsistent
5 with subsection (a), to the maximum extent
6 practicable and consistent with Federal law, all
7 Federal permits and reviews for a project shall
8 rely on a single environment document prepared
9 under the National Environmental Policy Act of
10 1969 (42 U.S.C. 4321 et seq.) under the lead-
11 ership of the Administrator of the Federal Avia-
12 tion Administration.

13 “(B) USE OF DOCUMENT.—

14 “(i) IN GENERAL.—To the maximum
15 extent practicable, the Administrator shall
16 develop an environmental document suffi-
17 cient to satisfy the requirements for any
18 Federal approval or other Federal action
19 required for the project, including permits
20 issued by other Federal agencies.

21 “(ii) COOPERATION OF PARTICI-
22 PATING AGENCIES.—Other participating
23 agencies shall cooperate with the lead
24 agency and provide timely information to

1 help the lead agency carry out this sub-
2 paragraph.

3 “(C) TREATMENT AS PARTICIPATING AND
4 COOPERATING AGENCIES.—A Federal agency
5 required to make an approval or take an action
6 for a project, as described in this paragraph,
7 shall work with the Administration for the
8 project to ensure that the agency making the
9 approval or taking the action is treated as being
10 both a participating and cooperating agency for
11 the project.

12 “(3) PARTICIPATING AGENCY RESPONSIBIL-
13 ITIES.—An agency participating in the expedited
14 and coordinated environmental review process under
15 this section shall—

16 “(A) provide comments, responses, studies,
17 or methodologies on those areas within the spe-
18 cial expertise or jurisdiction of the agency; and

19 “(B) use the process to address any envi-
20 ronmental issues of concern to the agency.

21 “(o) ENVIRONMENTAL IMPACT STATEMENT.—

22 “(1) IN GENERAL.—In preparing a final envi-
23 ronmental impact statement under the National En-
24 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
25 seq.) for a project described or designated under

1 subsection (b), if the Administrator modifies the
2 statement in response to comments that are minor
3 and are confined to factual corrections or expla-
4 nations of why the comments do not warrant addi-
5 tional agency response, the Administrator may write
6 on errata sheets attached to the statement instead
7 of rewriting the draft statement, subject to the con-
8 dition that the errata sheets—

9 “(A) cite the sources, authorities, and rea-
10 sons that support the position of the agency;
11 and

12 “(B) if appropriate, indicate the cir-
13 cumstances that would trigger agency re-
14 appraisal or further response.

15 “(2) SINGLE DOCUMENT.—To the maximum
16 extent practicable, for a project subject to a coordi-
17 nated review process under this section, the Admin-
18 istrator shall expeditiously develop a single document
19 that consists of a final environmental impact state-
20 ment and a record of decision, unless—

21 “(A) the final environmental impact state-
22 ment or record of decision makes substantial
23 changes to the project that are relevant to envi-
24 ronmental or safety concerns; or

1 “(B) there is a significant new cir-
2 cumstance or information relevant to environ-
3 mental concerns that bears on the proposed ac-
4 tion or the environmental impacts of the pro-
5 posed action.

6 “(3) LENGTH OF ENVIRONMENTAL DOCU-
7 MENT.—

8 “(A) IN GENERAL.—Except as provided in
9 subparagraph (B), an environmental impact
10 statement shall not exceed 150 pages, not in-
11 cluding any citations or appendices.

12 “(B) EXTRAORDINARY COMPLEXITY.—An
13 environmental impact statement for a proposed
14 agency action of extraordinary complexity shall
15 not exceed 300 pages, not including any cita-
16 tions or appendices.

17 “(p) INTEGRATION OF PLANNING AND ENVIRON-
18 MENTAL REVIEW.—

19 “(1) IN GENERAL.—Subject to paragraph (5)
20 and to the maximum extent practicable and appro-
21 priate, the following agencies may adopt or incor-
22 porate by reference, and use a planning product in
23 proceedings relating to, any class of action in the en-
24 vironmental review process of a project described or
25 designated under subsection (b):

1 “(A) The lead agency for a project, with
2 respect to an environmental impact statement,
3 environmental assessment, categorical exclusion,
4 or other document prepared under the National
5 Environmental Policy Act of 1969 (42 U.S.C.
6 4321 et seq.).

7 “(B) A cooperating agency with responsi-
8 bility under Federal law with respect to the
9 process for and completion of any environ-
10 mental permit, approval, review, or study re-
11 quired for a project under any Federal law
12 other than the National Environmental Policy
13 Act of 1969 (42 U.S.C. 4321 et seq.), if con-
14 sistent with that law.

15 “(2) IDENTIFICATION.—If the relevant agency
16 makes a determination to adopt or incorporate by
17 reference and use a planning product under para-
18 graph (1), such agency shall identify the agencies
19 that participated in the development of the planning
20 products.

21 “(3) ADOPTION OR INCORPORATION BY REF-
22 ERENCE OF PLANNING PRODUCTS.—The relevant
23 agency may—

24 “(A) adopt or incorporate by reference an
25 entire planning product under paragraph (1); or

1 “(B) select portions of a planning project
2 under paragraph (1) for adoption or incorpora-
3 tion by reference.

4 “(4) TIMING.—The adoption or incorporation
5 by reference of a planning product under paragraph
6 (1) may—

7 “(A) be made at the time the relevant
8 agencies decide the appropriate scope of envi-
9 ronmental review for the project; or

10 “(B) occur later in the environmental re-
11 view process, as appropriate.

12 “(5) CONDITIONS.—The relevant agency in the
13 environmental review process may adopt or incor-
14 porate by reference a planning product under this
15 section if the relevant agency determines, with the
16 concurrence of the lead agency and, if the planning
17 product is necessary for a cooperating agency to
18 issue a permit, review, or approval for the project,
19 with the concurrence of the cooperating agency, that
20 the following conditions have been met:

21 “(A) The planning product was developed
22 through a planning process conducted pursuant
23 to applicable Federal law.

1 “(B) The planning product was developed
2 in consultation with appropriate Federal and
3 State resource agencies and Indian Tribes.

4 “(C) The planning process included broad
5 multidisciplinary consideration of systems-level
6 or corridor-wide transportation needs and po-
7 tential effects, including effects on the human
8 and natural environment.

9 “(D) The planning process included public
10 notice that the planning products produced in
11 the planning process may be adopted during
12 any subsequent environmental review process in
13 accordance with this section.

14 “(E) During the environmental review
15 process, the relevant agency has—

16 “(i) made the planning documents
17 available for public review and comment by
18 members of the general public and Fed-
19 eral, State, local, and Tribal governments
20 that may have an interest in the proposed
21 project;

22 “(ii) provided notice of the intention
23 of the relevant agency to adopt or incor-
24 porate by reference the planning product;
25 and

1 “(iii) considered any resulting com-
2 ments.

3 “(F) There is no significant new informa-
4 tion or new circumstance that has a reasonable
5 likelihood of affecting the continued validity or
6 appropriateness of the planning product or por-
7 tions thereof.

8 “(G) The planning product has a rational
9 basis and is based on reliable and reasonably
10 current data and reasonable and scientifically
11 acceptable methodologies.

12 “(H) The planning product is documented
13 in sufficient detail to support the decision or
14 the results of the analysis and to meet require-
15 ments for use of the information in the environ-
16 mental review process.

17 “(I) The planning product is appropriate
18 for adoption or incorporation by reference and
19 use in the environmental review process for the
20 project and is incorporated in accordance with,
21 and is sufficient to meet the requirements of,
22 the National Environmental Policy Act of 1969
23 (42 U.S.C. 4321 et seq.) and section 1502.21
24 of title 40, Code of Federal Regulations.

1 “(6) EFFECT OF ADOPTION OR INCORPORATION
2 BY REFERENCE.—Any planning product or portions
3 thereof adopted or incorporated by reference by the
4 relevant agency in accordance with this subsection
5 may be—

6 “(A) incorporated directly into an environ-
7 mental review process document or other envi-
8 ronmental document; and

9 “(B) relied on and used by other Federal
10 agencies in carrying out reviews of the project.

11 “(q) REPORT ON NEPA DATA.—

12 “(1) IN GENERAL.—The Administrator of the
13 Federal Aviation Administration shall carry out a
14 process to track, and annually submit to the Com-
15 mittee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Sen-
18 ate a report on projects described in subsection
19 (b)(1) that contains the information described in
20 paragraph (3).

21 “(2) TIME TO COMPLETE.—For purposes of
22 paragraph (3), the NEPA process—

23 “(A) for an environmental impact state-
24 ment—

1 “(i) begins on the date on which a no-
2 tice of intent is published in the Federal
3 Register; and

4 “(ii) ends on the date on which the
5 Administrator issues a record of decision,
6 including, if necessary, a revised record of
7 decision; and

8 “(B) for an environmental assessment—

9 “(i) begins on the date on which the
10 Administrator makes a determination to
11 prepare an environmental assessment; and

12 “(ii) ends on the date on which the
13 Administrator issues a finding of no sig-
14 nificant impact or determines that prepa-
15 ration of an environmental impact state-
16 ment is necessary.

17 “(3) INFORMATION DESCRIBED.—The informa-
18 tion referred to in paragraph (1) is, with respect to
19 the Federal Aviation Administration—

20 “(A) the number of proposed actions for
21 which a categorical exclusion was applied by the
22 Administration during the reporting period;

23 “(B) the number of proposed actions for
24 which a documented categorical exclusion was

1 applied by the Administration during the re-
2 porting period;

3 “(C) the number of proposed actions pend-
4 ing on the date on which the report is sub-
5 mitted for which the issuance of a documented
6 categorical exclusion by the Administration is
7 pending;

8 “(D) the number of proposed actions for
9 which an environmental assessment was issued
10 by the Administration during the reporting pe-
11 riod;

12 “(E) the length of time the Administration
13 took to complete each environmental assessment
14 described in subparagraph (D);

15 “(F) the number of proposed actions pend-
16 ing on the date on which the report is sub-
17 mitted for which an environmental assessment
18 is being drafted by the Administration;

19 “(G) the number of proposed actions for
20 which a final environmental impact statement
21 was completed by the Administration during the
22 reporting period;

23 “(H) the length of time that the Adminis-
24 tration took to complete each environmental im-
25 pact statement described in subparagraph (G);

1 “(I) the number of proposed actions pend-
2 ing on the date on which the report is sub-
3 mitted for which an environmental impact
4 statement is being drafted; and

5 “(J) for the proposed actions reported
6 under subparagraphs (F) and (I), the percent-
7 age of those proposed actions for which—

8 “(i) project funding has been identi-
9 fied; and

10 “(ii) all other Federal, State, and
11 local activities that are required to allow
12 the proposed action to proceed are com-
13 pleted.

14 “(4) DEFINITIONS.—In this section:

15 “(A) ENVIRONMENTAL ASSESSMENT.—The
16 term ‘environmental assessment’ has the mean-
17 ing given the term in section 1508.1 of title 40,
18 Code of Federal Regulations (or a successor
19 regulation).

20 “(B) ENVIRONMENTAL IMPACT STATE-
21 MENT.—The term ‘environmental impact state-
22 ment’ means a detailed statement required
23 under section 102(2)(C) of the National Envi-
24 ronmental Policy Act of 1969 (42 U.S.C.
25 4332(2)(C)).

1 “(C) NEPA PROCESS.—The term ‘NEPA
2 process’ means the entirety of the development
3 and documentation of the analysis required
4 under the National Environmental Policy Act of
5 1969 (42 U.S.C. 4321 et seq.), including the
6 assessment and analysis of any impacts, alter-
7 natives, and mitigation of a proposed action,
8 and any interagency participation and public in-
9 volvement required to be carried out before the
10 Administrator undertakes a proposed action.

11 “(D) PROPOSED ACTION.—The term ‘pro-
12 posed action’ means an action (within the
13 meaning of the National Environmental Policy
14 Act of 1969 (42 U.S.C. 4321 et seq.)) under
15 this title that the Administrator proposes to
16 carry out.

17 “(E) REPORTING PERIOD.—The term ‘re-
18 porting period’ means the fiscal year prior to
19 the fiscal year in which a report is issued under
20 subsection (a).”.

21 **SEC. 474. SUBCHAPTER III DEFINITIONS.**

22 Section 47175 of title 49, United States Code, is
23 amended—

24 (1) in paragraph (3)(A) by striking “and” at
25 the end and inserting “or”;

1 (2) in paragraph (4)—

2 (A) in subparagraph (A) by striking “and”

3 at the end; and

4 (B) in subparagraph (B)—

5 (i) by striking “(B)”; and

6 (ii) by redesignating clauses (i) and

7 (ii) as subparagraphs (B) and (C), respec-

8 tively;

9 (3) by striking paragraph (5);

10 (4) by redesignating paragraphs (3), (1), (4),

11 (2), (6), and (8) as paragraphs (1), (2), (3), (4),

12 (5), and (6), respectively; and

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

14 “(8) **TERMINAL DEVELOPMENT.**—The term

15 ‘terminal development’ has the same meaning given

16 such term in section 47102.”.

17 **SEC. 475. PILOT PROGRAM EXTENSION.**

18 Section 190(i) of the FAA Reauthorization Act of

19 2018 (49 U.S.C. 47104 note) is amended by striking “5

20 years” and all that follows through the period at the end

21 and inserting “on October 1, 2028.”.

22 **SEC. 476. PART 150 NOISE STANDARDS UPDATE.**

23 (a) **IN GENERAL.**—Not later than 1 year after the

24 date of enactment of this Act, the Administrator of the

25 Federal Aviation Administration shall review and revise

1 part 150 of title 14, Code of Federal Regulations, to re-
2 flect all relevant laws and regulations, including part 161
3 of title 14, Code of Federal Regulations.

4 (b) OUTREACH.—As part of the review conducted
5 under subsection (a), the Administrator shall clarify exist-
6 ing and future noise policies and standards and seek feed-
7 back from airports, airport users, and individuals living
8 in the vicinity of airports and in overflight communities
9 before implementing any changes to any noise policies or
10 standards.

11 (c) BRIEFING.—Not later than 90 days after the date
12 of enactment of this Act, and every 6 months thereafter,
13 the Administrator shall brief the Committee on Transpor-
14 tation and Infrastructure of the House of Representatives
15 and the Committee on Commerce, Science, and Transpor-
16 tation of the Senate regarding the review conducted under
17 subsection (a).

18 (d) SUNSET.—The requirement under subsection (c)
19 shall terminate on September 30, 2028.

20 (e) OVERFLIGHT COMMUNITY DEFINED.—In this
21 section, the term “overflight community” means an
22 area—

23 (1) located under the flight paths of aircraft;

24 (2) that experiences noise annoyance from such
25 aircraft or airports; and

1 (3) that is located in an area that experiences
2 a day-night average sound level lower than the
3 threshold of significant noise exposure established by
4 the Administrator of the Federal Aviation Adminis-
5 tration.

6 **SEC. 477. REDUCING COMMUNITY AIRCRAFT NOISE EXPO-**
7 **SURE.**

8 In implementing or revising a flight procedure, the
9 Administrator of the Federal Aviation Administration
10 shall seek to take the following actions (to the extent that
11 such actions do not negatively affect aviation safety or ef-
12 ficiency) to reduce undesirable aircraft noise:

13 (1) Implement flight procedures that can miti-
14 gate the impact of aircraft noise.

15 (2) Work with airport sponsors and potentially
16 impacted neighboring communities in establishing or
17 modifying aircraft arrival and departure routes.

18 (3) Discourage local encroachment of residen-
19 tial or other buildings near airports that could create
20 future aircraft noise complaints or impact airport
21 operations or aviation safety.

22 **SEC. 478. CATEGORICAL EXCLUSIONS.**

23 (a) CATEGORICAL EXCLUSION FOR PROJECTS OF
24 LIMITED FEDERAL ASSISTANCE.—An action by the Ad-
25 ministrator of the Federal Aviation Administration to ap-

1 prove, permit, finance, or otherwise authorize any airport
2 project that is undertaken by the sponsor, owner, or oper-
3 ator of a public-use airport shall be presumed to be cov-
4 ered by a categorical exclusion under Federal Aviation Ad-
5 ministration Order 1050.1F, or any successor document,
6 if such project—

7 (1) receives less than \$6,000,000 (as adjusted
8 annually by the Administrator to reflect any in-
9 creases in the Consumer Price Index prepared by
10 the Department of Labor) of Federal funds or funds
11 from charges collected under section 40117 of title
12 49, United States Code; or

13 (2) with a total estimated cost of not more than
14 \$35,000,000 (as adjusted annually by the Adminis-
15 trator to reflect any increases in the Consumer Price
16 Index prepared by the Department of Labor) and
17 Federal funds comprising less than 15 percent of the
18 total estimated project cost.

19 (b) CATEGORICAL EXCLUSION IN EMERGENCIES.—
20 An action by the Administrator to approve, permit, fi-
21 nance, or otherwise authorize an airport project that is
22 undertaken by the sponsor, owner, or operator of a public-
23 use airport shall be presumed to be covered by a categor-
24 ical exclusion under Federal Aviation Administration

1 Order 1050.1F, or any successor document, if such project
2 is—

3 (1) for the repair or reconstruction of any air-
4 port facility, runway, taxiway, or similar structure
5 that is in operation or under construction when
6 damaged by an emergency declared by the Governor
7 of the State and concurred in by the Administrator,
8 or for a disaster or emergency declared by the Presi-
9 dent pursuant to the Robert T. Stafford Disaster
10 Relief and Emergency Assistance Act (42 U.S.C.
11 5121 et seq.);

12 (2) in the same location with the same capacity,
13 dimensions, and design as the original airport facil-
14 ity, runway, taxiway, or similar structure as before
15 the declaration described in this section; and

16 (3) commenced within a 2-year period begin-
17 ning on the date of a declaration described in this
18 section.

19 (c) EXTRAORDINARY CIRCUMSTANCES.—The pre-
20 sumption that an action is covered by a categorical exclu-
21 sion under subsections (a) and (b) shall not apply if the
22 Administrator determines that extraordinary cir-
23 cumstances exist with respect to such action.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to impact any aviation safety au-
3 thority of the Administrator.

4 (e) DEFINITIONS.—In this section:

5 (1) CATEGORICAL EXCLUSION.—The term “cat-
6 egorical exclusion” has the meaning given the term
7 in section 1508.1(d) of title 40, Code of Federal
8 Regulations.

9 (2) PUBLIC-USE AIRPORT; SPONSOR.—The
10 terms “public-use airport” and “sponsor” have the
11 meaning given such terms in section 47102 of title
12 49, United States Code.

13 **SEC. 479. CRITICAL HABITAT ON OR NEAR AIRPORT PROP-**
14 **ERTY.**

15 (a) FEDERAL AGENCY REQUIREMENTS.—The Ad-
16 ministrator of the Federal Aviation Administration, to the
17 maximum extent practicable, shall collaborate with the
18 heads of appropriate Federal agencies to ensure that des-
19 ignations of critical habitat, as such term is defined in
20 section 3 of the Endangered Species Act of 1973 (16
21 U.S.C. 1532), on or near airport property do not—

22 (1) result in conflicting statutory, regulatory, or
23 Federal grant assurance requirements for airports or
24 aircraft operators;

1 (2) interfere with the safe operation of aircraft;

2 or

3 (3) occur on airport-owned lands that have be-
4 come attractive habitat for a threatened or endan-
5 gered species because such lands—

6 (A) have been prepared for future develop-
7 ment;

8 (B) have been designated as noise buffer
9 land; or

10 (C) are held by the airport to prevent en-
11 croachment of uses that are incompatible with
12 airport operations.

13 (b) STATE REQUIREMENTS.—In a State in which a
14 State agency is authorized to designate land on or near
15 airport property for the conservation of a threatened or
16 endangered species in the State, the Administrator, to the
17 maximum extent practicable, shall collaborate with the
18 State in the same manner as the Administrator collabo-
19 rates with the heads of Federal agencies under subsection
20 (a).

21 **SEC. 480. UPDATING PRESUMED TO CONFORM LIMITS.**

22 Not later than 24 months after the date of enactment
23 of this Act, the Administrator of the Federal Aviation Ad-
24 ministration shall take such actions as are necessary to
25 update the Administration's list of actions that are pre-

1 sumed to conform to a State implementation plan pursu-
2 ant to section 93.153(f) of title 40, Code of Federal Regu-
3 lations, to include projects relating to the construction of
4 aircraft hangars.

5 **SEC. 481. RECOMMENDATIONS ON REDUCING ROTORCRAFT**
6 **NOISE IN DISTRICT OF COLUMBIA.**

7 (a) STUDY.—The Comptroller General of the United
8 States shall conduct a study on reducing rotorcraft noise
9 in the District of Columbia.

10 (b) CONTENTS.—The study conducted under sub-
11 section (a) shall consider—

12 (1) the extent to which military operators con-
13 sider operating over unpopulated areas outside of
14 the District of Columbia for training missions;

15 (2) the extent to which vehicles or aircraft other
16 than conventional rotorcraft (such as unmanned air-
17 craft) could be used for emergency and law enforce-
18 ment response; and

19 (3) the extent to which relevant operators and
20 entities have assessed and addressed, as appropriate,
21 the noise impacts of various factors of operating
22 rotorcraft, including, at a minimum—

23 (A) altitude;

24 (B) the number of flights;

25 (C) flight paths;

- 1 (D) time of day of flights;
- 2 (E) types of aircraft;
- 3 (F) operating procedures; and
- 4 (G) pilot training.

5 (c) REPORT.—Not later than 1 year after the date
6 of enactment of this Act, the Comptroller General of the
7 United States shall brief the Committee on Transportation
8 and Infrastructure of the House of Representatives and
9 the Committee on Commerce, Science, and Transportation
10 of the Senate on preliminary observations with a report
11 to follow at a date agreed upon at the time of the briefing
12 containing—

13 (1) the contents of the study conducted under
14 subsection (a); and

15 (2) any recommendations for the reduction of
16 rotorcraft noise in the District of Columbia.

17 (d) RELEVANT OPERATORS AND ENTITIES DE-
18 FINED.—In this section, the term “relevant operators and
19 entities” means—

20 (1) the Chief of Police of the Metropolitan Po-
21 lice Department of the District of Columbia;

22 (2) any medical rotorcraft operator that rou-
23 tinely flies a rotorcraft over the District of Colum-
24 bia; and

1 (3) any other operator that routinely flies a
2 rotorcraft over the District of Columbia.

3 **SEC. 482. UFP STUDY.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, the Administrator of the
6 Federal Aviation Administration shall enter into an agree-
7 ment with the National Academies under which the Na-
8 tional Research Council shall carry out a study examining
9 airborne ultrafine particles and the effect of such particles
10 on human health.

11 (b) SCOPE OF STUDY.—The study conducted under
12 subsection (a) shall—

13 (1) summarize the relevant literature and stud-
14 ies done on airborne UFPs worldwide;

15 (2) focus on large hub airports;

16 (3) examine airborne UFPs and their potential
17 effect on human health, including—

18 (A) characteristics of UFPs present in the
19 air;

20 (B) spatial and temporal distributions of
21 UFP concentrations;

22 (C) primary sources of UFPs;

23 (D) the contribution of aircraft and airport
24 operations to the distribution of UFP con-
25 centrations compared to other sources;

1 (E) potential health effects associated with
2 elevated UFP exposures, including outcomes re-
3 lated to cardiovascular disease, respiratory in-
4 fection and disease, degradation of
5 neurocognitive functions, and other health ef-
6 fects; and

7 (F) potential UFP exposures, especially to
8 susceptible groups;

9 (4) identify measures intended to reduce the re-
10 lease of UFPs; and

11 (5) identify information gaps related to under-
12 standing potential relationships between UFP expo-
13 sures and health effects, contributions of aviation-re-
14 lated emissions to UFP exposures, and the effective-
15 ness of mitigation measures.

16 (c) COORDINATION.— The Administrator may coordi-
17 nate with the heads of such other agencies that the Ad-
18 ministrator considers appropriate to provide data and
19 other assistance necessary for the study.

20 (d) REPORT.—Not later than 180 days after the Na-
21 tional Research Council submits of the results of the study
22 to the Administrator, the Administrator shall submit to
23 the Committee on Transportation and Infrastructure of
24 the House of Representatives and the Committee on Com-
25 merce, Science, and Transportation of the Senate a report

1 containing the results of the study carried out under sub-
2 section (a), including any recommendations based on such
3 study.

4 (e) DEFINITION OF ULTRAFINE PARTICLE.—In this
5 section, the terms “ultrafine particle” and “UFP” mean
6 particles with diameters less than or equal to 100 nano-
7 meters.

8 **SEC. 483. AVIATION AND AIRPORT COMMUNITY ENGAGE-**
9 **MENT.**

10 (a) ESTABLISHMENT OF TASK FORCE.—

11 (1) IN GENERAL.—Not later than 90 days after
12 the date of enactment of this Act, the Administrator
13 of the Federal Aviation Administration shall estab-
14 lish an airport community of interest task force (in
15 this section referred to as the “Task Force”) to
16 evaluate and improve existing processes and mecha-
17 nisms for engaging communities impacted by airport
18 development and aviation operations.

19 (2) ACTIVITIES.—The Task Force shall—

20 (A) review research on aircraft noise im-
21 pacts to identify potential actions the Adminis-
22 trator could take;

23 (B) review processes and practices of the
24 Administration for engaging communities prior
25 to or after air traffic pattern changes that im-

1 pact such communities, including with how such
2 processes and practices compare to best prac-
3 tices from organizations with expertise in grass-
4 roots community organizing and collaboration;

5 (C) assess Federal efforts to mitigate noise
6 impacts on communities, including costs and
7 benefits of such efforts;

8 (D) assess the various actions that State
9 and local government officials and community
10 planners could take when considering changes
11 to airport infrastructure, including planned air-
12 port projects or surrounding airport community
13 developments;

14 (E) identify potential improvements to
15 Federal, State, and local airport development
16 policy and planning processes to better balance
17 which communities experience negative
18 externalities as a result of airport operations;

19 (F) consider guidance to airports and air-
20 port communities to improve engagement with
21 the Administration, as recommended by the
22 document titled “Aircraft Noise: FAA Could
23 Improve Outreach Through Enhanced Noise
24 Metrics, Communication, and Support to Com-

1 communities”, issued in September 2021 (GAO–
2 21–103933);

3 (G) consider mechanisms and opportunities
4 for the Administration to facilitate better ex-
5 change of helicopter noise information with op-
6 erators in communities adversely impacted by
7 helicopter noise, as recommended by the Comp-
8 troller General in the document titled “Aircraft
9 Noise: Better Information Sharing Could Im-
10 prove Responses to Washington, D.C. Area Hel-
11 icopter Noise Concerns” (GAO–21–200); and

12 (H) review air traffic controller guidance
13 on use and development of noise abatement pro-
14 cedures of the Administration to identify areas
15 for improvement or efficiency that do not ad-
16 versely impact aviation safety.

17 (3) COMPOSITION.—

18 (A) APPOINTMENT.—The Administrator
19 shall appoint the members of the Task Force.

20 (B) CHAIRPERSON.—The Task Force shall
21 be chaired by the Administrator’s executive
22 level designee.

23 (C) REPRESENTATION.—The Task Force
24 shall be comprised of representatives from—

- 1 (i) multiple airport communities and
2 communities in the vicinity of airports;
3 (ii) airport operators;
4 (iii) airlines;
5 (iv) experts with specific knowledge of
6 air traffic planning;
7 (v) aircraft manufacturers;
8 (vi) local government officials; and
9 (vii) such other representatives as the
10 Administrator considers appropriate.

11 (4) COMPENSATION.—Members of the Task
12 Force shall serve without compensation.

13 (5) NONAPPLICABILITY OF FACA.—Chapter 10
14 of title 5, United States Code, shall not apply to the
15 Task Force established under this section.

16 (6) CONSULTATION.—The Task Force shall, as
17 appropriate, consult with relevant experts and stake-
18 holders not listed in paragraph (3)(C) in conducting
19 the activities described in paragraph (2).

20 (7) REPORTS.—

21 (A) RECOMMENDATIONS.—Not later than
22 1 year after the date of the establishment of the
23 Task Force and every year thereafter through
24 fiscal year 2028, the Task Force shall provide
25 to the Committee on Transportation and Infra-

1 structure of the House of Representatives, the
2 Committee on Commerce, Science, and Trans-
3 portation of the Senate, and the Administrator
4 recommendations to improve the processes and
5 mechanisms for engaging communities impacted
6 by airport development and aviation operations.

7 (B) BRIEFING.—Not later than 60 days
8 after the submission of the annual rec-
9 ommendations under subparagraph (A), the Ad-
10 ministrator shall brief the committees described
11 in such subparagraph on any plans of the Ad-
12 ministration to implement the recommendations
13 of the Task Force, including explanations for
14 each of the recommendations the Administrator
15 does not intend to adopt.

16 (b) ENGAGEMENT EVENTS.—

17 (1) ANNUAL EVENT.—The Administrator shall
18 seek to convene at least 2 annual events in each geo-
19 graphic region of the Administration to engage with
20 aviation communities on issues of regional import.

21 (2) PURPOSE.—The purpose of the engagement
22 events described under paragraph (1) shall be to fos-
23 ter open and transparent communication between
24 the Federal Government and aviation-impacted com-

1 communities prior to, during, and after decision making
2 at the Federal level.

3 (3) TOPICS OF CONSIDERATION.—The topics of
4 consideration of such engagement events shall be ap-
5 proved by the Regional Administrator or the Re-
6 gional Community Engagement Officer of the appli-
7 cable region, in consultation with regional interest
8 groups. Topic areas shall be driven by local and re-
9 gional feedback and may focus on—

10 (A) noise concerns from low-flying com-
11 mercial aircraft;

12 (B) purchase and installation of aircraft
13 noise reduction measures;

14 (C) new development projects in close
15 proximity to airports and realistic noise expec-
16 tations for such projects;

17 (D) proposed airport expansion projects
18 and the potential noise implications of such
19 projects;

20 (E) the establishment of new, or changes
21 to existing, approach and departure routes and
22 the community impacts of such changes;

23 (F) upcoming events with an aviation com-
24 ponent; or

1 (G) any other topic or issue considered rel-
2 evant by an aviation-impacted community.

3 (4) PARTICIPATION.—

4 (A) COORDINATION.—All events described
5 in paragraph (3) shall be convened by or in co-
6 ordination with the regional offices of the Ad-
7 ministration.

8 (B) ATTENDANCE BY REPRESENTA-
9 TIVES.—The Administrator shall ensure rep-
10 resentatives from relevant program offices of
11 the Administration are in attendance at such
12 events.

13 (C) APPROPRIATE PARTICIPATION.—The
14 Administrator shall collaborate with community
15 groups at the State, municipal, city, or local
16 government level to ensure appropriate partici-
17 pation by as many relevant parties on a given
18 issue as practicable. Such relevant parties may
19 include—

20 (i) State or local government officials;

21 (ii) local or municipal planning and
22 zoning officials;

23 (iii) neighborhood representatives;

1 (iv) aircraft operators, flight school
2 representatives, or other local aviation enti-
3 ties;

4 (v) airport operators; and

5 (vi) any other parties as appropriate.

6 (D) COORDINATION.—The Administrator
7 shall coordinate Federal participation that is
8 not under the Administration through the Fed-
9 eral Interagency Committee on Aviation Noise
10 to encourage appropriate Federal representa-
11 tion at all such events, based on the topic areas
12 of consideration.

13 **SEC. 484. COMMUNITY COLLABORATION PROGRAM.**

14 (a) ESTABLISHMENT.—Not later than 90 days after
15 the date of enactment of this Act, the Administrator of
16 the Federal Aviation Administration shall establish a
17 Community Collaboration Program (in this section re-
18 ferred to as the “Program”) within the Office for Policy,
19 International Affairs, and Environment of the Administra-
20 tion.

21 (b) STAFF.—The Program shall be comprised of rep-
22 resentatives from—

23 (1) the Office for Policy, International Affairs,
24 and Environment of the Administration;

25 (2) the Office of Airports of the Administration;

1 (3) the Air Traffic Organization of the Admin-
2 istration; and

3 (4) other entities as considered appropriate by
4 the Administrator.

5 (c) RESPONSIBILITIES.—

6 (1) IN GENERAL.—The Program shall facilitate
7 and harmonize, as appropriate, policies and proce-
8 dures carried out by the entities listed in subsection
9 (b) pertaining to community engagement relating
10 to—

11 (A) airport planning and development;

12 (B) noise and environmental policy;

13 (C) NextGen implementation;

14 (D) air traffic route changes;

15 (E) integration of new and emerging en-
16 trants; and

17 (F) other topics with respect to which com-
18 munity engagement is critical to program suc-
19 cess.

20 (2) SPECIFIED RESPONSIBILITIES.—The re-
21 sponsibilities of the Program lead shall include—

22 (A) the establishment of, and membership
23 selection for, the Airport Community of Interest
24 Task Force, established under section 483;

1 (B) joint execution with Federal Aviation
2 Administration Regional Administrators of re-
3 gional community engagement events, as de-
4 scribed in section 483;

5 (C) updating the internal guidance of the
6 Administration for community engagement
7 based on recommendations from such Task
8 Force, best practices of other Federal agencies
9 interviews with impacted residents, and external
10 organizations with expertise in community en-
11 gagement, and recommendations solicited from
12 individuals and local government officials in
13 communities adversely impacted by aircraft
14 noise;

15 (D) coordinating with the Air Traffic Or-
16 ganization on community engagement efforts
17 related to air traffic procedure changes to en-
18 sure that impacted communities are consulted
19 in a meaningful way;

20 (E) oversight of Regional Ombudsmen of
21 the Administration;

22 (F) oversight, streamlining, and increasing
23 the responsiveness of the noise complaint proc-
24 ess of the Administration by—

- 1 (i) centralizing noise complaint data
2 and improving data collection methodolo-
3 gies;
- 4 (ii) increasing public accessibility to
5 such Regional Ombudsmen;
- 6 (iii) ensuring such Regional Ombuds-
7 men are consulted in local air traffic proce-
8 dure development decisions;
- 9 (iv) collecting feedback from such Re-
10 gional Ombudsmen to inform national pol-
11 icymaking efforts; and
- 12 (v) other recommendations made by
13 the Airport Community of Interest Task
14 Force;
- 15 (G) timely implementation of the rec-
16 ommendations, as appropriate, made by the
17 Comptroller General of the United States to the
18 Secretary of Transportation contained in the re-
19 port titled “Aircraft Noise: FAA Could Improve
20 Outreach Through Enhanced Noise Metrics,
21 Communication, and Support to Communities”,
22 issued in September 2021 (GAO–21–103933)
23 to improve the outreach of the FAA to local
24 communities impacted by aircraft noise, includ-
25 ing—

- 1 (i) any recommendations to—
- 2 (I) identify appropriate supple-
- 3 mental metrics for assessing noise im-
- 4 pacts and circumstances for their use
- 5 to aid in the internal assessment of
- 6 the Administration of noise impacts
- 7 related to proposed flight path
- 8 changes;
- 9 (II) update guidance to incor-
- 10 porate additional tools to more clearly
- 11 convey expected impacts, such as
- 12 other noise metrics and visualization
- 13 tools; and
- 14 (III) improve guidance to air-
- 15 ports and communities on effectively
- 16 engaging with the Administration; and
- 17 (ii) any other recommendations in-
- 18 cluded in the report that would assist the
- 19 agency in improving outreach to commu-
- 20 nities affected by aircraft noise;
- 21 (H) ensuring engagement with local com-
- 22 munity groups as appropriate in conducting the
- 23 other responsibilities described in this section;
- 24 and

1 (I) other responsibilities as considered ap-
2 propriate by the Administrator.

3 (d) REPORT.—Not later than 2 years after the Ad-
4 ministrator implements the recommendations described in
5 subsection (c)(2)(H), the Administrator shall brief the
6 Committee on Transportation and Infrastructure of the
7 House of Representatives and the Committee on Com-
8 merce, Science, and Transportation of the Senate describ-
9 ing—

10 (1) the implementation of each such rec-
11 ommendation;

12 (2) how any recommended actions are assisting
13 the Administrator in improving outreach to commu-
14 nities affected by aircraft noise and other commu-
15 nity engagement concerns; and

16 (3) any challenges or barriers that limit or pre-
17 vent the ability of the Administrator to take such ac-
18 tions.

19 **SEC. 485. THIRD PARTY STUDY ON AVIATION NOISE**
20 **METRICS.**

21 (a) STUDY.—Not later than 180 days after the date
22 of enactment of this Act, the Administrator of the Federal
23 Aviation Administration shall enter into an agreement
24 with the National Academies to conduct a study on avia-
25 tion noise metrics.

1 (b) CONTENTS.—The study required under sub-
2 section (a) shall include an assessment of—

3 (1) the efficacy of the day-night average sound
4 level (in this section referred to as “DNL”) noise
5 metric compared to other alternative models;

6 (2) the disadvantages of the DNL noise metric
7 in effect as of the date of enactment of this Act
8 compared to other alternative models;

9 (3) any potential changes that should be made
10 to the DNL noise metric in effect as of the date of
11 enactment of this Act; and

12 (4) the data collected by the Neighborhood En-
13 vironmental Survey of the Administration using al-
14 ternative noise metrics.

15 (c) REPORT TO CONGRESS.—Not later than 2 years
16 after the date of enactment of this Act, the National Acad-
17 emies shall submit to the Administrator, the Committee
18 on Transportation and Infrastructure of the House of
19 Representatives, and the Committee on Commerce,
20 Science, and Transportation of the Senate a report—

21 (1) on the results of the study described in sub-
22 section (a); and

23 (2) containing recommendations regarding the
24 most appropriate metric to adequately assess the
25 public health impacts of aircraft noise.

1 **SEC. 486. INFORMATION SHARING REQUIREMENT.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Secretary of Transpor-
4 tation, acting through the Administrator of the Federal
5 Aviation Administration, shall establish a mechanism to
6 make helicopter noise complaint data accessible to the
7 Federal Aviation Administration, to helicopter operators
8 operating in the Washington, D.C. area, and to the public
9 on a website of the Administration, based on the rec-
10 ommendation of the Government Accountability Office in
11 the report published on January 7, 2021, titled “Aircraft
12 Noise: Better Information Sharing Could Improve Re-
13 sponses to Washington, D.C. Area Helicopter Noise Con-
14 cerns”.

15 (b) COOPERATION.—Any helicopter operator oper-
16 ating in the Washington, D.C. area shall provide heli-
17 copter noise complaint data to the Federal Aviation Ad-
18 ministration through the mechanism established under
19 subsection (a).

20 (c) DEFINITIONS.—In this section:

21 (1) HELICOPTER NOISE COMPLAINT DATA.—

22 The term “helicopter noise complaint data”—

23 (A) means general data relating to a com-
24 plaint made by an individual about helicopter
25 noise in the Washington, D.C. area and may in-
26 clude—

- 1 (i) the location and description of the
2 event that is the subject of the complaint;
3 (ii) the start and end time of such
4 event;
5 (iii) a description of the aircraft that
6 is the subject of the complaint; and
7 (iv) the airport name associated with
8 such event; and
9 (B) does not include the personally identi-
10 fiable information of the individual who sub-
11 mitted the complaint.

12 (2) WASHINGTON, D.C. AREA.—The term
13 “Washington, D.C. area” means the area inside of
14 a 30-mile radius surrounding Ronald Reagan Wash-
15 ington National Airport.

16 **TITLE V—AVIATION SAFETY**
17 **Subtitle A—General Provisions**

18 **SEC. 501. ZERO TOLERANCE FOR NEAR MISSES, RUNWAY**
19 **INCURSIONS, AND SURFACE SAFETY RISKS.**

20 (a) POLICY.—

21 (1) IN GENERAL.—Section 47101(a) of title 49,
22 United States Code, is amended—

23 (A) by redesignating paragraphs (2)
24 through (13) as paragraphs (3) through (14),
25 respectively; and

1 (B) by inserting after paragraph (1) the
2 following:

3 “(2) that projects, activities, and actions that
4 prevent runway incursions serve to—

5 “(A) improve airport surface surveillance;
6 and

7 “(B) mitigate surface safety risks that are
8 essential to ensuring the safe operation of the
9 airport and airway system;”.

10 (2) CONFORMING AMENDMENTS.—Section
11 47101 of title 49, United States Code, is amended—

12 (A) in subsection (g) by striking “sub-
13 section (a)(5)” and inserting “subsection
14 (a)(6)”; and

15 (B) in subsection (h) by striking “sub-
16 section (a)(6)” and inserting “subsection
17 (a)(7)”.

18 (3) CONTINUOUS EVALUATION.—In carrying
19 out section 47101(a) of title 49, United States Code,
20 as amended by this subsection, the Administrator of
21 the Federal Aviation Administration shall establish a
22 process to continuously track and evaluate ground
23 traffic and air traffic activity and related incidents
24 at airports.

25 (b) RUNWAY SAFETY COUNCIL.—

1 (1) IN GENERAL.—Not later than 6 months
2 after the date of enactment of this Act, the Adminis-
3 trator of the Federal Aviation Administration shall
4 establish a council, to be known as the “Runway
5 Safety Council” (in this section referred to as the
6 “Council”), to develop a systematic proactive man-
7 agement strategy to address surface safety risks.

8 (2) DUTIES.—The duties of the Council shall
9 include, at a minimum, advancing the development
10 of risk-based, data driven, integrated systems solu-
11 tions and strategies to enhance surface safety risk
12 mitigation.

13 (3) MEMBERSHIP.—

14 (A) IN GENERAL.—In establishing the
15 Council, the Administrator shall appoint at
16 least 1 member from each of the following:

17 (i) Airport operators.

18 (ii) Air carriers.

19 (iii) Aircraft operators.

20 (iv) Avionics manufacturers.

21 (v) Flight schools.

22 (vi) The certified bargaining rep-
23 resentative of aviation safety inspectors for
24 the Administration.

1 (vii) The exclusive bargaining rep-
2 resentative of the air traffic controllers cer-
3 tified under section 7111 of title 5, United
4 States Code.

5 (viii) Other safety experts the Admin-
6 istrator determines appropriate.

7 (B) ADDITIONAL MEMBERS.—The Admin-
8 istrator may appoint members representing any
9 other stakeholder organization that the Admin-
10 istrator determines appropriate to the Runway
11 Safety Council.

12 (c) AIRPORT SURFACE SURVEILLANCE.—

13 (1) IDENTIFICATION.—Not later than 180 days
14 after the date of enactment of this Act, the Adminis-
15 trator shall, in coordination with the Council, con-
16 sult with relevant stakeholders to identify tech-
17 nologies, equipment, and systems that—

18 (A) may provide airport surface surveil-
19 lance capabilities at airports lacking such capa-
20 bilities;

21 (B) may augment existing airport surface
22 surveillance systems; or

23 (C) may provide onboard situational
24 awareness to pilots.

1 (2) CRITERIA.—Not later than 1 year after the
2 date of enactment of this Act, the Administrator
3 shall—

4 (A) based on the information obtained pur-
5 suant to paragraph (1), identify airport surface
6 surveillance systems that meet the standards of
7 the Administration and may be able to—

8 (i) provide airport surface surveillance
9 capabilities at airports lacking such capa-
10 bilities; or

11 (ii) augment existing airport surface
12 surveillance systems; and

13 (B) establish clear and quantifiable criteria
14 relating to operational factors, including ground
15 traffic and air traffic activity and the rate of
16 runway and terminal airspace safety events (in-
17 cluding runway incursions), that determine
18 when the installation and deployment of an air-
19 port surface surveillance system, or other run-
20 way safety system (including runway status
21 lights), at an airport is required.

22 (3) DEPLOYMENT.—Not later than 5 years
23 after the date of enactment of this Act, the Adminis-
24 trator shall ensure that airport surface surveillance
25 systems are deployed and operational at—

1 (A) all airports described in paragraph
2 (2)(A); and

3 (B) all medium and large hub airports.

4 (4) REPORT.—Not later than 4 years after the
5 date of enactment of this Act, the Administrator
6 shall brief the Committee on Transportation and In-
7 frastructure of the House of Representatives and the
8 Committee on Commerce, Science, and Transpor-
9 tation of the Senate on the progress of the deploy-
10 ment described in paragraph (3).

11 (d) FOREIGN OBJECT DEBRIS DETECTION.—

12 (1) IN GENERAL.—Not later than 3 years after
13 the date of enactment of this Act, the Administrator
14 shall assess, in coordination with the Council, auto-
15 mated foreign object debris monitoring and detection
16 systems at not less than 3 airports that are using
17 such systems.

18 (2) CONSIDERATIONS.—In conducting the as-
19 sessment under paragraph (1), the Administrator
20 shall consider the following:

21 (A) The categorization of an airport.

22 (B) The potential frequency of foreign ob-
23 ject debris incidents on airport runways or ad-
24 jacent ramp areas.

1 (C) The availability of funding for the in-
2 stallation and maintenance of foreign object de-
3 bris monitoring and detection systems.

4 (D) The impact of such systems on the air-
5 field operations of an airport.

6 (E) The effectiveness of available foreign
7 object debris monitoring and detection systems.

8 (F) Any other factors relevant to assessing
9 the return on investment of foreign object de-
10 bris monitoring and detection systems.

11 (3) CONSULTATION.—In carrying out this sub-
12 section, the Administrator and the Council shall con-
13 sult with manufacturers and suppliers of foreign ob-
14 ject debris detection technology and any other rel-
15 evant stakeholders.

16 (e) RUNWAY SAFETY STUDY.—

17 (1) IN GENERAL.—Not later than 2 years after
18 the date of enactment of this Act, the Administrator
19 shall seek to enter into an agreement with a feder-
20 ally funded research and development center to con-
21 duct a study of runway incursions, surface incidents,
22 operational errors, or losses of standard separation
23 of aircraft in the approach or departure phase of
24 flight to determine how advanced technologies and
25 future airport development projects may be able to

1 reduce the frequency of such events and enhance
2 aviation safety.

3 (2) CONSIDERATIONS.—In conducting the study
4 under paragraph (1), the federally funded research
5 and development center shall—

6 (A) examine data relating to recurring
7 runway incursions, surface incidents, oper-
8 ational errors, or losses of standard separation
9 of aircraft in the approach or departure phase
10 of flight at airports to identify the underlying
11 factors that caused such events;

12 (B) assess metrics used to identify when
13 such events are increasing at an airport;

14 (C) assess available and developmental
15 technologies, including and beyond such tech-
16 nologies considered in subsection (c), that may
17 augment existing air traffic management capa-
18 bilities of surface surveillance and terminal air-
19 space equipment;

20 (D) consider growth trends in airport size,
21 staffing and communication complexities to
22 identify—

23 (i) future gaps in information ex-
24 change between aerospace stakeholders;
25 and

1 (ii) methods for meeting future near
2 real-time information sharing needs; and

3 (E) examine airfield safety training pro-
4 grams used by airport tenants and other stake-
5 holders operating on airfields of airports, in-
6 cluding airfield familiarization training pro-
7 grams for employees, to assess scalability to
8 handle future growth in airfield capacity and
9 traffic.

10 (3) RECOMMENDATIONS.—In conducting the
11 study required by paragraph (1), the federally fund-
12 ed research and development center shall develop
13 recommendations for the strategic planning efforts
14 of the Administration to appropriately maintain sur-
15 face safety considering future increases in air traffic
16 and based on the considerations described in para-
17 graph (2).

18 (4) REPORT TO CONGRESS.—Not later than 90
19 days after the completion of the study required by
20 paragraph (1), the Administrator shall submit to the
21 Committee on Transportation and Infrastructure of
22 the House of Representatives and the Committee on
23 Commerce, Science, and Transportation of the Sen-
24 ate a report on the findings of such study and any
25 recommendations developed under paragraph (3).

1 (f) AIRPORT SURFACE DETECTION AND SURVEIL-
2 LANCE SYSTEM DEFINED.—In this section, the term “air-
3 port surface detection and surveillance system” means an
4 airport surveillance system that is—

5 (1) designed to track surface movement of air-
6 craft and vehicles; and

7 (2) capable of alerting air traffic controllers or
8 flight crew members of a possible runway incursion,
9 misaligned approach, or other safety event.

10 **SEC. 502. GLOBAL AVIATION SAFETY.**

11 (a) IN GENERAL.—Section 40104(d) of title 49,
12 United States Code, (as redesignated by section 325) is
13 amended—

14 (1) in the subsection heading by inserting “AND
15 ASSISTANCE” after “INTERNATIONAL ROLE”;

16 (2) in paragraph (1) by striking “The Adminis-
17 trator” and inserting “In carrying out subsection
18 (a), the Administrator”;

19 (3) by redesignating paragraph (2) as para-
20 graph (4); and

21 (4) by inserting after paragraph (1) the fol-
22 lowing:

23 “(2) INTERNATIONAL PRESENCE.—The Admin-
24 istrator shall maintain an international presence
25 to—

1 “(A) assist foreign civil aviation authorities

2 in—

3 “(i) establishing robust aviation over-
4 sight practices and policies;

5 “(ii) training staff, to include inspec-
6 tors and accident investigators;

7 “(iii) harmonizing international avia-
8 tion standards for air traffic management,
9 operator certification, aircraft certification,
10 airports, and certificated or credentialed
11 individuals;

12 “(iv) validating and accepting foreign
13 aircraft design and production approvals;

14 “(v) maintaining appropriate levels of
15 air navigation services;

16 “(vi) preparing for new aviation tech-
17 nologies; and

18 “(vii) appropriately adopting con-
19 tinuing airworthiness information, such as
20 airworthiness directives;

21 “(B) encourage the adoption of United
22 States standards, regulations, and policies;

23 “(C) establish, maintain, and update bilat-
24 eral or multilateral aviation safety agreements

1 and the aviation safety information contained
2 within such agreements;

3 “(D) engage in bilateral and multilateral
4 discussions and provide technical assistance as
5 described in paragraph (5);

6 “(E) validate foreign aviation products and
7 ensure reciprocal validation of products for
8 which the United States is the state of design
9 or production;

10 “(F) support accident and incident inves-
11 tigation, particularly such investigations that
12 involve United States persons and certified
13 products and such investigations where the Na-
14 tional Transportation Safety Board is sup-
15 porting an investigation pursuant to annex 13
16 of the International Civil Aviation Organization;

17 “(G) support the international activities of
18 the United States aviation sector;

19 “(H) maintain valuable relationships with
20 entities with aviation equities, including civil
21 aviation authorities, other governmental bodies,
22 non-governmental organizations, and foreign
23 manufacturers; and

24 “(I) perform other activities as determined
25 necessary by the Administrator.”.

1 (b) REVIEW OF INTERNATIONAL FIELD OFFICES.—
2 Section 40104(d) of title 49, United States Code, (as re-
3 designated by section 325) is further amended by inserting
4 after paragraph (2) the following:

5 “(3) INTERNATIONAL OFFICES.—In carrying
6 out the responsibilities described in subsection (a),
7 the Administrator shall—

8 “(A) maintain international offices of the
9 Administration;

10 “(B) every 3 years, review existing inter-
11 national offices to determine—

12 “(i) the effectiveness of such offices in
13 fulfilling the mission described in para-
14 graph (2); and

15 “(ii) the adequacy of resources and
16 staffing to achieve the mission described in
17 paragraph (2);

18 “(C) establish offices to address gaps iden-
19 tified by the review under subparagraph (B)
20 and in furtherance of the mission described in
21 paragraph (2), putting an emphasis on estab-
22 lishing such offices—

23 “(i) where international civil aviation
24 authorities are located;

1 “(ii) where regional intergovernmental
2 organizations are located;

3 “(iii) in countries that have difficulty
4 maintaining a category 1 classification
5 through the International Aviation Safety
6 Assessment program; and

7 “(iv) in regions that have experienced
8 substantial growth in aviation operations
9 or manufacturing.”.

10 (c) BILATERAL AVIATION SAFETY AGREEMENTS.—

11 (1) ESTABLISHMENT.—Section 40104(d) of
12 title 49, United States Code, (as redesignated by
13 section 325) is further amended by inserting after
14 paragraph (4) the following:

15 “(5) BILATERAL AVIATION SAFETY AGREE-
16 MENTS.—

17 “(A) IN GENERAL.—The Administrator
18 shall negotiate, enter into, promote, enforce,
19 evaluate the effectiveness of, and seek to update
20 bilateral or multilateral aviation safety agree-
21 ments, and the parts of such agreements, with
22 international aviation authorities.

23 “(B) PURPOSE.—The Administrator shall
24 seek to enter into bilateral aviation safety

1 agreements under this section to, at a min-
2 imum—

3 “(i) improve global aviation safety;

4 “(ii) increase harmonization of, and
5 reduce duplicative, requirements, processes,
6 and approvals to advance the aviation in-
7 terests of the United States;

8 “(iii) ensure access to international
9 markets for operators, service providers,
10 and manufacturers from the United States;
11 and

12 “(iv) put in place procedures for re-
13 course when a party to such agreements
14 fails to meet the obligations of such party
15 under such agreements.

16 “(C) SCOPE.—The scope of a bilateral
17 aviation safety agreement entered into under
18 this section shall, as appropriate, cover existing
19 aviation users and concepts and establish a
20 process by which bilateral aviation safety agree-
21 ments can be updated to include new and novel
22 concepts on an ongoing basis.

23 “(D) CONTENTS.—Bilateral aviation safety
24 agreements entered into under this section
25 shall, as appropriate and consistent with United

1 States law and regulation, include topics such
2 as—

3 “(i) airworthiness, certification, and
4 validation;

5 “(ii) maintenance;

6 “(iii) operations and pilot training;

7 “(iv) airspace access, efficiencies, and
8 navigation services;

9 “(v) transport category aircraft;

10 “(vi) fixed-wing aircraft, rotorcraft,
11 and powered-lift aircraft;

12 “(vii) aerodrome certification;

13 “(viii) unmanned aircraft and associ-
14 ated elements of such aircraft;

15 “(ix) flight simulation training de-
16 vices;

17 “(x) new or emerging technologies and
18 technology trends; and

19 “(xi) other topics as determined ap-
20 propriate by the Administrator.

21 “(E) RULE OF CONSTRUCTION.—Bilateral
22 or multilateral aviation safety agreements en-
23 tered into under this subsection shall not be
24 construed to diminish or alter any authority of

1 the Administrator under any other provision of
2 law.”.

3 (2) AUDIT OF VALIDATION ACTIVITIES UNDER
4 BILATERAL AVIATION SAFETY AGREEMENTS.—

5 (A) IN GENERAL.—Not later than 2 years
6 after the date of enactment of this Act, the in-
7 spector general of the Department of Transpor-
8 tation shall initiate an audit of bilateral compli-
9 ance with respect to the validation of aircraft
10 and aircraft parts as set forth in bilateral or
11 multilateral aviation safety agreements between
12 the Federal Aviation Administration and the
13 civil aviation authorities of—

- 14 (i) the European Union;
15 (ii) Canada;
16 (iii) Brazil;
17 (iv) China;
18 (v) the United Kingdom; and
19 (vi) any other country as determined
20 by the inspector general.

21 (B) REVIEW CONTENTS.—As part of the
22 review required under this subsection, the in-
23 spector general shall evaluate the performance
24 of validation programs by assessing—

1 (i) validation timelines and milestones
2 for individual projects;

3 (ii) trends relating to the repeated use
4 of nonbasic criteria to review systems and
5 methods of compliance that have been vali-
6 dated previously in similar contexts;

7 (iii) the extent to which implementa-
8 tion tools such as validation workplans and
9 safety emphasis items have addressed vali-
10 dation issues;

11 (iv) the perspective of Administration
12 employees;

13 (v) the perspective of employees of
14 other civil aviation authorities, who wish to
15 provide such perspective, on the validation
16 of products certified in the United States
17 and the validation of products by the
18 United States of products certified abroad;
19 and

20 (vi) the perspective of domestic and
21 foreign industry applicants seeking valida-
22 tion of aircraft and aircraft parts.

23 (C) REPORT AND RECOMMENDATIONS.—

24 Not later than 14 months after beginning the
25 audit under paragraph (2), the inspector gen-

1 eral shall provide to the Administrator of the
2 Federal Aviation Administration, the Com-
3 mittee on Transportation and Infrastructure of
4 the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transpor-
6 tation of the Senate a report summarizing the
7 findings of the audit and any recommendations
8 to increase compliance and improve the valida-
9 tion timeframes of aircraft and aircraft parts.

10 (d) INTERNATIONAL ENGAGEMENT STRATEGY.—

11 Section 40104(d) of title 49, United States Code, (as re-
12 designated by section 325) is further amended by inserting
13 after paragraph (5) the following:

14 “(6) STRATEGIC PLAN.—The Administrator
15 shall maintain a strategic plan for the international
16 engagement of the Administration that includes—

17 “(A) all elements of the report required in
18 section 243(b)(1) of the FAA Reauthorization
19 Act of 2018 (49 U.S.C. 44701 note);

20 “(B) measures to fulfill the mission de-
21 scribed in paragraph (2);

22 “(C) initiatives to attain greater expertise
23 among employees of the Federal Aviation Ad-
24 ministration in issues related to dispute resolu-

1 tion, intellectual property, and expert control
2 laws;

3 “(D) policy regarding the future direction
4 and strategy of the United States engagement
5 with the International Civil Aviation Organiza-
6 tion;

7 “(E) procedures for acceptance of manda-
8 tory airworthiness information, such as air-
9 worthiness directives, and other safety-related
10 regulatory documents, including procedures to
11 implement the requirements of section
12 44701(e)(5);

13 “(F) all factors, including funding and
14 resourcing, necessary for the Administration to
15 maintain leadership in the global activities re-
16 lated to aviation safety and air transportation;
17 and

18 “(G) establishment of, and a process to
19 regularly track and update, metrics to measure
20 the effectiveness of, and foreign civil aviation
21 authority compliance with, bilateral aviation
22 safety agreements.”.

1 **SEC. 503. AVAILABILITY OF PERSONNEL FOR INSPECTIONS,**
2 **SITE VISITS, AND TRAINING.**

3 Section 40104 of title 49, United States Code, is fur-
4 ther amended by adding at the end the following:

5 “(f) TRAVEL.—The Administrator and the Secretary
6 of Transportation shall, in carrying out the responsibilities
7 described in subsection (a), delegate to the appropriate su-
8 pervisors of offices of the Administration the ability to au-
9 thorize the domestic and international travel of relevant
10 personnel who are not in the Federal Aviation Administra-
11 tion Executive System, without any additional approvals
12 required, for the purposes of—

13 “(1) promoting aviation safety, aircraft oper-
14 ations, air traffic, airport, unmanned aircraft sys-
15 tems, and other aviation standards and regulations
16 adopted by the United States;

17 “(2) facilitating the adoption of United States
18 approaches on standards and recommended practices
19 at the International Civil Aviation Organization;

20 “(3) promoting environmental standards adopt-
21 ed by the United States and standards promulgated
22 under section 44714;

23 “(4) supporting the acceptance of Administra-
24 tion design and production approvals by other civil
25 aviation authorities;

1 “(5) training Administration personnel and
2 training provided to other persons;

3 “(6) engaging with regulated entities, including
4 performing site visits;

5 “(7) activities associated with subsections (e)
6 through (f) of this section; and

7 “(8) other activities as determined by the Ad-
8 ministrator.”.

9 **SEC. 504. HELICOPTER AIR AMBULANCE OPERATIONS.**

10 (a) **OUTDATED AIR AMBULANCE RULEMAKING RE-**
11 **QUIREMENT.**—Section 44730 of title 49, United States
12 Code, is amended—

13 (1) in subsection (a)(1) by striking “not later
14 than 180 days after the date of enactment of this
15 section,”;

16 (2) in subsection (e) by striking “address the
17 following” and inserting “consider, or address
18 through other means, the following”;

19 (3) in subsection (d) by striking “provide for
20 the following” and inserting “consider, or address
21 through other means, the following”; and

22 (4) in subsection (e)—

23 (A) in the heading by striking “SUBSE-
24 QUENT RULEMAKING” and inserting “SUBSE-
25 QUENT ACTIONS”;

1 (B) in paragraph (1) by striking “shall
2 conduct a follow-on rulemaking to address the
3 following:” and inserting “shall address through
4 a follow-on rulemaking, or through such other
5 means that the Administrator considers appro-
6 priate, the following:”;

7 (C) by striking paragraph (2); and

8 (D) by redesignating paragraph (3) as
9 paragraph (2).

10 (b) SAFETY MANAGEMENT SYSTEMS BRIEFING.—

11 Not later than 180 days after the date of enactment of
12 this Act, the Administrator of the Federal Aviation Ad-
13 ministration shall brief the Committee on Transportation
14 and Infrastructure of the House of Representatives and
15 the Committee on Commerce, Science, and Transportation
16 of the Senate on how the proposed rule published on Janu-
17 ary, 11, 2023, titled “Safety Management System” (88
18 Fed. Reg. 1932) will—

19 (1) improve helicopter air ambulance operations
20 and piloting; and

21 (2) consider the use of safety equipment by
22 flight crew and medical personnel on a helicopter
23 conducting an air ambulance operation.

1 (c) IMPROVEMENT OF PUBLICATION OF HELICOPTER
2 AIR AMBULANCE OPERATIONS DATA.—Section 44731 of
3 title 49, United States Code, is amended—

4 (1) by striking subsection (d);

5 (2) in subsection (e)—

6 (A) in paragraph (1) by striking “and” at
7 the end; and

8 (B) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) make publicly available, in part or in
11 whole, on the website of the Federal Aviation Ad-
12 ministration website, the database developed pursu-
13 ant to subsection (c); and

14 “(3) analyze the data submitted under sub-
15 section (a) periodically and use such data to inform
16 efforts to improve the safety of helicopter air ambu-
17 lance operations.”; and

18 (3) by redesignating subsections (e) and (f) as
19 subsections (d) and (e), respectively.

20 **SEC. 505. GLOBAL AIRCRAFT MAINTENANCE SAFETY IM-**
21 **PROVEMENTS.**

22 (a) FAA OVERSIGHT OF REPAIR STATIONS LOCATED
23 OUTSIDE THE UNITED STATES.—

24 (1) IN GENERAL.—Section 44733 of title 49,
25 United States Code, is amended—

1 (A) in the heading by striking “**Inspection**” and inserting “**Oversight**”;

2
3 (B) in subsection (a) by striking “Not
4 later than 1 year after the date of enactment of
5 this section, the” and inserting “The”;

6 (C) in subsection (e)—

7 (i) by inserting “, without prior notice
8 to such repair stations,” after “annually”;

9 (ii) by inserting “and the applicable
10 laws of the country in which the repair sta-
11 tion is located” after “international agree-
12 ments”; and

13 (iii) by striking the last sentence and
14 inserting “The Administrator may carry
15 out announced or unannounced inspections
16 in addition to the annual unannounced in-
17 spection required under this subsection
18 based on identified risks and in a manner
19 consistent with United States obligations
20 under international agreements and the
21 applicable laws of the country in which the
22 part 145 repair station is located.”;

23 (D) by redesignating subsection (g) as sub-
24 section (j); and

1 (E) by inserting after subsection (f) the
2 following:

3 “(g) DATA ANALYSIS.—

4 “(1) IN GENERAL.—Each fiscal year in which a
5 part 121 air carrier has had heavy maintenance
6 work performed on an aircraft owned or operated by
7 such carrier, such carrier shall provide to the Ad-
8 ministrator, not later than the end of the following
9 fiscal year, a report containing the information de-
10 scribed in paragraph (2).

11 “(2) INFORMATION REQUIRED.—A report under
12 paragraph (1) shall contain the following:

13 “(A) The location where any heavy mainte-
14 nance work on aircraft was performed outside
15 the United States.

16 “(B) A description of the work performed
17 at each such location.

18 “(C) The date of completion of the work
19 performed at each such location.

20 “(D) A list of all failures, malfunctions, or
21 defects affecting the safe operation of such air-
22 craft identified by the air carrier not later than
23 30 days after the date on which an aircraft is
24 returned to service, organized by reference to
25 aircraft registration number, that—

1 “(i) requires corrective action after
2 the aircraft is approved for return to serv-
3 ice; and

4 “(ii) results from such work per-
5 formed on such aircraft.

6 “(E) The certificate number of the person
7 approving such aircraft or on-wing aircraft en-
8 gine, for return to service following completion
9 of the work performed at each such location.

10 “(3) ANALYSIS.—The Administrator shall—

11 “(A) analyze information provided under
12 this subsection and sections 121.703, 121.705,
13 121.707, and 145.221 of title 14, Code of Fed-
14 eral Regulations, or any successor provisions of
15 such title, to detect safety issues associated
16 with heavy maintenance work on aircraft per-
17 formed outside the United States; and

18 “(B) require appropriate actions by an air
19 carrier or repair station in response to any safe-
20 ty issue identified by the analysis conducted
21 under subparagraph (A).

22 “(4) CONFIDENTIALITY.—Information provided
23 under this subsection shall be subject to the same
24 protections given to voluntarily provided safety or
25 security related information under section 40123.

1 “(h) APPLICATIONS AND PROHIBITION.—

2 “(1) IN GENERAL.—The Administrator may not
3 approve any new application under part 145 of title
4 14, Code of Federal Regulations, from a person lo-
5 cated or headquartered in a country that the Admin-
6 istration, through the International Aviation Safety
7 Assessment program, has classified as Category 2.

8 “(2) EXCEPTION.—Paragraph (1) shall not
9 apply to an application for the renewal of a certifi-
10 cate issued under part 145 of title 14, Code of Fed-
11 eral Regulations.

12 “(3) MAINTENANCE IMPLEMENTATION PROCE-
13 DURES AGREEMENT.—The Administrator may elect
14 not to enter into a new maintenance implementation
15 procedures agreement with a country classified as
16 Category 2, for as long as the country remains clas-
17 sified as Category 2.

18 “(4) PROHIBITION ON CONTINUED HEAVY
19 MAINTENANCE WORK.—No part 121 air carrier may
20 enter into a new contract for heavy maintenance
21 work with a person located or headquartered in a
22 country that the Administrator, through the Inter-
23 national Aviation Safety Assessment program, has
24 classified as Category 2, for as long as such country
25 remains classified as Category 2.

1 “(i) MINIMUM QUALIFICATIONS FOR MECHANICS
2 AND OTHERS WORKING ON U.S. REGISTERED AIR-
3 CRAFT.—

4 “(1) IN GENERAL.—Not later than 2 years
5 after the date of enactment of this subsection, the
6 Administrator shall require that, at each covered re-
7 pair station—

8 “(A) all supervisory personnel of such sta-
9 tion are appropriately certificated as a me-
10 chanic or repairman under part 65 of title 14,
11 Code of Federal Regulations, or under an
12 equivalent certification or licensing regime, as
13 determined by the Administrator; and

14 “(B) all personnel of such station author-
15 ized to approve an article for return to service
16 are appropriately certificated as a mechanic or
17 repairman under part 65 of such title, or under
18 an equivalent certification or licensing regime,
19 as determined by the Administrator.

20 “(2) AVAILABLE FOR CONSULTATION.—Not
21 later than 2 years after the date of enactment of
22 this subsection, the Administrator shall require any
23 individual who is responsible for approving an article
24 for return to service or who is directly in charge of
25 heavy maintenance work performed on aircraft oper-

1 ated by a part 121 air carrier be available for con-
2 sultation while work is being performed at a covered
3 repair station.”.

4 (2) DEFINITIONS.—

5 (A) IN GENERAL.—Section 44733(j) of
6 title 49, United States Code (as redesignated by
7 this section), is amended—

8 (i) in paragraph (1) by striking “air-
9 craft” and inserting “aircraft (including
10 on-wing aircraft engines)”;

11 (ii) by redesignating paragraphs (1)
12 through (3) as paragraphs (2) through (4),
13 respectively; and

14 (iii) by inserting before paragraph (2),
15 as so redesignated, the following:

16 “(1) COVERED REPAIR STATION.—The term
17 ‘covered repair station’ means a facility that—

18 “(A) is located outside the United States;

19 “(B) is a part 145 repair station; and

20 “(C) performs heavy maintenance work on
21 aircraft operated by a part 121 air carrier.”.

22 (B) TECHNICAL AMENDMENT.—Section
23 44733(a)(3) of title 49, United States Code, is
24 amended by striking “covered part 145 repair

1 stations” and inserting “part 145 repair sta-
2 tions”.

3 (3) CONFORMING AMENDMENTS.—The analysis
4 for chapter 447 of title 49, United States Code, is
5 amended by striking the item relating to section
6 44733 and inserting the following:

“44733. Oversight of repair stations located outside the United States.”.

7 (b) INTERNATIONAL STANDARDS FOR SAFETY OVER-
8 SIGHT OF EXTRATERRITORIAL REPAIR STATIONS.—

9 (1) ESTABLISHMENT.—Not later than 1 year
10 after the date of enactment of this Act, the Adminis-
11 trator of the Federal Aviation Administration shall
12 invite other civil aviation authorities to convene with
13 the Administration an extraterritorial repair station
14 working group (hereinafter referred to as the
15 “Working Group”) to conduct a review of the certifi-
16 cation and oversight of extraterritorial repair sta-
17 tions and to identify any future enhancements or
18 harmonization that might be appropriate to
19 strengthen oversight of such repair stations and im-
20 prove global aviation safety.

21 (2) COMPOSITION OF WORKING GROUP.—The
22 Working Group shall consist of—

23 (A) technical representatives from the
24 FAA; and

1 (B) such other civil aviation authorities or
2 international intergovernmental aviation safety
3 organizations as the Administrator determines
4 appropriate and are willing to participate, in-
5 cluding—

6 (i) civil aviation authorities respon-
7 sible for certificating extraterritorial repair
8 stations; and

9 (ii) civil aviation authorities of coun-
10 tries in which extraterritorial repair sta-
11 tions are located.

12 (3) CONSULTATION.—In conducting the review
13 under this section, the Working Group shall, as ap-
14 propriate, consult with relevant experts and stake-
15 holders.

16 (4) RECOMMENDATIONS.—The Working Group
17 shall make recommendations with respect to any fu-
18 ture enhancements that might be appropriate to—

19 (A) strengthen oversight of extraterritorial
20 repair stations; and

21 (B) better leverage the resources of other
22 civil aviation authorities to conduct such over-
23 sight.

24 (5) REPORTS.—

1 (A) REPAIR STATION WORKING GROUP RE-
2 PORT.—In establishing the Working Group, the
3 Administrator shall task the Working Group
4 with submitting to the participating civil avia-
5 tion authorities a report containing the findings
6 of the recommendations made under paragraph
7 (4).

8 (B) FAA REPORT.—

9 (i) TRANSMISSION OF REPAIR STA-
10 TION WORKING GROUP REPORT.—The Ad-
11 ministrator shall submit to the Committee
12 on Transportation and Infrastructure of
13 the House of Representatives, and the
14 Committee on Commerce, Science, and
15 Transportation of the Senate a copy of the
16 report required under subparagraph (A) as
17 soon as is practicable after the receipt of
18 such report.

19 (ii) FAA BRIEFING TO CONGRESS.—
20 Not later than 45 days after receipt of the
21 report under paragraph (1), the Adminis-
22 trator shall brief the Committee on Trans-
23 portation and Infrastructure of the House
24 of Representatives and the Committee on

1 Commerce, Science, and Transportation of
2 the Senate on—

3 (I) whether the Administrator
4 concurs or does not concur with each
5 recommendation contained in the re-
6 port required under subparagraph
7 (A);

8 (II) any recommendation with
9 which the Administrator does not con-
10 cur, a detailed explanation as to why
11 the Administrator does not concur;

12 (III) a plan to implement each
13 recommendation with which the Ad-
14 ministrator concurs; and

15 (IV) a plan to work with the
16 international community to implement
17 the recommendations applicable to
18 both the FAA as well as other civil
19 aviation authorities.

20 (6) TERMINATION.—The Working Group shall
21 terminate 90 days after the date of submission of
22 the report under paragraph (5)(A), unless the Ad-
23 ministrator or another participant of the Working
24 Group requests for an extension of the Working
25 Group in order to inform the implementation and

1 harmonization of any recommendation applicable to
2 multiple civil aviation authorities.

3 (7) DEFINITION OF EXTRATERRITORIAL REPAIR
4 STATION.—In this subsection, the term
5 “extraterritorial repair station” means a repair sta-
6 tion that performs heavy maintenance work on an
7 aircraft (including on-wing engines) and that is lo-
8 cated outside of the territory of the country of the
9 civil aviation authority which certificated the repair
10 station.

11 (c) ALCOHOL AND DRUG TESTING AND BACK-
12 GROUND CHECKS.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, and annually
15 thereafter, the Administrator shall submit to the
16 Committee on Transportation and Infrastructure of
17 the House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Sen-
19 ate a report updating Congress on the progress and
20 challenges involved with carrying out the require-
21 ments of subsection (b) of section 2112 of the FAA
22 Extension, Safety, and Security Act of 2016 (49
23 U.S.C. 44733).

24 (2) SUNSET.—The reporting requirement under
25 paragraph (1) shall cease to be effective after a final

1 rule carrying out the requirements of such sub-
2 section (b) has been published in the Federal Reg-
3 ister.

4 (3) RULEMAKING ON ASSESSMENT REQUIRE-
5 MENT.—With respect to any employee not covered
6 under the requirements of section 1554.101 of title
7 49, Code of Federal Regulations, the Administrator
8 shall initiate a rulemaking or request the head of an-
9 other Federal agency to initiate a rulemaking that
10 requires a covered repair station to confirm that any
11 such employee has successfully completed an assess-
12 ment commensurate with a security threat assess-
13 ment described in subpart C of part 1540 of such
14 title.

15 (d) DEFINITIONS.—In this section:

16 (1) FAA.—The term “FAA” means the Fed-
17 eral Aviation Administration.

18 (2) ADMINISTRATOR.—The term “Adminis-
19 trator” means the Administrator of the FAA.

20 (3) COVERED REPAIR STATION; HEAVY MAINTEN-
21 NANCE WORK.—The terms “covered repair station”
22 and “heavy maintenance work” have the meaning
23 given those terms in section 44733(j) of title 49,
24 United States Code.

1 **SEC. 506. ODA BEST PRACTICE SHARING.**

2 Section 44736(b) of title 49, United States Code, is
3 amended—

4 (1) in paragraph (1) by striking “Not later
5 than 120 days after the date of enactment of this
6 section, the” and insert “The”; and

7 (2) in paragraph (3)—

8 (A) in subparagraph (E) by striking “and”
9 at the end;

10 (B) in subparagraph (F) by striking the
11 period and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(G) convene a forum not less than every
14 2 years between ODA holders, unit members,
15 and other organizational representatives and
16 relevant experts, in order to—

17 “(i) share best practices;

18 “(ii) instill professionalism, ethics,
19 and personal responsibilities in unit mem-
20 bers; and

21 “(iii) foster open and transparent
22 communication between Administration
23 safety specialists, ODA holders, and unit
24 members.”.

1 **SEC. 507. TRAINING OF ORGANIZATION DELEGATION AU-**
2 **THORIZATION UNIT MEMBERS.**

3 (a) UNIT MEMBER ANNUAL ETHICS TRAINING.—
4 Section 44736 of title 49, United States Code, is further
5 amended by adding at the end the following:

6 “(g) ETHICS TRAINING REQUIREMENT FOR ODA
7 HOLDERS.—

8 “(1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this subsection, the Admin-
10 istrator of the Federal Aviation Administration shall
11 review and ensure each ODA holder approved under
12 section 44741 has in effect a recurrent training pro-
13 gram for all ODA unit members that covers—

14 “(A) unit member professional obligations
15 and responsibilities;

16 “(B) the ODA holder’s code of ethics as
17 required to be established under section 102(f)
18 of the Aircraft Certification, Safety, and Ac-
19 countability Act (49 U.S.C. 44701 note);

20 “(C) procedures for reporting safety con-
21 cerns, as described in the respective approved
22 procedures manual for the delegation;

23 “(D) the prohibition against and reporting
24 procedures for interference from a supervisor or
25 other ODA member described in section 44742;
26 and

1 “(E) any additional information the Ad-
2 ministrators considers relevant to maintaining
3 ethical and professional standards across all
4 ODA holders and unit members.

5 “(2) FAA REVIEW.—

6 “(A) REVIEW OF TRAINING PROGRAM.—
7 The Organization Designation Authorization
8 Office of the Administration shall review each
9 ODA holders’ recurrent training program to en-
10 sure such program includes all elements de-
11 scribed in paragraph (1).

12 “(B) CHANGES TO PROGRAM.—Such Office
13 may require changes to the training program
14 considered necessary to maintain ethical and
15 professional standards across all ODA holders
16 and unit members.

17 “(3) TRAINING.—As part of the recurrent
18 training required under paragraph (1), not later
19 than 60 business days after being designated as an
20 ODA unit member, and annually thereafter, each
21 ODA unit member shall complete the ethics training
22 required by the ODA holder of the respective ODA
23 unit member in order to exercise the functions dele-
24 gated under the ODA.

1 “(4) ACCOUNTABILITY.—The Administrator
2 shall establish such processes or requirements as are
3 necessary to ensure compliance with paragraph
4 (3).”.

5 (b) DEADLINE.—An ODA unit member authorized to
6 perform delegated functions under an ODA prior to the
7 date of completion of an ethics training required under
8 section 44736(g) of title 49, United States Code, shall
9 complete such training not later than 60 days after the
10 training program is approved by the Administrator of the
11 Federal Aviation Administration pursuant to such section.

12 **SEC. 508. CLARIFICATION ON SAFETY MANAGEMENT SYS-**
13 **TEM INFORMATION DISCLOSURE.**

14 Section 44735 of title 49, United States Code, is
15 amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1) by striking “; or”
18 and inserting a semicolon;

19 (B) in paragraph (2) by striking the period
20 at the end and inserting “; or”; and

21 (C) by adding at the end the following:

22 “(3) if the report, data, or other information is
23 submitted for any purpose relating to the develop-
24 ment, implementation, and use of a safety manage-

1 ment system, including a system required by regula-
2 tion, that is acceptable to the Administrator.”; and

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

4 “(d) OTHER AGENCIES.—

5 “(1) IN GENERAL.—The limitation established
6 under subsection (a) shall apply to the head of any
7 other Federal agency who receives reports, data, or
8 other information described in such subsection from
9 the Administrator.

10 “(2) RULE OF CONSTRUCTION.—This section
11 shall not be construed to limit the accident or inci-
12 dent investigation authority of the National Trans-
13 portation Safety Board under chapter 11, including
14 the requirement to not disclose voluntarily provided
15 safety-related information under section 1114.”.

16 **SEC. 509. EXTENSION OF AIRCRAFT CERTIFICATION, SAFE-**
17 **TY, AND ACCOUNTABILITY ACT REPORTING**
18 **REQUIREMENTS.**

19 (a) APPEALS OF CERTIFICATION DECISIONS.—Sec-
20 tion 44704(g)(1)(C)(ii) of title 49, United States Code,
21 is amended by striking “2025” and inserting “2028”.

22 (b) OVERSIGHT OF ORGANIZATION DESIGNATION
23 AUTHORIZATION UNIT MEMBERS.—Section 44741(f)(2)
24 of title 49, United States Code, is amended by striking
25 “Not later than 90 days” and all that follows through “the

1 Administrator shall provide a briefing” and inserting “The
2 Administrator shall provide an annual briefing each fiscal
3 year through fiscal year 2028”.

4 (c) INTEGRATED PROJECT TEAMS.—Section 108(f)
5 of the Aircraft Certification, Safety, and Accountability
6 Act (49 U.S.C. 44704 note) is amended by striking
7 “2023” and inserting “2028”.

8 (d) VOLUNTARY SAFETY REPORTING PROGRAM.—
9 Section 113(f) of the Aircraft Certification, Safety, and
10 Accountability Act (49 U.S.C. 44701 note) is amended by
11 striking “2023” and inserting “2028”.

12 (e) CHANGED PRODUCT RULE.—Section 117(b)(1)
13 of the Aircraft Certification, Safety, and Accountability
14 Act (49 U.S.C. 44704 note) is amended by striking
15 “2023” and inserting “2028”.

16 **SEC. 510. DON YOUNG ALASKA AVIATION SAFETY INITIA-**
17 **TIVE.**

18 (a) IN GENERAL.—Chapter 447 of title 49, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 44745. Don Young Alaska Aviation Safety Initiative**

22 “(a) IN GENERAL.—The Administrator of the Fed-
23 eral Aviation Administration shall redesignate the FAA
24 Alaska Aviation Safety Initiative of the Administration as
25 the Don Young Alaska Aviation Safety Initiative (in this

1 section referred to as the ‘Initiative’), under which the Ad-
2 ministrator shall carry out the provisions of this section
3 and take such other actions as the Administrator deter-
4 mines appropriate to improve aviation safety in covered
5 locations.

6 “(b) OBJECTIVE.—The objective of the Initiative
7 shall be to work cooperatively with aviation stakeholders
8 and other stakeholders towards the goal of—

9 “(1) reducing the rate of fatal aircraft acci-
10 dents in covered locations by 90 percent from 2019
11 to 2033; and

12 “(2) by January 1, 2033, eliminating fatal acci-
13 dents of aircraft operated by an air carrier that op-
14 erates under part 135 of title 14, Code of Federal
15 Regulations.

16 “(c) LEADERSHIP.—

17 “(1) IN GENERAL.—The Administrator shall
18 designate the Regional Administrator for the Alas-
19 kan Region of the Administration to serve as the Di-
20 rector of the Initiative.

21 “(2) REPORTING CHAIN.—In all matters relat-
22 ing to the Initiative, the Director of the Initiative
23 shall report directly to the Administrator.

24 “(3) COORDINATION.—The Director of the Ini-
25 tiative shall coordinate with the heads of other of-

1 fices and lines of business of the Administration, in-
2 cluding the other regional administrators, to carry
3 out the Initiative.

4 “(d) AUTOMATED WEATHER SYSTEMS.—

5 “(1) REQUIREMENT.—The Administrator shall
6 ensure, to the greatest extent practicable, that a cov-
7 ered automated weather system is installed and op-
8 erated at each covered airport not later than Decem-
9 ber 31, 2030.

10 “(2) WAIVER.—In complying with the require-
11 ment under paragraph (1), the Administrator may
12 waive any positive benefit-cost ratio requirement for
13 the installation and operation of a covered auto-
14 mated weather system.

15 “(3) PRIORITIZATION.—In developing the in-
16 stallation timeline of a covered automated weather
17 system at a covered airport pursuant to this sub-
18 section, the Administrator shall—

19 “(A) coordinate and consult with the gov-
20 ernments with jurisdiction over covered loca-
21 tions, covered airports, air carriers operating in
22 covered locations, private pilots based in cov-
23 ered locations, and such other members of the
24 aviation community in covered locations; and

1 “(B) prioritize early installation at covered
2 airports that would enable the greatest number
3 of instrument flight rule operations by air car-
4 riers operating under part 121 or 135 of title
5 14, Code of Federal Regulations.

6 “(4) RELIABILITY.—

7 “(A) IN GENERAL.—Pertaining to both
8 Federal and non-Federal systems, the Adminis-
9 trator shall be responsible for ensuring—

10 “(i) the reliability of covered auto-
11 mated weather systems; and

12 “(ii) the availability of weather infor-
13 mation from such systems.

14 “(B) SPECIFICATIONS.—The Adminis-
15 trator shall establish data availability and
16 equipment reliability specifications for covered
17 automated weather systems.

18 “(C) SYSTEM RELIABILITY AND RESTORA-
19 TION PLAN.—Not later than 2 years after the
20 date of enactment of this section, the Adminis-
21 trator shall establish an automated weather sys-
22 tem reliability and restoration plan. Such plan
23 shall document the Administrator’s strategy for
24 ensuring covered automated weather system re-
25 liability, including the availability of weather in-

1 formation from such system, and for restoring
2 service in as little time as possible.

3 “(D) TELECOMMUNICATIONS OR OTHER
4 FAILURES.—If a covered automated weather
5 system is unable to broadly disseminate weather
6 information due to a telecommunications failure
7 or a failure other than an equipment failure,
8 the Administrator shall take such actions as
9 may be necessary to restore the full
10 functionality and connectivity of the covered
11 automated weather system. The Administrator
12 shall take actions under this subparagraph with
13 the same urgency as the Administrator would
14 take an action to repair a covered automated
15 weather system equipment failure or data fidel-
16 ity issue.

17 “(E) RELIABILITY DATA.—In tabulating
18 data relating to the operational status of cov-
19 ered automated weather systems (including in-
20 dividually or collectively), the Administrator
21 may not consider a covered automated weather
22 system that is functioning nominally but is un-
23 able to broadly disseminate weather information
24 telecommunications failure or a failure other

1 than an equipment failure as functioning reli-
2 ably.

3 “(5) INVENTORY.—The Administrator shall
4 consider storing excess inventory necessary for air
5 traffic control equipment, including commonly re-
6 quired replacement parts, in covered locations to re-
7 duce the amount of time necessary to acquire such
8 equipment or such parts necessary to replace or re-
9 pair air traffic control system components.

10 “(6) VISUAL WEATHER OBSERVATION SYS-
11 TEM.—Not later than 1 year after the date of enact-
12 ment of this section, the Administrator shall take
13 such actions as may be necessary to—

14 “(A) deploy visual weather observation sys-
15 tems; and

16 “(B) ensure that such systems are capable
17 of meeting the definition of covered automated
18 weather systems.

19 “(e) WEATHER CAMERAS.—

20 “(1) IN GENERAL.—The Director shall continu-
21 ously assess the state of the weather camera systems
22 in covered locations to ensure the operational suffi-
23 ciency and reliability of such systems.

24 “(2) APPLICATIONS.—The Director shall—

1 “(A) accept applications from persons to
2 install weather cameras; and

3 “(B) consult with the governments with ju-
4 risdiction over covered locations, covered air-
5 ports, air carriers operating in covered loca-
6 tions, private pilots based in covered locations,
7 and such other members of the aviation com-
8 munity in covered locations as the Adminis-
9 trator determines appropriate to solicit addi-
10 tional locations at which to install and operate
11 weather cameras.

12 “(3) PRESUMPTION.—Unless the Director has
13 clear and compelling evidence to the contrary, the
14 Director shall presume that the installation of a
15 weather camera at a covered airport, or that is rec-
16 ommended by a government with jurisdiction over a
17 covered location, is cost beneficial and will improve
18 aviation safety.

19 “(f) COOPERATION WITH OTHER AGENCIES.—In
20 carrying out this section, the Administrator shall cooper-
21 ate with the heads of other Federal or State agencies with
22 responsibilities affecting aviation safety in covered loca-
23 tions, including the collection and dissemination of weath-
24 er data.

25 “(g) SURVEILLANCE AND COMMUNICATION.—

1 “(1) IN GENERAL.—The Director shall take
2 such actions as may be necessary to—

3 “(A) encourage and incentivize the equi-
4 page of aircrafts that operate under part 135 of
5 title 14, Code of Federal Regulations, with
6 automatic dependent surveillance and broadcast
7 out equipment; and

8 “(B) improve aviation surveillance and
9 communications in covered locations.

10 “(2) REQUIREMENT.—Not later than December
11 31, 2030, the Administrator shall ensure that auto-
12 matic dependent surveillance and broadcast coverage
13 is available at 5,000 feet above ground level
14 throughout each covered location.

15 “(3) WAIVER.—In complying with the require-
16 ment under paragraph (2), the Administrator shall
17 waive any positive benefit-cost ratio requirement for
18 the installation and operation of equipment and fa-
19 cilities necessary to implement such requirement.

20 “(4) SERVICE AREAS.—The Director shall con-
21 tinuously identify additional automatic dependent
22 surveillance–broadcast service areas in which the de-
23 ployment of automatic dependent surveillance–broad-
24 cast receivers and equipment would improve aviation
25 safety.

1 “(h) OTHER PROJECTS.—The Director shall continue
2 to build upon other initiatives recommended in the reports
3 of the FAA Alaska Aviation Safety Initiative of the Ad-
4 ministration published before the date of enactment of this
5 section.

6 “(i) ANNUAL REPORT.—

7 “(1) IN GENERAL.—The Director shall submit
8 an annual report on the status and progress of the
9 Initiative to the Committee on Transportation and
10 Infrastructure of the House of Representatives and
11 the Committee on Commerce, Science, and Trans-
12 portation of the Senate.

13 “(2) OBJECTIVES AND REQUIREMENTS.—The
14 report under paragraph (1) shall include a detailed
15 description of the Director’s progress in and plans
16 for meeting the objectives of the Initiative under
17 subsection (b) and the other requirements of this
18 section.

19 “(3) STAKEHOLDER COMMENTS.—The Director
20 shall append stakeholder comments, organized by
21 topic, to each report submitted under paragraph (1)
22 in the same manner as appendix 3 of the report ti-
23 tled ‘FAA Alaska Aviation Safety Initiative FY21
24 Final Report’, dated September 30, 2021.

25 “(j) FUNDING.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of law, in fiscal years 2024 through
3 2028—

4 “(A) the Administrator may, upon applica-
5 tion from the government with jurisdiction over
6 a covered location, use amounts apportioned to
7 a covered location under subsection (d)(2)(B)
8 or subsection (e)(5) of section 47114 to carry
9 out the Initiative; or

10 “(B) the sponsor of an airport in a covered
11 location that receives an apportionment under
12 subsection (d)(2)(B) or subsection (e) of section
13 47114 may use such apportionment for any
14 purpose contained in this section.

15 “(2) SUPPLEMENTAL FUNDING.—Out of
16 amounts made available under section 106(k) and
17 section 48101, not more than a total of \$25,000,000
18 for each of fiscal year 2024 through 2028 is author-
19 ized to be expended to carry out the Initiative.

20 “(k) DEFINITIONS.—In this section:

21 “(1) COVERED AIRPORT.—The term ‘covered
22 airport’ means an airport in a covered location that
23 is included in the national plan of integrated airport
24 systems required under section 47103 and that has
25 a status other than unclassified in such plan.

1 “(2) COVERED AUTOMATED WEATHER SYS-
2 TEM.—The term ‘covered automated weather sys-
3 tem’ means an automated or visual weather report-
4 ing facility that enables a pilot to begin an instru-
5 ment procedure approach to an airport under section
6 91.1039 or 135.225 of title 14, Code of Federal
7 Regulations.

8 “(3) COVERED LOCATION.—The term ‘covered
9 location’ means Alaska, Hawaii, Puerto Rico, Amer-
10 ican Samoa, Guam, the Northern Mariana Islands,
11 and the United States Virgin Islands.

12 “(1) CONFORMITY.—The Administrator shall conduct
13 all activities required under this section in conformity with
14 section 44720.”.

15 (b) REMOTE POSITIONS.—Section 40122(g) of title
16 49, United States Code, is amended by adding at the end
17 the following:

18 “(7) REMOTE POSITIONS.—

19 “(A) IN GENERAL.—If the Administrator
20 determines that a covered position has not been
21 filled after multiple vacancy announcements and
22 that there are unique circumstances affecting
23 the ability of the Administrator to fill such posi-
24 tion, the Administrator may consider, in con-
25 sultation with the appropriate labor union, ap-

1 plicants for the covered position who apply
2 under a vacancy announcement recruiting from
3 the State or territory in which the position is
4 based.

5 “(B) COVERED POSITION DEFINED.—In
6 this paragraph, the term ‘covered position’
7 means a safety-critical position based in Alaska,
8 Hawaii, Puerto Rico, American Samoa, Guam,
9 the Northern Mariana Islands, and the Virgin
10 Islands.”.

11 (c) RUNWAY LENGTH.—Notwithstanding any other
12 provision of law, the Secretary of Transportation may not
13 require an airport to shorten a runway or prevent airport
14 improvement grants made by the Secretary to be used for
15 rehabilitating, reconstructing, or extending a primary run-
16 way on the basis that the airport does not have a sufficient
17 number of aircraft operations requiring a certain runway
18 length if—

19 (1) the airport is located in a covered location;

20 (2) the airport is not connected to the road
21 transportation network; and

22 (3) the runway length is utilized by aircraft to
23 deliver necessary cargo, including heating fuel and
24 gasoline, for the community served by the airport.

25 (d) ALASKAN REGIONAL ADMINISTRATOR.—

1 (1) SENSE OF CONGRESS.—It is the sense of
2 Congress that—

3 (A) the Regional Administrator for the
4 Alaskan Region is a uniquely important position
5 that contributes to aviation safety in the State
6 of Alaska;

7 (B) vacancies in any Federal Aviation Ad-
8 ministration office have a deleterious effect on
9 the efficacy of the Alaskan Region office;

10 (C) a prolonged vacancy in the position of
11 Regional Administrator for the Alaskan Region
12 may be detrimental to the effective administra-
13 tion of such region and the Don Young Alaska
14 Aviation Safety Initiative; and

15 (D) the Administrator of the Federal Avia-
16 tion Administration should ensure that any va-
17 cancy in the position of Regional Administrator
18 for the Alaskan Region is filled with a highly
19 qualified candidate as expeditiously as possible.

20 (2) VACANCY NOTIFICATION REQUIREMENTS.—

21 (A) INITIAL VACANCY.—The Administrator
22 of the Federal Aviation Administration shall no-
23 tify the appropriate committees of Congress
24 when there is a vacancy for the position of Re-
25 gional Administrator for the Alaskan Region.

1 (B) STATUS UPDATES.—Not later than 90
2 days after the notification under subparagraph
3 (A) (and every 30 days thereafter until the va-
4 cancy described under subparagraph (A) is
5 filled), the Administrator shall notify the appro-
6 priate committees of Congress of any vacancy
7 of such position, if so, provide an estimated
8 timeline for filling such vacancy.

9 (C) APPROPRIATE COMMITTEES OF CON-
10 GRESS DEFINED.—In this paragraph, the term
11 “appropriate committees of Congress” means
12 the Committee on Transportation and Infra-
13 structure of the House of Representatives and
14 the Committee on Commerce, Science, and
15 Transportation of the Senate.

16 (D) SUNSET.—This paragraph shall cease
17 to be effective after September 30, 2028.

18 (e) IMPLEMENTATION OF NTSB RECOMMENDA-
19 TIONS.—

20 (1) IN GENERAL.—Not later than 3 years after
21 the date of enactment of this Act, the Administrator
22 shall take such actions as may be necessary to im-
23 plement National Transportation Safety Board rec-
24 ommendations A–22–25 and A–22–26 (as contained

1 in Aviation Investigation Report AIR–22–09, adopt-
2 ed November 16, 2022).

3 (2) COORDINATION.—In taking actions under
4 paragraph (1), the Administrator shall coordinate
5 with the State of Alaska, airports in Alaska, air car-
6 riers operating in Alaska, private pilots (including
7 tour operators) based in Alaska, and such other
8 members of the Alaska aviation community or other
9 stakeholders as the Administrator determines appro-
10 priate.

11 (f) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 447 of title 49, United States Code, is amended by
13 adding at the end the following:

“44745. Don Young Alaska Aviation Safety Initiative.”.

14 **SEC. 511. CONTINUED OVERSIGHT OF FAA COMPLIANCE**
15 **PROGRAM.**

16 Section 122 of the Aircraft Certification, Safety, and
17 Accountability Act (Public Law 116–260; 134 Stat. 2344)
18 is amended—

19 (1) in subsection (b) by striking paragraph (2)
20 and inserting the following:

21 “(2) conduct an annual agency-wide evaluation
22 of the Compliance Program through fiscal year 2028
23 to assess the functioning and effectiveness of such
24 program and to determine—

1 “(A) the need for long-term metrics that,
2 to the maximum extent practicable, apply to all
3 program offices to assess the effectiveness of
4 the program;

5 “(B) if the program ensures the highest
6 level of compliance with safety standards; and

7 “(C) if the program has met its stated
8 safety goals and purpose;”;

9 (2) in subsection (c)(4) by striking “2023” and
10 inserting “2028”; and

11 (3) in subsection (d) by striking “2023” and in-
12 serting “2028”.

13 **SEC. 512. SCALABILITY OF SAFETY MANAGEMENT SYSTEMS.**

14 In conducting any rulemaking to require, or imple-
15 menting a regulation requiring, a safety management sys-
16 tem, the Administrator of the Federal Aviation Adminis-
17 tration shall consider the scalability of such safety man-
18 agement system requirements to the full range of entities
19 in terms of size or complexity that may be affected by such
20 rulemaking or regulation, including—

21 (1) how an entity can demonstrate compliance
22 using various documentation, tools, and methods, in-
23 cluding, as appropriate, systems with multiple small
24 operators collectively monitoring for and addressing
25 risks;

1 (2) a review of traditional safety management
2 techniques and the suitability of such techniques for
3 small entities;

4 (3) the applicability of existing safety manage-
5 ment system programs implemented by an entity;

6 (4) the suitability of existing requirements
7 under part 5 of title 14, Code of Federal Regula-
8 tions, for small entities; and

9 (5) other unique challenges relating to small en-
10 tities the Administrator determines appropriate to
11 consider.

12 **SEC. 513. FINALIZE SAFETY MANAGEMENT SYSTEM RULE-**
13 **MAKING.**

14 (a) **IN GENERAL.**—Not later than 180 days after the
15 date of enactment of this Act, the Administrator of the
16 Federal Aviation Administration shall issue a final rule
17 relating to the Notice of Proposed Rulemaking of the Fed-
18 eral Aviation Administration titled “Safety Management
19 Systems”, issued on January 11, 2023.

20 (b) **APPLICABILITY.**—In issuing a final rule under
21 subsection (a), the Administrator shall ensure that the
22 safety management system requirement under the Notice
23 of Proposed Rulemaking described in subsection (a) is ap-
24 plied to all certificate holders operating under the rules
25 for commuter and on-demand operations under part 135

1 of title 14, Code of Federal Regulations, commercial air
2 tour operators operating under section 91.147 of such
3 title, production certificate holders that are holders or li-
4 censees of a type certificate for the same product, and
5 holders of a type certificate who license out such certifi-
6 cate for production under part 21 of such title.

7 **SEC. 514. IMPROVEMENTS TO AVIATION SAFETY INFORMA-**
8 **TION ANALYSIS AND SHARING.**

9 (a) IN GENERAL.—Not later than 3 years after the
10 date of enactment of this Act, the Administrator of the
11 Federal Aviation Administration shall implement improve-
12 ments to the Aviation Safety Information Analysis and
13 Sharing Program with respect to safety data sharing and
14 risk mitigation.

15 (b) REQUIREMENTS.—In carrying out subsection (a),
16 the Administrator shall—

17 (1) identify methods to increase the rate at
18 which data is collected, processed, and analyzed to
19 expeditiously share safety intelligence;

20 (2) develop predictive capabilities to anticipate
21 emerging safety risks;

22 (3) identify methods to improve shared data en-
23 vironments with external stakeholders;

24 (4) establish a robust process for prioritizing
25 requests for safety information;

1 (5) establish guidance to encourage regular
2 safety inspector review of non-confidential aviation
3 safety and performance data;

4 (6) identify industry segments not yet included
5 and conduct outreach to such industry segments to
6 increase the rate of participation, including—

7 (A) general aviation;

8 (B) rotorcraft;

9 (C) air ambulance; and

10 (D) maintenance facilities; and

11 (7) establish processes for obtaining and ana-
12 lyzing comprehensive and aggregate data for new
13 and future industry segments.

14 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed—

16 (1) to require the Administrator to share con-
17 fidential or proprietary information and data to safe-
18 ty inspectors for purposes of enforcement; or

19 (2) to limit the applicability of section 44735 of
20 title 49, United States Code, to the Aviation Safety
21 Information Analysis and Sharing Program.

22 (d) BRIEFING.—Not later than 180 days after the
23 date of enactment of this Act, and every 6 months there-
24 after until the improvements under subsection (a) are
25 made, the Administrator shall brief the Committee on

1 Transportation and Infrastructure of the House of Rep-
2 resentatives and the Committee on Commerce, Science,
3 and Transportation of the Senate on the progress of im-
4 plementation of the Aviation Safety Information Analysis
5 and Sharing Program and steps taken to make improve-
6 ments under subsection (a).

7 **SEC. 515. IMPROVEMENT OF CERTIFICATION PROCESSES.**

8 (a) IN GENERAL.—The Administrator of the Federal
9 Aviation Administration shall continually look for opportu-
10 nities and methods to improve the processing of applica-
11 tions, consideration of applications, communication with
12 applicants, and quality of feedback provided to applicants,
13 for aircraft certification projects.

14 (b) CERTIFICATION IMPROVEMENTS.—Not later than
15 270 days after the date of enactment of this Act, the Ad-
16 ministrator shall enter into an appropriate arrangement
17 with a qualified third-party organization or consortium to
18 identify and assess digital tools and software systems to
19 allow for efficient and virtual evaluation of an applicant
20 design, associated documentation, and software or systems
21 engineering product, including in digital 3 dimensional
22 formats or using model-based systems engineering design
23 techniques for aircraft certification projects.

24 (c) PARTIES TO REVIEW.—In identifying digital tools
25 and software systems as described in subsection (b), the

1 Administrator shall ensure that the qualified third-party
2 organization or consortium entering into an arrangement
3 under this section shall, throughout the review, consult
4 with—

5 (1) the aircraft certification and flight stand-
6 ards offices or services of the Administration; and

7 (2) at least 3 industry members representing
8 aircraft and aircraft part manufacturing interests.

9 (d) DIGITAL TOOL AND SOFTWARE SYSTEM RE-
10 QUIREMENTS.—In identifying digital tools and software
11 systems under subsection (b), the qualified third-party or-
12 ganization or consortium shall—

13 (1) consider the interoperability of such systems
14 to the extent practicable;

15 (2) consider the scalability and usability of such
16 systems for differing use-cases by aircraft manufac-
17 turers, aircraft operators, and the Administration,
18 including cross-office use-cases within the Adminis-
19 tration;

20 (3) consider such systems currently in use by
21 United States manufacturers or other civil aviation
22 authorities for certification and engineering pur-
23 poses;

24 (4) consider the—

1 (A) available technology support for such
2 systems; and

3 (B) ability for such systems to be updated
4 and adapted over time to improve user inter-
5 faces, including providing additional
6 functionalities and addressing gaps;

7 (5) consider the ability of digital tools and soft-
8 ware systems to aid in the electronic review of soft-
9 ware components of aircraft and aircraft systems;

10 (6) consider the ability of the Administration
11 and aircraft designers to use digital tools and soft-
12 ware systems for corrective actions and modifica-
13 tions in a more rapid fashion;

14 (7) determine if each system provides adequate
15 protections for the exchange of information between
16 governmental and nongovernmental entities, includ-
17 ing—

18 (A) intellectual property protections;

19 (B) cyber and network security protec-
20 tions; and

21 (C) the ability for governmental and non-
22 governmental entities to control what is accept-
23 able and what is restricted for other parties;

1 (8) evaluate the estimated ease of adoption and
2 any impediments to adoption for personnel of the
3 Federal Aviation Administration; and

4 (9) evaluate the ability for nongovernmental or-
5 ganizations of various sizes to adopt and utilize the
6 digital and software systems identified under sub-
7 section (b) to improve the aircraft certification appli-
8 cation and coordination processes with the Adminis-
9 tration.

10 (e) ASSESSMENT.—After reviewing digital and soft-
11 ware systems under subsection (b), the qualified third-
12 party organization or consortium shall provide an assess-
13 ment to the Administrator as to—

14 (1) whether or not digital and software systems
15 and tools would improve the coordination of the Ad-
16 ministration with industry;

17 (2) whether or not such systems and tools
18 would improve the ability of the Administration to
19 validate and verify aircraft and software designs in
20 non-paper formats; and

21 (3) the potential safety benefits or safety risks
22 of using such systems and tools.

23 (f) CONTENT OF ASSESSMENT.—In the event the
24 qualified third-party organization or consortium finds that
25 digital and software systems and tools would assist the

1 work of the Administration and improve certification
2 projects processing, the assessment described under sub-
3 section (e) shall also include—

4 (1) a prioritization, expected costs, and timeline
5 of acquisitions and training based on immediate and
6 future needs and benefits; and

7 (2) suggest actions the Administration could
8 take in order to institutionalize the use of such tech-
9 nologies at the headquarters and field offices of the
10 Administration, and to protect information shared
11 through such technologies, including recommended
12 updates to orders issued by the Administration.

13 (g) IMPLEMENTATION.—Based on the assessment re-
14 quired in subsections (e) and (f), if the qualified third-
15 party organization finds that the use of digital software
16 systems and tools would assist the work of the agency,
17 the Administrator shall—

18 (1) provide the Committee on Transportation
19 and Infrastructure of the House of Representatives
20 and the Committee on Commerce, Science, and
21 Transportation of the Senate with a briefing on the
22 intended actions of the Administrator;

23 (2) not later than 60 days after receiving such
24 assessment develop a plan to—

1 (A) work towards the acquisition of the
2 systems and tools recommended, subject to the
3 availability of appropriations;

4 (B) update any applicable orders and guid-
5 ance to allow for the use of these new systems
6 and tools by personnel of the Administration
7 and nongovernmental entities applying to or co-
8 ordinating with the Administration on certifi-
9 cation related activities, at the discretion of the
10 applicant or nongovernmental entity;

11 (C) on an ongoing basis review and modify
12 orders and guidance to improve the use of these
13 systems and tools as well as addressing any in-
14 tellectual property vulnerabilities; and

15 (h) BRIEFING.—Not later than 30 months after re-
16 ceiving such assessment, the Administrator shall provide
17 the committees described in paragraph (1) with a briefing
18 on the use, benefits, and any drawbacks of the systems
19 and tools, including comparisons between certification pro-
20 grams using and not using digital and software systems
21 and tools.

22 **SEC. 516. INSTRUCTIONS FOR CONTINUED AIRWORTHINESS**
23 **AVIATION RULEMAKING COMMITTEE.**

24 (a) IN GENERAL.—Not later than 90 days after the
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall convene an aviation
2 rulemaking committee to review, and develop findings and
3 recommendations regarding, instructions for continued
4 airworthiness (as described in section 21.50 of title 14,
5 Code of Federal Regulations), and provide to the Adminis-
6 trator a report on such findings and recommendations and
7 for other related purposes as determined by the Adminis-
8 trator.

9 (b) COMPOSITION.—The aviation rulemaking com-
10 mittee established pursuant to subsection (a) shall consist
11 of members appointed by the Administrator, including
12 representatives of—

13 (1) holders of type certificates (as described in
14 subpart B of part 21, title 14, Code of Federal Reg-
15 ulations);

16 (2) holders of production certificates (as de-
17 scribed in subpart G of part 21, title 14, Code of
18 Federal Regulations);

19 (3) holders of parts manufacturer approvals (as
20 described in subpart K of part 21, title 14, Code of
21 Federal Regulations);

22 (4) holders of technical standard order author-
23 izations (as described in subpart O of part 21, title
24 14, Code of Federal Regulations);

1 (5) operators under parts 121, 125, or 135 of
2 title 14, Code of Federal Regulations;

3 (6) holders of repair station certificates (as de-
4 scribed in section 145 of title 14, Code of Federal
5 Regulations) that are not also type certificate hold-
6 ers as included under paragraph (1), production cer-
7 tificate holders as included under paragraph (2), or
8 aircraft operators as included under paragraph (5)
9 (or associated with any such entities);

10 (7) the certified bargaining representative of
11 aviation safety inspectors and engineers for the Ad-
12 ministration;

13 (8) general aviation operators;

14 (9) mechanics certificated under part 65 of title
15 14, Code of Federal Regulations;

16 (10) holders of supplemental type certificates
17 (as described in subpart E of part 21 of title 14,
18 Code of Federal Regulations);

19 (11) designated engineering representatives em-
20 ployed by repair stations described in paragraph (6);
21 and

22 (12) aviation safety experts with specific knowl-
23 edge of instructions for continued airworthiness poli-
24 cies and regulations.

1 (c) CONSIDERATIONS.—The aviation rulemaking
2 committee established pursuant to subsection (a) shall
3 consider—

4 (1) existing standards, regulations, certifi-
5 cations, assessments, and guidance related to in-
6 structions for continued airworthiness and the clar-
7 ity of such standards, regulations, certifications, as-
8 sessments, and guidance to all parties;

9 (2) the sufficiency of safety data used in pre-
10 paring instructions for continued airworthiness;

11 (3) the sufficiency of maintenance data used in
12 preparing instructions for continued airworthiness;

13 (4) the protection of proprietary information
14 and intellectual property in instructions for contin-
15 ued airworthiness;

16 (5) the availability of instructions for continued
17 airworthiness, as needed, for maintenance activities;

18 (6) the need to harmonize or deconflict pro-
19 posed and existing regulations with other Federal
20 regulations, guidance, and policies;

21 (7) international collaboration, where appro-
22 priate and consistent with the interests of safety in
23 air commerce and national security, with other civil
24 aviation authorities, international aviation and

1 standards organizations, and any other appropriate
2 entities; and

3 (8) any other matter the Administrator deter-
4 mines appropriate.

5 (d) DUTIES.—The Administrator shall—

6 (1) not later than 1 year after the date of en-
7 actment of this Act, submit to the Committee on
8 Transportation and Infrastructure of the House of
9 Representatives and the Committee on Commerce,
10 Science, and Transportation of the Senate a copy of
11 the aviation rulemaking committee report under sub-
12 section (a); and

13 (2) not later than 180 days after the date of
14 submission of the report under paragraph (1), ini-
15 tiate a rulemaking activity or make such policy and
16 guidance updates necessary to address any con-
17 sensus recommendations reached by the aviation
18 rulemaking committee established pursuant to sub-
19 section (a), as determined appropriate by the Ad-
20 ministrator.

21 **SEC. 517. CLARITY FOR SUPPLEMENTAL TYPE CERTIFI-**
22 **CATE REQUIREMENTS.**

23 (a) IN GENERAL.—The Administrator of the Federal
24 Aviation Administration shall issue or update guidance,
25 policy documents, orders, job aids, or regulations to clarify

1 the conditions under which a major alteration will require
2 a supplemental type certificate under part 21 of title 14,
3 Code of Federal Regulations.

4 (b) CONTENTS.—Issuances or updates under sub-
5 section (a) shall include providing clarity around—

6 (1) the terms “might appreciatively effect” and
7 “no appreciable effect pursuant to sections 1.1 and
8 21.93 of title 14, Code of Federal Regulations, re-
9 spectively”; and

10 (2) whether the term “other approved design”,
11 as such term appears in part 21.1 of title 14, Code
12 of Federal Regulations, includes engineering data
13 approved by the Administrator by means other than
14 through a supplemental type certificate.

15 (c) CONSIDERATIONS.—In satisfying subsection (a),
16 the Administrator shall make such updates as necessary
17 to provide consideration for the level of effort required by
18 an applicant to make a major alteration and the associated
19 level of risk to the national airspace system for a single
20 aircraft or multiple aircraft using such alteration.

21 **SEC. 518. USE OF ADVANCED TOOLS IN CERTIFYING AERO-**
22 **SPACE PRODUCTS.**

23 (a) IN GENERAL.—Not later than 30 months after
24 the date of enactment of this Act, the Administrator of
25 the Federal Aviation Administration shall complete an as-

1 assessment of the use of advanced tools during the testing,
2 analysis, and verification stages of aerospace certification
3 projects to reduce the risks associated with high-risk flight
4 profiles and performing limit testing.

5 (b) CONSIDERATIONS.—In carrying out the assess-
6 ment under subsection (a), the Administrator shall con-
7 sider—

8 (1) instances where high risk flight profiles and
9 limit testing have already occurred in the certifi-
10 cation process and the applicability of such test data
11 for use in other aspects of flight testing;

12 (2) the safety of pilots during such testing;

13 (3) the value and accuracy of data collected
14 using such advanced tools;

15 (4) the ability to produce more extensive data
16 sets using such advanced tools;

17 (5) any aspects of testing for which the use of
18 such tools would not be valuable or applicable;

19 (6) the cost of using such advanced tools; and

20 (7) the best practices of other civil aviation au-
21 thorities that permit the use of advanced tools dur-
22 ing aerospace certification projects.

23 (c) CONSULTATION.—In carrying out the assessment
24 under subsection (a), the Administrator shall consult
25 with—

1 (1) aircraft manufacturers, including manufac-
2 turers that have designed and certified aircraft
3 under—

4 (A) part 23 of title 14, Code of Federal
5 Regulations;

6 (B) part 25 of such title; or

7 (C) part 27 of such title;

8 (2) aircraft manufacturers that have designed
9 and certified, or are in the process of certifying, air-
10 craft with a novel design under part 21.17(b) of
11 such title;

12 (3) associations representing aircraft manufac-
13 turers;

14 (4) researchers and academics in related fields;
15 and

16 (5) pilots who are experts in flight testing.

17 (d) CONGRESSIONAL REPORT.—Not later than 60
18 days after the completion of the assessment under sub-
19 section (a), the Administrator shall brief the Committee
20 on Transportation and Infrastructure of the House of
21 Representatives and the Committee on Commerce,
22 Science, and Transportation of the Senate on—

23 (1) the results of the assessment conducted
24 under subsection (a); and

1 (2) how the Administrator plans to implement
2 the findings of the assessment and any changes
3 needed to Administration policy, guidance, and regu-
4 lations to allow for and optimize the use of advanced
5 tools during the certification of aerospace products
6 in order to reduce risk and improve safety outcomes.

7 **SEC. 519. TRANSPORT AIRPLANE AND PROPULSION CER-**
8 **TIFICATION MODERNIZATION.**

9 Not later than 1 year after the date of enactment
10 of this Act, the Administrator of the Federal Aviation Ad-
11 ministration shall publish a notice of proposed rulemaking
12 for the rulemaking activity titled “Transport Airplane and
13 Propulsion Certification Modernization”, published in Fall
14 2022 in the Unified Agenda of Federal Regulatory and
15 Deregulatory Actions (RIN 2120–AL42).

16 **SEC. 520. ENGINE FIRE PROTECTION STANDARDS.**

17 (a) **IN GENERAL.**—Not later than 2 years after the
18 date of enactment of this Act, the Administrator of the
19 Federal Aviation Administration shall establish an inter-
20 nal regulatory review team to review and compare domes-
21 tic and international airworthiness standards and guid-
22 ance for aircraft engine firewalls.

23 (b) **REVIEW.**—In completing the review under sub-
24 section (a), the regulatory review team shall—

1 (1) identify any significant differences in stand-
2 ards or guidance with respect to test article selec-
3 tion, fire test boundaries, and pass-fail criteria;

4 (2) consider if alternative international stand-
5 ards used by peer civil aviation authorities reflect
6 best practices that should be adopted by the Admin-
7 istration;

8 (3) recommend updates, if appropriate, to the
9 Significant Standards List of the Administration
10 based on any findings;

11 (4) assess whether a selection of aircraft engine
12 firewalls certified by other civil aviation authorities,
13 which were validated by the Administration, comply
14 with the requirements of the Administration;

15 (5) recommend actions the Administration
16 should take during future validation activities or
17 with other civil aviation authorities to address any
18 gaps in requirements; and

19 (6) consult with industry stakeholders during
20 such review.

21 (c) BRIEFING.—Not later than 120 days after the
22 completion of the review under subsection (a), the Admin-
23 istrator shall brief the Committee on Transportation and
24 Infrastructure of the House of Representatives and the
25 Committee on Commerce, Science, and Transportation of

1 the Senate on the findings and recommendations stem-
2 ming from such review.

3 **SEC. 521. RISK MODEL FOR PRODUCTION FACILITY INSPEC-**
4 **TIONS.**

5 (a) IN GENERAL.—Not later than 18 months after
6 the date of enactment of this Act and periodically there-
7 after, the Administrator of the Federal Aviation Adminis-
8 tration shall—

9 (1) conduct a review of the risk-based model
10 used by Federal Aviation Administration certifi-
11 cation management offices to inform the frequency
12 of aircraft manufacturing or production facility in-
13 spections; and

14 (2) update the model to ensure such model ade-
15 quately accounts for risk at facilities during periods
16 of increased production.

17 (b) BRIEFINGS.—Not later than 60 days after the
18 date on which the review is conducted under subsection
19 (a), the Administrator shall brief the Committee on Trans-
20 portation and Infrastructure of the House of Representa-
21 tives and the Committee on Commerce, Science, and
22 Transportation of the Senate on—

23 (1) the results of the review;

24 (2) any changes made to the risk-based model
25 described in subsection (a); and

1 (3) how such changes would help improve the
2 in-plant inspection process.

3 **SEC. 522. SECONDARY COCKPIT BARRIERS.**

4 (a) IN GENERAL.—Not later than 6 months after the
5 issuance of a final rule on the proposed rule of the Federal
6 Aviation Administration titled “Installation and Operation
7 of Flightdeck Installed Physical Secondary Barriers on
8 Transport Category Airlines in Part 121 Service”, and
9 issued on August 1, 2022 (87 Fed. Reg. 46892), the Ad-
10 ministrator of the Federal Aviation Administration shall
11 convene an aviation rulemaking committee to review and
12 develop findings and recommendations to require installa-
13 tion of a secondary cockpit barrier on commercial pas-
14 senger aircraft operated under the provisions of part 121
15 of title 14, Code of Federal Regulations, that are not cap-
16 tured under another regulation or proposed regulation.

17 (b) MEMBERSHIP.—The Administrator shall chair
18 and appoint the members of the rulemaking committee
19 convened under subsection (a), which shall be comprised
20 of at least 1 representative from the constituencies of—

- 21 (1) mainline air carriers;
22 (2) regional air carriers;
23 (3) aircraft manufacturers;
24 (4) passenger aircraft pilots represented by a
25 labor group;

1 (5) flight attendants represented by a labor
2 group;

3 (6) airline passengers; and

4 (7) other stakeholders the Administrator deter-
5 mines appropriate.

6 (c) CONSIDERATIONS.—The aviation rulemaking
7 committee convened under subsection (a) shall consider—

8 (1) minimum dimension requirements for sec-
9 ondary barriers on all aircraft types operated under
10 part 121 of title 14, Code of Federal Regulations;

11 (2) secondary barrier performance standards
12 manufacturers and air carriers must meet for such
13 aircraft types;

14 (3) the availability of certified secondary bar-
15 riers suitable for use on such aircraft types;

16 (4) the development, certification, testing, man-
17 ufacturing, installation, and training for secondary
18 barriers for such aircraft types;

19 (5) flight duration and stage length;

20 (6) the location of lavatory on such aircraft as
21 related to operational complexities;

22 (7) operational complexities;

23 (8) any risks to safely evacuate passengers of
24 such aircraft; and

1 (9) other considerations the Administrator de-
2 termines appropriate.

3 (d) REPORT TO CONGRESS.—Not later than 12
4 months after the convening of the aviation rulemaking
5 committee described in subsection (a), the Administrator
6 shall submit to the Committee on Transportation and In-
7 frastructure of the House of Representatives and the Com-
8 mittee on Commerce, Science, and Transportation of the
9 Senate, a report based on the findings and recommenda-
10 tions of the aviation rulemaking committee convened
11 under subsection (a), to include—

12 (1) if applicable, any dissenting positions on the
13 findings and the rationale for each position; and

14 (2) any disagreements, including the rationale
15 for each position and the reasons for the disagree-
16 ment.

17 (e) INSTALLATION OF SECONDARY COCKPIT BAR-
18 RIERS OF EXISTING AIRCRAFT.—Not later than 36
19 months after the date of the submission of the report of
20 subsection (d), the Administrator of the Federal Aviation
21 Administration shall, taking into consideration the final
22 reported findings and recommendations of the aviation
23 rulemaking committee, issue a final rule requiring installa-
24 tion of a secondary cockpit barrier on each commercial

1 passenger aircraft operated under the provisions of part
2 121 of title 14, Code of Federal Regulations.

3 **SEC. 523. REVIEW OF FAA USE OF AVIATION SAFETY DATA.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of enactment of this Act, the Administrator of the
6 Federal Aviation Administration shall enter into an appro-
7 priate arrangement with a qualified third-party organiza-
8 tion or consortium to evaluate the Administration’s collec-
9 tion, collation, analysis, and use of aviation data across
10 the Administration.

11 (b) CONSULTATION.—In completing the evaluation
12 under subsection (a), the qualified third-party organiza-
13 tion or consortium shall—

14 (1) seek the input of experts in data analytics,
15 including at least 1 expert in the commercial data
16 services or analytics solutions sector;

17 (2) consult with the National Transportation
18 Safety Board and the Transportation Research
19 Board; and

20 (3) consult with appropriate federally funded
21 research and development centers, to the extent that
22 such centers are not already involved in the evalua-
23 tion.

1 (c) SUBSTANCE OF EVALUATION.—In completing the
2 evaluation under subsection (a), the qualified third-party
3 organization or consortium shall—

4 (1) compile a list of internal and external
5 sources, databases, and streams of information the
6 Administration receives or has access to that provide
7 the Administration with operational or safety infor-
8 mation and data about the national airspace system,
9 its users, and other regulated entities of the Admin-
10 istration;

11 (2) review data sets to determine completeness
12 and accuracy of relevant information;

13 (3) identify gaps in information that the Ad-
14 ministration could fill through sharing agreements,
15 partnerships, or other means that would add value
16 during safety trend analysis;

17 (4) assess the Administration’s capabilities, in-
18 cluding analysis systems and workforce skillsets, to
19 analyze relevant data and information to make in-
20 formed decisions;

21 (5) review data and information for proper stor-
22 age, identification controls, and data privacy—

23 (A) as required by law; and

24 (B) consistent with best practices for data
25 collection, storage, and use;

1 (6) review the format of such data and identify
2 methods to improve the usefulness of such data;

3 (7) assess internal and external access to data
4 for—

5 (A) appropriateness based on data type
6 and level of detail;

7 (B) proper data access protocols and pre-
8 cautions; and

9 (C) maximizing availability of safety-re-
10 lated data that could support the improvement
11 of safety management systems of and trend
12 identification by regulated entities and the Ad-
13 ministration;

14 (8) examine the collation and dissemination of
15 data within offices and between offices of the Ad-
16 ministration;

17 (9) review and recommend improvements to the
18 data analysis techniques of the Administration; and

19 (10) recommend investments the Administra-
20 tion should consider to better collect, manage, and
21 analyze data sets, including within and between of-
22 fices of the Administration.

23 (d) ACCESS TO INFORMATION.—The Administration
24 shall provide the qualified third-party organization or con-
25 sortium and the experts described in subsection (b) with

1 adequate access to safety and operational data collected
2 by and held by the agency across all offices of the Admin-
3 istration, except if specific access is otherwise prohibited
4 by law.

5 (e) NONDISCLOSURE.—Prior to participating in the
6 review, the Administrator shall ensure that each person
7 participating in the evaluation under this section enters
8 into an agreement with the Administrator in which the
9 person shall be prohibited from disclosing at any time, ex-
10 cept as required by law, to any person, foreign or domes-
11 tic, any non-public information made accessible to the fed-
12 erally funded research and development center under this
13 section.

14 (f) REPORT.—The qualified third-party organization
15 or consortium carrying out the evaluation under this sec-
16 tion shall provide a report of the findings of the center
17 to the Administrator and include recommendations to im-
18 prove the Administration’s collection, collation, analysis,
19 and use of aviation data, including recommendations to—

20 (1) improve data access across offices within
21 the Administration, as necessary, to support efficient
22 execution of safety analysis and programs across
23 such offices;

24 (2) improve data storage best practices;

1 (3) develop or refine methods for collating data
2 from multiple administration and industry sources;
3 and

4 (4) procure or use available analytics tools to
5 draw conclusions and identify previously unrecog-
6 nized trends or miscategorized risks in the aviation
7 system, particularly when identification of such in-
8 formation requires the analysis of multiple sets of
9 data from multiple sources.

10 (g) IMPLEMENTATION OF RECOMMENDATIONS.—Not
11 later than 6 months after the receipt of the report under
12 subsection (f), the Administrator shall review, develop an
13 implementation plan, and begin the implementation of the
14 recommendations received in such report.

15 (h) REVIEW OF IMPLEMENTATION.—The qualified
16 third-party organization or consortium that conducted the
17 initial evaluation, and any experts who contributed to such
18 evaluation pursuant to subsection (b)(1), shall provide
19 regular feedback and advice to the Administrator on the
20 implementation plan developed under subsection (g) and
21 any implementation activities for at least 2 years begin-
22 ning on the date of the receipt of the report under sub-
23 section (f).

24 (i) REPORT TO CONGRESS.—The Administrator shall
25 submit to the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate the report described in subsection (f) and the im-
4 plementation plan described in subsection (g).

5 (j) EXISTING REPORTING SYSTEMS.—Consistent
6 with section 132 of the Aircraft Certification, Safety, and
7 Accountability Act (Public Law 116–260), the Executive
8 Director of the Transportation Research Board, in con-
9 sultation with the Secretary of Transportation and the Ad-
10 ministrator, may further harmonize data and sources fol-
11 lowing the implementation of recommendations contained
12 in the report required under subsection (g).

13 (k) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion shall be construed to permit the public disclosure of
15 information submitted under a voluntary safety reporting
16 program or that is otherwise protected under section
17 44735 of title 49, United States Code.

18 **SEC. 524. PART 135 DUTY AND REST.**

19 (a) PART 91 TAIL-END FERRY RULEMAKING.—Not
20 later than 3 years after the date of enactment of this Act,
21 the Administrator of the Federal Aviation Administration
22 shall require that any operation conducted by a flightcrew
23 member during an assigned duty period under the oper-
24 ational control of an operator holding a certificate under
25 part 135 of title 14, Code of Federal Regulations, before,

1 during, or after the duty period (including any operations
2 under part 91 of title 14, Code of Federal Regulations),
3 without an intervening rest period, shall count towards the
4 flight time and duty period limitations of such flightcrew
5 member under part 135 of title 14, Code of Federal Regu-
6 lations.

7 (b) RECORD KEEPING.—Not later than 1 year after
8 the date of enactment of this Act, the Administrator shall
9 update any Administration policy and guidance regarding
10 complete and accurate record keeping practices for opera-
11 tors holding a certificate under part 135 of title 14, Code
12 of Federal Regulations, in order to properly document, at
13 a minimum—

- 14 (1) flightcrew assignments;
- 15 (2) flightcrew prospective rest notifications;
- 16 (3) compliance with flight and duty times limi-
17 tations and post-duty rest requirements; and
- 18 (4) duty period start and end times.

19 (c) SAFETY MANAGEMENT SYSTEM OVERSIGHT.—
20 The Administrator, in performing oversight of the safety
21 management system of an operator holding a certificate
22 under part 135 of title 14, Code of Federal Regulations,
23 following the implementation of the final rule issued based
24 on the rulemaking titled “Safety Management Systems”,
25 and published on January 11, 2023 (88 Fed. Reg 1932),

1 shall ensure such operator is evaluating and appropriately
2 mitigating aviation safety risks, including, at minimum,
3 risks associated with—

4 (1) inadequate flightcrew member duty and rest
5 periods; and

6 (2) incomplete records pertaining to flightcrew
7 rest, duty, and flight times.

8 (d) ORGAN TRANSPORTATION FLIGHTS.—In updat-
9 ing guidance and policy pursuant to subsection (b), the
10 Administrator shall consider and allow for appropriate ac-
11 commodations, including accommodations related to sub-
12 sections (b)(2) and (b)(4) for operators—

13 (1) performing organ transportation operations;
14 and

15 (2) who have in place a means by which to
16 identify and mitigate risks associated with flightcrew
17 duty and rest.

18 **SEC. 525. COCKPIT VOICE RECORDERS.**

19 (a) IN GENERAL.—Chapter 447 of title 49, United
20 States Code, is further amended by adding at the end the
21 following:

22 **“§ 44746. Cockpit recording device**

23 “(a) IN GENERAL.—Not later than 18 months after
24 the date of enactment of this section, the Administrator

1 of the Federal Aviation Administration shall complete a
2 rulemaking proceeding to—

3 “(1) require that, not later than 4 years after
4 the date of enactment of this section, all applicable
5 aircraft are fitted with a cockpit voice recorder and
6 a flight data recorder that are each capable of re-
7 cording the most recent 25 hours of data;

8 “(2) prohibit any person from deliberately eras-
9 ing or tampering with any recording on such a cock-
10 pit voice recorder or flight data recorder following a
11 National Transportation Safety Board reportable
12 event under part 830 of title 49, Code of Federal
13 Regulations, or where crew would reasonably believe
14 an aircraft lined up on an incorrect runway or incor-
15 rect taxiway, the aircraft landing at the wrong air-
16 port, the aircraft significantly overpassed the des-
17 tination airport, or the crew have been alerted of a
18 possible pilot deviation and provide for civil and
19 criminal penalties for such deliberate erasing or tam-
20 pering, which may be assessed in accordance with
21 section 1155 and section 32 of title 18;

22 “(3) require that such a cockpit voice recorder
23 has the capability for an operator to use an erasure
24 feature, such as an installed bulk erase function,
25 consistent with applicable law and regulations;

1 “(4) require that, in the case of such a cockpit
2 voice recorder or flight data recorder that uses a
3 solid state recording medium in which activation of
4 a bulk erase function assigns a random discrete code
5 to the deleted recording, only the manufacturer of
6 the recorder and National Transportation Safety
7 Board have access to the software necessary to de-
8 termine the code in order to extract the deleted re-
9 corded data; and

10 “(5) ensure that data on such a cockpit voice
11 recorder or a flight data recorder, through technical
12 means other than encryption (such as overwriting or
13 the substitution of a blank recording medium before
14 the recorder is returned to the owner) is not dis-
15 closed for use other than for accident or incident in-
16 vestigation purposes.

17 “(b) PROHIBITED USE.—A cockpit voice recorder re-
18 cording shall not be used by the Administrator or any em-
19 ployer for any certificate action, civil penalty, or discipli-
20 nary proceedings against flight crewmembers.

21 “(c) APPLICABLE AIRCRAFT DEFINED.—In this sec-
22 tion, the term ‘applicable aircraft’ means an aircraft that
23 is—

24 “(1) operated under part 121 of title 14, Code
25 of Federal Regulations; and

1 “(2) required by regulation to have a cockpit
2 voice recorder or a flight data recorder.

3 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to affect—

5 “(1) the confidentiality of recordings and tran-
6 scriptions under section 1114(c);

7 “(2) the ban on recordings for civil penalty or
8 certificate action under section 121.359(h) of title
9 14, Code of Federal Regulations; or

10 “(3) the prohibition against use of data from
11 flight operational quality assurance programs for en-
12 forcement purposes under section 13.401 of 14,
13 Code of Federal Regulations.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
15 ter 447 of title 49, United States Code, is further amend-
16 ed by adding at the end the following:

“44746. Cockpit recording device.”.

17 **SEC. 526. FLIGHT DATA RECOVERY FROM OVERWATER OP-**
18 **ERATIONS.**

19 (a) IN GENERAL.—The Administrator of the Federal
20 Aviation Administration shall direct the Aviation Rule-
21 making Advisory Committee (hereinafter referred to as
22 the “Committee” in this section) to review regulations re-
23 garding flight data recovery for aircraft—

24 (1) operated under part 121 of title 14, Code
25 of Federal Regulations; and

1 (2) used in extended overwater operations.

2 (b) CONSIDERATIONS.—In carrying out the review
3 pursuant to subsection (a), the Committee shall provide
4 to the Administrator any consensus recommendations for
5 the equipage of aircraft described in subsection (a) with
6 a cockpit voice recorder and a flight data recorder that—

7 (1) provide a means, in the event of an acci-
8 dent, to recover mandatory flight data parameters in
9 a manner that does not require the underwater re-
10 trieval of the cockpit voice recorder or flight data re-
11 corder;

12 (2) is equipped with a tamper-resistant method
13 to broadcast sufficient information to a ground sta-
14 tion to establish the location where an aircraft ter-
15 minates flight as the result of an accident within 6
16 nautical miles of the point of impact of the aircraft;
17 and

18 (3) is equipped with an airframe low-frequency
19 underwater locating device that functions for at least
20 90 days and that can be detected by appropriate
21 equipment.

22 (c) RECOMMENDATIONS.—Not later than 18 months
23 after tasking the aviation rulemaking advisory committee
24 under subsection (a), the committee shall submit to the

1 Administrator any consensus recommendations developed
2 under subsection (b).

3 (d) RULEMAKING.—Not later than 1 year after re-
4 ceiving any recommendations pursuant to subsection (c),
5 the Administrator shall initiate a rulemaking activity
6 based on such consensus recommendations, if determined
7 appropriate.

8 (e) BRIEFING.—If the Administrator decides not to
9 issue a final rule with respect to the rulemaking initiated
10 under subsection (d), the Administrator shall brief the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate on the
14 justification for such decision.

15 **SEC. 527. EMERGENCY MEDICAL EQUIPMENT ON PAS-**
16 **SENGER AIRCRAFT.**

17 (a) IN GENERAL.—Not later than 12 months after
18 date of enactment of this Act, the Administrator of the
19 Federal Aviation Administration shall review and update,
20 as appropriate, part 121 of title 14, Code of Federal Regu-
21 lations, regarding emergency medical equipment, including
22 the contents of emergency medical kits, and training re-
23 quired for flight crew.

24 (b) CONSIDERATION.—In carrying out subsection (a),
25 the Administrator shall consider—

1 (1) the benefits and costs (including the costs
2 of flight diversions and emergency landings) of re-
3 quiring any new medications or equipment necessary
4 to be included in approved emergency medical kits
5 under part 121 of title 14, Code of Federal Regula-
6 tions;

7 (2) whether the contents of the emergency med-
8 ical kits include the appropriate medications and
9 equipment that can practicably be administered to
10 address—

11 (A) the emergency medical needs of chil-
12 dren and pregnant women;

13 (B) opioid overdose;

14 (C) anaphylaxis; and

15 (D) cardiac arrest; and

16 (3) what contents of the emergency medical kits
17 should be readily available, to the extent practicable,
18 for use by flight crews without prior approval by a
19 medical professional.

20 (c) CONSULTATION.—In conducting the review re-
21 quired under subsection (a), the Administrator shall con-
22 sult with associations representing aerospace medical pro-
23 fessionals.

1 **SEC. 528. NAVIGATION AIDS STUDY.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the inspector general of the
4 Department of Transportation shall initiate a study exam-
5 ining the effects of reclassifying navigation aids to Design
6 Assurance Level–A from Design Assurance Level–B, in-
7 cluding the following navigation aids:

- 8 (1) Distance measuring equipment.
9 (2) Very high frequency omni-directional range.
10 (3) Tactical air navigation.
11 (4) Wide area augmentation system.

12 (b) CONTENTS.—In conducting the study required
13 under subsection (a), the inspector general shall address—

- 14 (1) the cost-benefit analyses associated with the
15 reclassification described in such subsection;
16 (2) the findings from the operational safety as-
17 sessments and preliminary hazard analyses of the
18 navigation aids listed in such subsection;
19 (3) the risks of such reclassification on naviga-
20 tion aid equipment currently in use;
21 (4) the potential impacts on global interoper-
22 ability of navigational aids; and
23 (5) what additional actions should be taken
24 based on the findings of this subsection.

25 (c) REPORT.—Not later than 24 months after the
26 date of enactment of this Act, the inspector general shall

1 submit to the Committee on Transportation and Infra-
2 structure of the House of Representatives and the Com-
3 mittee on Commerce, Science, and Transportation of the
4 Senate a report describing the results of the study con-
5 ducted under subsection (a).

6 **SEC. 529. REMOTE TOWERS.**

7 (a) STUDY.—

8 (1) IN GENERAL.—Not later than 90 days after
9 the date of enactment of this Act, the Administrator
10 of the Federal Aviation Administration shall seek to
11 enter into an agreement with a qualified organiza-
12 tion to conduct a study examining the viability and
13 feasibility of remote tower technology available on
14 the date of enactment of this Act to accommodate
15 existing air traffic activity at non-towered, public-use
16 airports and airports with a visual flight rule air
17 traffic control tower.

18 (2) CONSIDERATIONS.—In the study conducted
19 under subsection (a), the qualified organization se-
20 lected under such subsection shall consider and in-
21 clude in such study—

22 (A) the effectiveness and adequacy of the
23 pilot program established under section 161 of
24 the FAA Reauthorization Act of 2018 (49
25 U.S.C. 47104 note) in—

1 (i) assessing the installation, mainte-
2 nance, and operational costs and benefits
3 of remote tower technology; and

4 (ii) establishing a clear process for the
5 safety and operational certification of such
6 technology;

7 (B) a description of actions that the Ad-
8 ministration has undertaken to carry out such
9 pilot program;

10 (C) any barriers related to the safety and
11 operational certification of such technology;

12 (D) the number and type of non-towered
13 airports in the national airspace system;

14 (E) the availability and development of re-
15 mote tower technology;

16 (F) the potential to use remote tower sys-
17 tems to control air traffic at multiple airports
18 and from a single physical location, similar to
19 a terminal radar approach control facility;

20 (G) staffing flexibility to support seasonal
21 staffing of remote towers;

22 (H) safety factors related to the potential
23 need for such remote tower technology;

24 (I) the potential to use remote tower sys-
25 tems to surveil for unmanned aircraft, in con-

1 junction with unmanned aircraft system traffic
2 management systems, to enhance air traffic
3 management of manned air traffic;

4 (J) factors related to the demand for re-
5 mote tower technology;

6 (K) an examination of remote tower use in
7 other countries;

8 (L) projected costs associated with install-
9 ing and maintain remote tower technology at a
10 single airport; and

11 (M) recommendations regarding the most
12 cost-effective approach to provide air traffic
13 control services at non-towered airports in the
14 national airspace system.

15 (3) INPUT.—In carrying out the study under
16 subsection (a), the qualified organization selected
17 under such subsection shall—

18 (A) seek coordination with the Air Traffic
19 Organization and other offices of the Adminis-
20 tration; and

21 (B) seek the participation of representa-
22 tives of—

23 (i) the exclusive bargaining represent-
24 atives of air traffic controllers certified

1 under section 7111 of title 5, United
2 States Code;

3 (ii) manufacturers of remote towers;

4 (iii) airport operators; and

5 (iv) other stakeholders that the Ad-
6 ministrator determines appropriate.

7 (4) REPORT.—Not later than 1 year after the
8 date of enactment of this Act, the Administrator
9 shall submit to the Committee on Transportation
10 and Infrastructure of the House of Representatives
11 and the Committee on Commerce, Science, and
12 Transportation of the Senate a report detailing the
13 results of the study under subsection (a).

14 (b) CERTIFICATION PROCESS.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the completion of the study required under sub-
17 section (a), the Administrator shall establish a proc-
18 ess for the certification of system design and oper-
19 ational approval of remote towers for use at public-
20 use airports.

21 (2) CONSULTATION.—In carrying out sub-
22 section (b), the Administrator shall consult with the
23 following:

1 (A) The exclusive bargaining representa-
2 tive of the air traffic controllers certified under
3 section 7111 of title 5, United States Code.

4 (B) Manufacturers of remote towers.

5 (C) Non-towered airport operators.

6 (3) REQUIREMENTS.—In developing the certifi-
7 cation process required under subsection (b), the Ad-
8 ministrator shall—

9 (A) establish requirements for the system
10 design and operational approval of remote tow-
11 ers, including—

12 (i) sensor and camera visual require-
13 ments;

14 (ii) datalink latency requirements; and

15 (iii) visual presentation design re-
16 quirements for monitors used to display
17 sensor and camera feeds;

18 (B) establish tower-closure standards for
19 contingency operations and procedures for re-
20 mote tower failures and malfunctions; and

21 (C) consider the use of—

22 (i) ground- and space-based tele-
23 communications infrastructure; and

1 (ii) any other wireless telecommuni-
2 cations infrastructure that may enable the
3 operation of a remote tower.

4 (4) OPERATIONAL APPROVAL ASSESSMENTS.—

5 In developing the operational approval process re-
6 quired under this subsection, the Administrator
7 shall—

8 (A) determine the appropriate number of
9 air traffic controllers necessary to staff a re-
10 mote tower for safe air traffic control oper-
11 ations at the respective airport based on the ex-
12 isting or projected air traffic activity at the air-
13 port;

14 (B) use a safety risk management panel
15 process to address any safety issues with re-
16 spect to the remote tower;

17 (C) if the remote tower is intended to be
18 installed at a non-towered airport, assess the
19 safety benefits of the remote tower against the
20 lack of an existing tower; and

21 (D) establish, to the satisfaction of the Ad-
22 ministrator and using performance-based cri-
23 teria, to the extent appropriate, published in
24 advance, the level of safety necessary for the
25 operation of the remote tower at the airport.

1 (5) AIRPORT OPERATORS.—An airport operator
2 seeking to install or construct a certified remote
3 tower shall submit to the Administrator an applica-
4 tion in such form and containing such information
5 as the Administrator may require.

6 (6) IMPLEMENTATION.—In carrying out this
7 section, the Administrator shall—

8 (A) identify air traffic control information
9 and data that assists the Administrator in cat-
10 egorically certifying remote towers at different
11 types of airports;

12 (B) implement processes necessary to col-
13 lect the information and data identified in sub-
14 paragraph (A); and

15 (C) develop criteria from the information
16 and data identified in subparagraph (A) to as-
17 sess remote towers for widespread use at cat-
18 egories of public-use airports.

19 (7) PRIORITIZATION OF REMOTE TOWER CER-
20 TIFICATION APPLICANTS.—With respect to applica-
21 tions submitted as required by paragraph (4), the
22 Administrator shall prioritize—

23 (A) airports that do not have a permanent
24 air traffic control tower at the time of applica-
25 tion;

1 (B) airports that would provide small and
2 rural community air service; or

3 (C) airports that have been newly accepted
4 as of the date of enactment of this Act into the
5 Contract Tower Program.

6 (8) BRIEFING.—Not later than 180 days after
7 receiving the report required under subsection (a),
8 and annually thereafter through fiscal year 2028,
9 the Administrator shall brief the Committee on
10 Transportation and Infrastructure of the House of
11 Representatives and the Committee on Commerce,
12 Science, and Transportation of the Senate on the
13 status of the activities required under this section.

14 (c) DEFINITIONS.—In this section:

15 (1) AIR TRAFFIC ACTIVITY.—The term “air
16 traffic activity” means the number of takeoffs, land-
17 ings, and simulated approaches of an airport and
18 the time of which such takeoffs, landings, and simu-
19 lated approaches occur.

20 (2) CONTRACT TOWER PROGRAM.—The term
21 “Contract Tower Program” has the meaning given
22 such term in section 47124(e) of title 49, United
23 States Code.

24 (3) QUALIFIED ORGANIZATION.—The term
25 “qualified organization” means an independent non-

1 profit organization that recommends solutions to
2 public policy challenges through objective analysis.

3 (4) REMOTE TOWER.—The term “remote
4 tower” has the meaning given such term in section
5 161(a)(9) of the FAA Reauthorization Act of 2018
6 (49 U.S.C. 47104 note).

7 **SEC. 530. WEATHER REPORTING SYSTEMS STUDY.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Comptroller General
10 of the United States shall initiate a study to examine how
11 to improve the procurement, functionality, and sustain-
12 ability of weather reporting systems, including—

- 13 (1) automated weather observing systems;
14 (2) automated surface observing systems;
15 (3) visual weather observing systems; and
16 (4) non-Federal weather reporting systems.

17 (b) CONTENTS.—In conducting the study required
18 under section (a), the Comptroller General shall address—

19 (1) the current state of the supply chain related
20 to weather reporting systems and the components of
21 such systems, including—

22 (A) the adequacy of suppliers of such sys-
23 tems and components;

24 (B) the affordability of such systems and
25 components; and

1 (C) the availability and affordability of re-
2 placement parts;

3 (2) the average age of weather reporting sys-
4 tems infrastructure installed in the national airspace
5 system;

6 (3) challenges to maintaining and replacing
7 weather reporting systems, including—

8 (A) root causes of weather reporting sys-
9 tem outages, including failures of such systems,
10 and supporting systems such as telecommuni-
11 cations infrastructure; and

12 (B) the degree to which such outages af-
13 fect weather reporting in the national airspace
14 system;

15 (4) mitigation measures to maintain aviation
16 safety during such an outage; and

17 (5) alternative means of obtaining weather ele-
18 ments at airports, including wind direction, wind
19 speed, barometric pressure setting, and cloud cov-
20 erage, including visibility.

21 (c) CONSULTATION.—In conducting the study re-
22 quired under subsection (a), the Comptroller General shall
23 consult with the appropriate stakeholders and Federal
24 agencies involved in installing, managing, and supporting
25 weather reporting systems in the national airspace system.

1 (d) REPORT.—

2 (1) IN GENERAL.—Not later than 2 years after
3 the date of enactment of this Act, the Comptroller
4 General shall submit to the Committee on Transpor-
5 tation and Infrastructure of the House of Represent-
6 atives and the Committee on Commerce, Science,
7 and Transportation of the Senate a report describ-
8 ing the results of the study conducted under sub-
9 section (a).

10 (2) RECOMMENDATIONS.—The Comptroller
11 General shall include in the report submitted under
12 paragraph (1) recommendations for—

13 (A) ways to improve the resiliency and re-
14 dundancy of weather reporting systems;

15 (B) alternative means of compliance for
16 obtaining weather elements at airports; and

17 (C) if necessary, changes to Orders of the
18 Administration, including the following:

19 (i) Surface Weather Observing, Joint
20 Order 7900.5.

21 (ii) Notices to Air Missions, Joint
22 Order 7930.2.

1 **SEC. 531. GAO STUDY ON EXPANSION OF THE FAA WEATH-**
2 **ER CAMERA PROGRAM.**

3 (a) STUDY.—The Comptroller General of the United
4 States shall conduct a study on the feasibility and benefits
5 and costs of expanding the Weather Camera Program of
6 the Federal Aviation Administration to locations in the
7 United States that lack weather camera services.

8 (b) CONSIDERATIONS.—In conducting the study re-
9 quired under subsection (a), the Comptroller General shall
10 review—

11 (1) the potential effects of the existing Weather
12 Camera Program on weather-related aviation acci-
13 dents and flight interruptions;

14 (2) the potential benefits and costs associated
15 with expanding the Weather Camera Program;

16 (3) limitations on the real-time access of weath-
17 er camera information by pilots and aircraft opera-
18 tors;

19 (4) non-safety related regulatory structures or
20 barriers to the allowable use of weather camera in-
21 formation for the purposes of aircraft operations;

22 (5) limitations of existing weather camera sys-
23 tems at the time of the study;

24 (6) alternative sources of viable weather data;

25 (7) funding mechanisms for weather camera in-
26 stallation and operations; and

1 (8) other considerations the Comptroller Gen-
2 eral determines appropriate.

3 (c) REPORT TO CONGRESS.—Not later than 28
4 months after the date of enactment of this Act, the Comp-
5 troller General shall submit to the Committee on Trans-
6 portation and Infrastructure of the House of Representa-
7 tives and the Committee on Commerce, Science, and
8 Transportation of the Senate a report on the results of
9 the study required under subsection (a).

10 **SEC. 532. AUDIT ON AVIATION SAFETY IN ERA OF WIRELESS**
11 **CONNECTIVITY.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this Act, the inspector general of the
14 Department of Transportation shall initiate an audit of
15 the Federal Aviation Administration’s internal processes
16 and procedures to communicate the position of civil avia-
17 tion operators and the safety of the national airspace sys-
18 tem to the National Telecommunications and Information
19 Administration regarding proposed spectrum reallocations
20 or auction decisions.

21 (b) ASSESSMENT.—In conducting the audit described
22 in subsection (a), the inspector general shall assess best
23 practices and policy recommendations for the Federal
24 Aviation Administration to—

1 (1) improve internal processes by which pro-
2 posed spectrum reallocations or auctions are thor-
3 oughly reviewed in advance to ensure that any com-
4 ments or technical concerns regarding aviation safe-
5 ty from civil aviation stakeholders are communicated
6 to the National Telecommunications and Informa-
7 tion Administration that are to be submitted to the
8 Federal Communications Commission;

9 (2) develop internal processes and procedures to
10 assess the effects a proposed spectrum reallocation
11 or auction may have on the national airspace system
12 in a timely manner to ensure safety of the national
13 airspace system;

14 (3) improve external communication processes
15 to better inform civil aviation stakeholders, including
16 owners and operators of civil aircraft, on any com-
17 ments or technical concerns of the Federal Aviation
18 Administration relating to a proposed spectrum re-
19 allocation or auction that may impact the national
20 airspace system; and

21 (4) better communicate to the National Tele-
22 communications and Information Administration
23 when a proposed spectrum reallocation or auction
24 may pose a potential risk to aviation safety.

1 (c) STAKEHOLDER VIEWS.—In conducting the audit
2 pursuant to subsection (a), the inspector general shall con-
3 sult with relevant stakeholders, including—

4 (1) air carriers operating under part 121 of
5 title 14, Code of Federal Regulations;

6 (2) manufacturers of aircraft and aircraft com-
7 ponents;

8 (3) wireless communication carriers;

9 (4) labor unions representing pilots;

10 (5) air traffic system safety specialists;

11 (6) other representatives of the communications
12 industry;

13 (7) aviation safety experts;

14 (8) the National Telecommunications and Infor-
15 mation Administration; and

16 (9) the Federal Communications Commission.

17 (d) REPORT.—Not later than 2 years after the date
18 on which the audit is conducted pursuant to subsection
19 (a), the inspector general shall complete and submit a re-
20 port on findings and recommendations to—

21 (1) the Administrator of the Federal Aviation
22 Administration;

23 (2) the Committee on Transportation and In-
24 frastructure of the House of Representatives;

1 (3) the Committee on Energy and Commerce of
2 the House of Representatives; and

3 (4) the Committee on Commerce, Science, and
4 Technology of the Senate.

5 **SEC. 533. RAMP WORKER SAFETY CALL TO ACTION.**

6 (a) **CALL TO ACTION RAMP WORKER SAFETY RE-**
7 **VIEW.**—Not later than 180 days after the date of enact-
8 ment of this Act, the Administrator of the Federal Avia-
9 tion Administration shall initiate a Call to Action safety
10 review of airport ramp worker safety in order to bring
11 stakeholders together to share best practices and imple-
12 ment actions to address airport ramp worker safety.

13 (b) **CONTENTS.**—The Call to Action safety review re-
14 quired pursuant to subsection (a) shall include—

15 (1) a review of Administration regulations,
16 guidance, and directives related to airport ramp
17 worker procedures and oversight of such processes;

18 (2) a review of reportable accidents and inci-
19 dents involving airport ramp workers, including any
20 identified contributing factors to the reportable acci-
21 dent or incident;

22 (3) a review of training and related educational
23 materials for airport ramp workers, including super-
24 visory employees;

1 (4) a review of devices and methods for commu-
2 nication on the ramp;

3 (5) a review of markings on the ramp that de-
4 fine restriction, staging, safety, or hazard zones;

5 (6) a review of aircraft jet blast and engine in-
6 take safety markings; and

7 (7) a process for stakeholders, including air-
8 lines, aircraft manufacturers, airports, labor, and
9 aviation safety experts, to provide feedback and
10 share best practices.

11 (c) REPORT AND ACTIONS.—Not later than 180 days
12 after the conclusion of the Call to Action safety review
13 pursuant to subsection (a), the Administrator shall—

14 (1) submit to the Committee on Transportation
15 and Infrastructure of the House of Representatives
16 and the Committee on Commerce, Science, and
17 Transportation of the Senate a report on the results
18 of the review and any recommendations for actions
19 or best practices to improve airport ramp worker
20 safety, including the identification of risks and pos-
21 sible mitigations to be considered in any applicable
22 safety management system of air carriers and air-
23 ports; and

24 (2) initiate such actions as are necessary to act
25 upon the findings of the review under subsection (b).

1 (d) TRAINING MATERIALS.—Not later than 6 months
2 after the completion of the safety review required under
3 subsection (a), the Administrator shall develop and pub-
4 lish training and related educational materials about air-
5 craft engine ingestion and jet blast hazards for ground
6 crews (including supervisory employees) that includes in-
7 formation on—

8 (1) the specific dangers and consequences of en-
9 tering engine ingestion or jet blast zones;

10 (2) proper protocols to avoid entering an engine
11 ingestion or jet blast zone; and

12 (3) on-the-job, instructor-led training to phys-
13 ically demonstrate the engine ingestion zone bound-
14 aries and jet blast zones for each kind of aircraft the
15 ground crew may encounter.

16 **SEC. 534. SAFETY DATA ANALYSIS FOR AIRCRAFT WITHOUT**
17 **TRANSPONDERS.**

18 (a) IN GENERAL.—Not later than 90 days after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration, in coordination with the
21 Chairman of the National Transportation Safety Board,
22 shall collect and analyze data relating to accidents and in-
23 cidents involving covered exempt aircraft that occurred
24 within 30 nautical miles of an airport.

1 (b) REQUIREMENTS.—The analysis required under
2 subsection (a) shall include with respect to covered exempt
3 aircraft a review of—

4 (1) incident and accident data since 2006;

5 (2) incidents and accidents involving midair
6 events, including collisions;

7 (3) incidents and accidents involving ground
8 proximity warning system alerts;

9 (4) incidents and accidents involving traffic col-
10 lision avoidance system alerts;

11 (5) incidents and accidents involving a loss of
12 separation or near miss; and

13 (6) the causes of the accidents and incidents
14 described in paragraphs (1) through (5).

15 (c) REPORT TO CONGRESS.—Not later than 1 year
16 after the date of enactment of this Act, the Administrator
17 shall submit to the Committee on Transportation and In-
18 frastructure of the House of Representatives and the Com-
19 mittee on Commerce, Science, and Transportation of the
20 Senate a report containing the results of the analysis re-
21 quired under subsection (a) and, if appropriate, rec-
22 ommendations on how to reduce the number of incidents
23 and accidents associated with such covered exempt air-
24 craft.

1 (d) COVERED EXEMPT AIRCRAFT DEFINED.—In this
2 section, the term “covered exempt aircraft” means air-
3 craft, balloons, and gliders exempt from air traffic control
4 transponder and altitude reporting equipment and use re-
5 quirements under part 91.215(b)(3) of title 14, Code of
6 Federal Regulations.

7 **SEC. 535. CRASH-RESISTANT FUEL SYSTEMS IN ROTOR-**
8 **CRAFT.**

9 (a) IN GENERAL.—The Administrator of the Federal
10 Aviation Administration shall task the Aviation Rule-
11 making Advisory Committee to—

12 (1) review the data analysis conducted and the
13 recommendations developed by the Aviation Rule-
14 making Advisory Committee Rotorcraft Occupant
15 Protection Working Group of the Administration;

16 (2) update the 2018 report of such working
17 group on rotorcraft occupant protection by—

18 (A) reviewing National Transportation
19 Safety Board data from 2016 through 2023 on
20 post-crash fires in helicopter accidents; and

21 (B) determining whether and to what ex-
22 tent crash-resistant fuel systems could have
23 prevented fatalities; and

24 (3) develop recommendations for either the Ad-
25 ministrator or the helicopter industry to encourage

1 helicopter owners and operators to expedite the in-
2 stallation of crash-resistant fuel systems in the air-
3 craft of such owners and operators regardless of
4 original certification and manufacture date.

5 (b) SCHEDULE.—

6 (1) DEADLINE.—Not later than 18 months
7 after the Administrator tasks the Aviation Rule-
8 making Advisory Committee under subsection (a),
9 the Committee shall submit the recommendations
10 developed under subsection (a)(2) to the Adminis-
11 trator.

12 (2) IMPLEMENTATION.—If applicable, and not
13 later than 180 days after receiving the recommenda-
14 tions under paragraph (1), the Administrator
15 shall—

16 (A) begin implementing, as appropriate,
17 any consensus safety recommendations the Ad-
18 ministrator receives from the Aviation Rule-
19 making Advisory Committee, and brief the
20 Committee on Transportation and Infrastruc-
21 ture of the House of Representatives and the
22 Committee on Commerce, Science, and Trans-
23 portation of the Senate on any recommenda-
24 tions the Administrator does not implement;
25 and

1 (B) partner with the United States Heli-
2 copter Safety Team, as appropriate, to facilitate
3 implementation of any recommendations for the
4 helicopter industry pursuant to subsection
5 (a)(2)

6 **SEC. 536. REDUCING TURBULENCE ON PART 121 AIRCRAFT**
7 **OPERATIONS.**

8 (a) IN GENERAL.—Not later than 3 years after the
9 date of enactment of this Act, the Administrator of the
10 Federal Aviation Administration shall review and imple-
11 ment, as appropriate, the recommendations made by the
12 Chair of the National Transportation Safety Board to the
13 Administrator contained in the safety research report ti-
14 tled “Preventing Turbulence-Related Injuries in Air Car-
15 rier Operations Conducted Under Title 14 Code of Federal
16 Regulations Part 121”, issued on August 10, 2021
17 (NTSB/SS–21/01).

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 1 year after
20 completing the review under subsection (a), and
21 every 2 years thereafter, the Administrator shall
22 submit to the Committee on Transportation and In-
23 frastructure of the House of Representatives and the
24 Committee on Commerce, Science, and Transpor-
25 tation of the Senate a report on the status of the

1 recommendations in the safety research report de-
2 scribed in subsection (a) until the earlier of—

3 (A) the date on which such recommenda-
4 tions have been adopted; or

5 (B) the date that is 10 years after the date
6 of enactment of this Act.

7 (2) CONTENTS.—If the Administrator decides
8 not to implement a recommendation in the safety re-
9 search report described in subsection (a), the Ad-
10 ministrator shall provide, as a part of the report re-
11 quired under paragraph (1), a description of why the
12 Administrator did not implement such recommenda-
13 tion.

14 **SEC. 537. STUDY ON RADIATION EXPOSURE.**

15 (a) STUDY.—Not later than 120 days after the date
16 of enactment of this Act, the Administrator of the Federal
17 Aviation Administration shall seek to enter into an agree-
18 ment with the National Academies of Sciences, Engineer-
19 ing, and Medicine under which the National Research
20 Council of the National Academies shall conduct a study
21 on radiation exposure onboard various aircraft types oper-
22 ated under part 121 of title 14, Code of Federal Regula-
23 tions.

1 (b) SCOPE OF STUDY.—In conducting the study
2 under subsection (a), the National Research Council shall
3 assess—

4 (1) radiation concentrations in such aircraft at
5 takeoff, in-flight at high altitudes, and upon landing;

6 (2) the health risks and impact of radiation ex-
7 posure to flight attendants and passengers onboard
8 aircraft operating at high altitudes; and

9 (3) mitigation measures to prevent and reduce
10 the health and safety impacts of radiation exposure
11 to flight attendants and passengers.

12 (c) REPORT TO CONGRESS.—Not later than 16
13 months after the initiation of the study required under
14 subsection (a), the Secretary shall submit to the appro-
15 priate committees of Congress the study conducted by the
16 National Research Council pursuant to this section.

17 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
18 FINED.—In this section, the term “appropriate commit-
19 tees of Congress” means the Committee on Transpor-
20 tation and Infrastructure and the Committee on Energy
21 and Commerce of the House of Representatives and the
22 Committee on Commerce, Science, and Transportation of
23 the Senate.

24 **SEC. 538. DETERRING CREWMEMBER INTERFERENCE.**

25 (a) TASK FORCE.—

1 (1) IN GENERAL.—Not later than 120 days
2 after the date of enactment of this Act, the Adminis-
3 trator of the Federal Aviation Administration shall
4 convene a task force to develop voluntary standards
5 and best practices relating to suspected violations of
6 sections 46318, 46503, and 46504 of title 49,
7 United States Code, including—

8 (A) proper and consistent incident docu-
9 mentation and reporting techniques;

10 (B) best practices for flight crew and cabin
11 crew response, including de-escalation;

12 (C) improved coordination between stake-
13 holders, including flight crew and cabin crew,
14 airport staff, other Federal agencies as appro-
15 priate, and law enforcement; and

16 (D) appropriate enforcement actions.

17 (2) MEMBERSHIP.—The task force convened
18 under paragraph (1) shall be comprised representa-
19 tives of—

20 (A) air carriers;

21 (B) airport sponsors and airport law en-
22 forcement agencies;

23 (C) other Federal agencies determined nec-
24 essary by the Administrator;

1 (D) labor organizations representing air
2 carrier pilots;

3 (E) labor organizations representing flight
4 attendants; and

5 (F) labor organizations representing
6 ticketing, check-in, or other customer service
7 representatives employed by air carriers.

8 (b) ANNOUNCEMENTS.—Not later than 90 days after
9 the date of enactment of this Act, the Administrator shall
10 initiate such actions as may be necessary to include in the
11 briefing of passengers before takeoff required under sec-
12 tion 121.571 of title 14, Code of Federal Regulations, a
13 statement informing passengers that it is against Federal
14 law to assault or threaten to assault any individual on an
15 aircraft or interfere with the duties of a crewmember.

16 (c) DEFINITIONS.—For purposes of this section, the
17 definitions in section 40102(a) of title 49, United States
18 Code, shall apply to terms in this section.

19 **SEC. 539. CABIN TEMPERATURE STANDARDS.**

20 (a) IN GENERAL.—Not later than 24 months after
21 the date of enactment of this Act, the Administrator of
22 the Federal Aviation Administration shall review existing
23 standards produced by recognized industry standards or-
24 ganizations on safe air temperatures and humidity levels
25 in enclosed environments, including onboard aircraft, and

1 determine the validity of such standards, including the
2 American Society of Heating, Refrigerating and Air-Con-
3 ditioning Engineers (in this section referred to as
4 “ASHRAE”) standards titled “Air Quality within Com-
5 mercial Aircraft” (ASHRAE Guideline 28–2021) and
6 “Thermal Environmental Conditions for Human Occu-
7 pancy” (ASHRAE Standard 55–2020).

8 (b) CONSULTATION.—In conducting the review under
9 subsection (a), the Administrator shall consult with—

10 (1) certificate holders under part 121 of title
11 14, Code of Federal Regulations;

12 (2) certified labor representatives of flight at-
13 tendants, pilots, and other crewmembers;

14 (3) relevant Federal agencies; and

15 (4) other relevant stakeholders, as appropriate.

16 (c) ACADEMIC STUDY.—In the event that the Admin-
17 istrator determines, through the review carried out under
18 subsection (a), that there is not an appropriate standard
19 to determine unsafe temperatures onboard aircraft oper-
20 ated under part 121 of title 14, Code of Federal Regula-
21 tions, the Administrator shall enter into an appropriate
22 agreement with the National Academies to—

23 (1) conduct a study of unsafe aircraft cabin
24 temperatures and aircraft conditions that contribute
25 to such temperatures; and

1 (2) provide recommendations for air carriers
2 and aircraft manufacturers to improve the manage-
3 ment of temperature and related factors onboard
4 aircraft.

5 (d) REPORTS.—

6 (1) FAA.—Not later than 3 months after com-
7 pleting the review required under subsection (a), the
8 Administrator shall submit to the Committee on
9 Transportation and Infrastructure of the House of
10 Representatives and the Committee on Commerce,
11 Science, and Transportation of the Senate a report
12 on the findings and determination of the review.

13 (2) NATIONAL ACADEMIES.—If a report is pro-
14 duced under subsection (c), not later than 1 month
15 after receiving such report the Administrator shall
16 submit to the Committee on Transportation and In-
17 frastructure of the House of Representatives and the
18 Committee on Commerce, Science, and Transpor-
19 tation of the Senate such report.

20 **SEC. 540. CABIN AIR QUALITY.**

21 (a) REPORTING OF SMOKE OR FUME EVENTS ON-
22 BOARD COMMERCIAL AIRCRAFT.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Ad-
25 ministrator of the Federal Aviation Administration

1 shall develop a standardized system for a flight at-
2 tendants, pilots, and aircraft maintenance techni-
3 cians of air carriers to voluntarily report fume
4 events onboard passenger-carrying aircraft operating
5 under part 121 of title 14, Code of Federal Regula-
6 tions.

7 (2) INFORMATION SUBMISSION.—The system
8 developed under paragraph (1) shall include a meth-
9 od of submission, which shall request at least the
10 following information:

11 (A) Identification of the flight number,
12 type, and registration of the aircraft.

13 (B) The date of the reported fume event
14 onboard the aircraft.

15 (C) Description of smoke or fume in the
16 aircraft, including the nature, intensity, and
17 visual consistency or smell (if any).

18 (D) The location of the smoke or fumes in
19 the aircraft.

20 (E) The source (if discernible) of the
21 smoke or fumes in the aircraft.

22 (F) The phase of flight during which
23 smoke or fumes first became present.

24 (G) The duration of the fume event.

1 (H) Any required onboard medical atten-
2 tion for passengers or crew members.

3 (I) Any additional factors as determined
4 appropriate by the Administrator or crew mem-
5 ber submitting a report.

6 (3) GUIDELINES FOR SUBMISSION.—The Ad-
7 ministrator shall issue guidelines on how to submit
8 the information described in paragraph (2).

9 (4) CONFIRMATION OF SUBMISSION.—Upon
10 submitting the information described in paragraph
11 (2), the submitting party shall receive a duplicate
12 record of the submission and confirmation of receipt.

13 (5) USE OF INFORMATION.—The Adminis-
14 trator—

15 (A) may not publish any information sub-
16 mitted under this section;

17 (B) shall maintain a database of such in-
18 formation;

19 (C) at the request of an air carrier, shall
20 provide to such air carrier any information sub-
21 mitted under this section that is relevant to
22 such air carrier, except any information that
23 may be used to identify the party submitting
24 such information;

1 (D) may not, without validation, assume
2 that information submitted under this section is
3 accurate for the purposes of initiating rule-
4 making or taking an enforcement action;

5 (E) may use information submitted under
6 this section to inform the oversight of the safety
7 management system of an air carrier; and

8 (F) may use information submitted under
9 this section for the purpose of performing a
10 study or supporting a study sponsored by the
11 Administrator.

12 (b) STUDY.—

13 (1) IN GENERAL.—Not later than 3 years after
14 the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall seek to
16 enter into the appropriate arrangements with the
17 National Academies to conduct a study and issue
18 recommendations to be made publicly available per-
19 taining to cabin air quality and any risk of, and po-
20 tential for, persistent and accidental fume events on-
21 board a passenger-carrying aircraft operating under
22 part 121 of title 14, Code of Federal Regulations.

23 (2) SCOPE.—In carrying out a study pursuant
24 to paragraph (1), the National Academies shall ex-
25 amine—

1 (A) the information collected pursuant to
2 subsection (a);

3 (B) the report issued pursuant to section
4 326 of the FAA Reauthorization Act of 2018
5 (49 U.S.C. 40101 note) and any identified as-
6 sumptions or gaps described in such report;

7 (C) any health risks or impacts of fume
8 events on flight crews, including flight attend-
9 ants and pilots, and passengers onboard air-
10 craft operating under part 121 of title 14, Code
11 of Federal Regulations;

12 (D) instances of persistent or regularly oc-
13 ccurring (as determined by the National Acad-
14 emies) fume events in such aircraft;

15 (E) instances of accidental, unexpected, or
16 irregularly occurring (as determined by the Na-
17 tional Academies) fume events on such aircraft,
18 including whether such accidental events are
19 more frequent during various phases of oper-
20 ations, including ground operations, taxiing,
21 take off, cruise, and landing;

22 (F) the likely originating material of, and
23 the air contaminants present during, the situa-
24 tions described in subparagraphs (D) and (E);

1 (G) the frequencies, durations, and likely
2 causes of the situations described in subpara-
3 graphs (D) and (E); and

4 (H) any additional data on fume events as
5 determined appropriate by the National Acad-
6 emies.

7 (3) RECOMMENDATIONS.—The National Acad-
8 emies shall provide recommendations based on the
9 study conducted under paragraph (1)—

10 (A) that shall, at minimum, address how
11 to—

12 (i) improve overall cabin air quality of
13 passenger-carrying aircraft;

14 (ii) improve the detection, accuracy,
15 and reporting of fume events; and

16 (iii) reduce the frequency and impact
17 of fume events; and

18 (B) for any updates to standards, guide-
19 lines, or regulations that could help achieve the
20 recommendations described in subparagraph
21 (A).

22 (4) REPORT TO CONGRESS.—Not later than 1
23 month after the completion of the study conducted
24 under paragraph (1), the Administrator shall submit
25 to the Committee on Transportation and Infrastruc-

1 ture of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of
3 the Senate a copy of such study.

4 (c) FUME EVENT DEFINED.—In this section, the
5 term “fume event” means the presence of fumes in the
6 cabin, including smoke.

7 **SEC. 541. EVACUATION STANDARDS FOR TRANSPORT CAT-**
8 **EGORY AIRPLANES.**

9 (a) IN GENERAL.—Not later than 6 months after the
10 date of enactment of this Act, the Administrator of the
11 Federal Aviation Administration shall task the Aviation
12 Rulemaking Advisory Committee with reviewing and pro-
13 posing updates to the evacuation requirements under sec-
14 tion 25.803 of title 14, Code of Federal Regulations, and
15 appendix J to part 25 of such title.

16 (b) CONSIDERATIONS.—In tasking the Aviation Rule-
17 making Advisory Committee under subsection (a), the Ad-
18 ministrator shall, at a minimum, task the Committee to—

19 (1) evaluate whether the representative pas-
20 senger loads, prescribed in regulation on the date of
21 enactment of this Act, represent a realistic composi-
22 tion of passengers on an aircraft operated under
23 part 121 of title 14, Code of Federal Regulations,
24 including accounting for—

25 (A) children, including infants;

1 (B) passengers who do not speak English;

2 (C) passengers with disabilities; and

3 (D) service animals (as such term is de-
4 fined in section 35.104 and 36.104 of title 28,
5 Code of Federal Regulations, or successor regu-
6 lations); and

7 (2) determine if there are technologies or tech-
8 niques that can be used to more accurately represent
9 categories of passengers who are unable to provide
10 consent during evacuation testing, but should be
11 simulated in such testing;

12 (3) evaluate whether the requirements pre-
13 scribed in regulation on the date of enactment of
14 this Act adequately consider the varying sizes,
15 weight, and matter or baggage present in an aircraft
16 cabin; and

17 (4) determine whether the evacuation testing
18 performed, associated with section 25.803 of title
19 14, Code of Federal Regulations, considers the seat
20 size, seat pitch, seating layout, aisle width, and aisle
21 layout of the aircraft type being tested.

22 (c) CONSULTATION.—In tasking the Aviation Rule-
23 making Advisory Committee under subsection (a), the Ad-
24 ministratoꝛ shall allow such Committee to consult with the
25 National Transportation Safety Board, transport category

1 aircraft manufacturers, air carriers certificated under part
2 121 of title 14, Code of Federal Regulations, crew mem-
3 bers of such air carriers, emergency responders, groups
4 representing passengers and passengers with disabilities,
5 and other relevant experts.

6 (d) RULEMAKING.—Not later than 18 months after
7 receiving such recommendations to update section 25.803
8 of title 14, Code of Federal Regulations, and appendix J
9 to part 25 of such title, the Administrator shall issue a
10 final rulemaking based on the recommendations provided
11 by the aviation rulemaking advisory committee tasked
12 under this section, as necessary.

13 (e) PASSENGER WITH DISABILITIES.—In this sec-
14 tion, the term “passenger with disabilities” means any
15 qualified individual with a disability, as such term is de-
16 fined in section 382.3 of title 14, Code of Federal Regula-
17 tions, or successor regulations.

18 **SEC. 542. LITHIUM-ION POWERED WHEELCHAIRS.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation shall task the Air Carrier Access Act Advisory Com-
22 mittee (in this section referred to as the “Committee”)
23 to conduct a review of regulations regarding lithium-ion
24 battery powered wheelchairs and mobility aids and provide
25 recommendations to the Secretary to ensure safe transport

1 of such wheelchairs and mobility aids in air transpor-
2 tation.

3 (b) CONSIDERATIONS.—In conducting the review re-
4 quired under subsection (a), the Committee shall consider
5 the following:

6 (1) Any existing or necessary standards for lith-
7 ium-ion batteries, including casings or other similar
8 components, in such wheelchairs and mobility aids.

9 (2) The availability of necessary containment or
10 storage devices, including fire containment covers or
11 fire-resistant storage containers, for such wheel-
12 chairs and mobility aids.

13 (3) The policies of each air carrier (as such
14 term is defined in part 121 of title 14, Code of Fed-
15 eral Regulations) pertaining to lithium-ion battery
16 powered wheelchairs and mobility aids (as in effect
17 on the date of enactment of this Act).

18 (4) Any other considerations the Secretary de-
19 termines appropriate.

20 (c) CONSULTATION REQUIREMENT.—In conducting
21 the review required under subsection (a), the Committee
22 shall consult with the Administrator of the Pipeline and
23 Hazardous Materials Safety Administration.

24 (d) NOTIFICATION.—

1 (1) IN GENERAL.—Upon completion of the re-
2 view conducted under subsection (a), the Committee
3 shall notify the Secretary if an air carrier does not
4 have a policy pertaining to lithium-ion battery pow-
5 ered wheelchairs and mobility aids in effect.

6 (2) NOTIFICATION.—The Secretary shall notify
7 an air carrier described in paragraph (1) of the sta-
8 tus of such air carrier.

9 (e) REPORT TO CONGRESS.—Not later than 90 days
10 after submission of the recommendations to the Secretary,
11 the Secretary shall submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and Transpor-
14 tation of the Senate any recommendations under sub-
15 section (a), in the form of a report.

16 (f) PUBLICATION.—The Secretary shall publish the
17 report required under subsection (e) on the public website
18 of the Department of Transportation.

19 **SEC. 543. NATIONAL SIMULATOR PROGRAM POLICIES AND**
20 **GUIDANCE.**

21 (a) REVIEW.—Not later than 2 years after the date
22 of enactment of this Act, the Administrator of the Federal
23 Aviation Administration shall review relevant policies and
24 guidance, including all advisory circulars, information bul-

1 letins, and directives, pertaining to part 60 of title 14,
2 Code of Federal Regulations.

3 (b) UPDATES.—Upon completion of the review re-
4 quired under subsection (a), the Administrator shall, at
5 a minimum, update the following:

6 (1) Advisory Circular 120–40B, issued July 29,
7 1991.

8 (2) Advisory Circular 120–45A, issued Feb-
9 ruary 5, 1992.

10 (3) Advisory Circular 120–50A, issued Feb-
11 ruary 9, 1996.

12 (4) Advisory Circular 120–63, issued October
13 11, 1994.

14 (c) CONSULTATION.—In carrying out the review re-
15 quired under subsection (a), the Administrator shall con-
16 vene and consult with entities required to comply with part
17 60 of title 14, Code of Federal Regulations, including rep-
18 resentatives of—

19 (1) air carriers;

20 (2) flight schools certificated under part 141 of
21 title 14, Code of Federal Regulations;

22 (3) training centers certificated under part 142
23 of title 14, Code of Federal Regulations; and

24 (4) manufacturers and suppliers of flight sim-
25 ulation training devices (as defined in part 1 of title

1 14, Code of Federal Regulations, and Appendix F to
2 part 60 of such title).

3 **SEC. 544. GAO STUDY ON FAA NATIONAL SIMULATOR PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Not later than 18 months after
6 the date of enactment of this Act, the Comptroller General
7 of the United States shall conduct a study into the Na-
8 tional Simulator Program of the Federal Aviation Admin-
9 istration that is part of the Air Transportation Division’s
10 Training and Simulation Group.

11 (b) CONSIDERATIONS.—In conducting the study re-
12 quired under subsection (a), the Comptroller General
13 shall, at a minimum, assesses—

14 (1) how the program described under subsection
15 (a), is maintained to reflect and account for ad-
16 vancement in technologies pertaining to flight sim-
17 ulation training devices (as defined in part 1 of title
18 14, Code of Federal Regulations, and appendix F to
19 part 60 of such title);

20 (2) the staffing levels, critical competencies,
21 and skills gaps of Administration personnel respon-
22 sible for carrying out and supporting the program
23 described in subsection (a); and

24 (3) how the program described in subsection (a)
25 engages air carriers and relevant industry stake-

1 holders, including flight schools, to ensure efficient
2 compliance with part 60 of such title.

3 (c) REPORT.—Not later than 18 months after the
4 date of enactment of this Act, the Comptroller General
5 shall submit to the Committee on Transportation and In-
6 frastructure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on the findings of the study conducted
9 under subsection (a).

10 **SEC. 545. GAO STUDY ON FAA ALIGNMENT WITH BEST**
11 **AVAILABLE TECHNOLOGIES AND STAND-**
12 **ARDS.**

13 (a) IN GENERAL.—The Comptroller General of the
14 United States shall conduct a study on the incorporation
15 of best available technologies by the Federal Aviation Ad-
16 ministration to increase aviation safety and improve the
17 health and safety of aviation workers.

18 (b) SCOPE.—In conducting the study under sub-
19 section (a), the Comptroller General shall—

20 (1) analyze the degree to which the Adminis-
21 trator of the Federal Aviation Administration is ena-
22 bling the use or adoption of technologies used by
23 other air navigation service providers to meet ICAO
24 standards; and

1 (2) identify any barriers to adoption of such
2 technologies.

3 (c) REPORT.—Not later than 4 years after the date
4 of enactment of this Act, the Comptroller General shall
5 report to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate on the findings of the study.

9 (d) ICAO DEFINED.—In this section, the term
10 “ICAO” means the International Civil Aviation Organiza-
11 tion.

12 **SEC. 546. INCREMENTAL SAFETY IMPROVEMENT.**

13 Section 44704 of title 49, United States Code, is
14 amended by adding at the end the following:

15 “(h) INCREMENTAL SAFETY IMPROVEMENT.—

16 “(1) IN GENERAL.—The Administrator may
17 consider and approve a proposed incremental design
18 change request from a type certificate holder, if such
19 holder is required by the Administrator to make a
20 safety-related design change to bring a product into
21 compliance, even if the proposed incremental design
22 change does not eliminate all noncompliant condi-
23 tions.

1 “(2) PROPOSED INCREMENTAL DESIGN
2 CHANGE.—A proposed incremental design change
3 under paragraph (1) shall—

4 “(A) be related to the required safety-re-
5 lated design change described in this sub-
6 section;

7 “(B) improve the overall safety of the air-
8 craft;

9 “(C) not decrease the level of safety of
10 other components or systems on the aircraft;

11 “(D) be in the public interest;

12 “(E) not include any substantial changes;

13 “(F) be recorded on a type certificate data
14 sheet or other public instrument that notifies
15 the public of such design changes; and

16 “(G) be considered through a process that
17 applies appropriate requirements as determined
18 by the Administrator.

19 “(3) FULL COMPLIANCE.—An approval issued
20 under this subsection shall not be construed to re-
21 lieve a type certificate holder from addressing all
22 noncompliant conditions under paragraph (1).

23 “(4) DEADLINE.—In issuing an approval under
24 this subsection, the Administrator shall impose a

1 deadline by which all non-compliant conditions re-
2 lated to the design change shall be addressed.

3 “(5) SAFETY-RELATED DESIGN CHANGE DE-
4 FINED.—In this subsection, the term ‘safety-related
5 design change’ means a design change that has any
6 effect on the safety of the aircraft.”.

7 **SEC. 547. VOLUNTARY REPORTING PROTECTIONS.**

8 (a) IN GENERAL.—Section 40123(a) of title 49,
9 United States Code, is amended in the matter preceding
10 paragraph (1) by inserting “or third party” after “nor any
11 agency”.

12 (b) PROTECTED INFORMATION.—Not later than 180
13 days after the date of enactment of this Act, the Adminis-
14 trator of the Federal Aviation Administration shall pro-
15 mulgate regulations to amend part 193 of title 14, Code
16 of Federal Regulations, to designate and protect from dis-
17 closure information or data submitted, collected, or con-
18 tained by the Administrator under voluntary safety pro-
19 grams, including the following:

- 20 (1) Aviation Safety Action Program.
- 21 (2) Flight Operational Quality Assurance.
- 22 (3) Line Operations Safety Assessments.
- 23 (4) Air Traffic Safety Action Program.
- 24 (5) Technical Operations Safety Action Pro-
25 gram.

1 (6) Such other voluntarily submitted informa-
2 tion or programs as the Administrator determines
3 appropriate.

4 **SEC. 548. PROVIDING NON-FEDERAL WEATHER OBSERVER**
5 **TRAINING TO AIRPORT PERSONNEL.**

6 The Administrator of the Federal Aviation Adminis-
7 tration shall take such actions as are necessary to provide
8 training that is easily accessible and streamlined for air-
9 port personnel to become certified as non-Federal weather
10 observers so that such personnel can manually provide
11 weather observations when automated surface observing
12 systems and automated weather observing systems experi-
13 ence outages and errors in order to ensure operational
14 safety at airports.

15 **Subtitle B—Aviation Cybersecurity**

16 **SEC. 571. FINDINGS.**

17 Congress finds the following:

18 (1) Congress has repeatedly tasked the Federal
19 Aviation Administration with responsibility for se-
20 curing the national airspace system, including the
21 air traffic control system and other air navigation
22 services, civil aircraft, and aeronautical products and
23 articles through safety regulation and oversight.
24 These mandates have routinely included protecting
25 against associated cyber threats affecting aviation

1 safety or the Administration's provision of safe, se-
2 cure, and efficient air navigation services and air-
3 space management.

4 (2) In 2016, Congress passed the FAA Exten-
5 sion, Safety, and Security Act of 2016, which estab-
6 lished requirements for the Federal Aviation Admin-
7 istration to enhance the national airspace system's
8 cybersecurity and included mandates for the Admin-
9 istration to—

10 (A) develop a cybersecurity strategic plan;

11 (B) coordinate with other Federal agencies
12 to identify cyber vulnerabilities;

13 (C) develop a cyber threat model; and

14 (D) complete a comprehensive, strategic
15 policy framework to identify and mitigate cyber-
16 security risks to the air traffic control system.

17 (3) In 2018, Congress passed the FAA Reau-
18 thorization Act of 2018 which—

19 (A) authorized funding for the construction
20 of Federal Aviation Administration facilities
21 dedicated to improving the cybersecurity of the
22 national airspace system;

23 (B) required the Federal Aviation Admin-
24 istration to review and update its comprehen-
25 sive, strategic policy framework for cybersecu-

1 rity to assess the degree to which the frame-
2 work identifies and addresses known cybersecu-
3 rity risks associated with the aviation system,
4 and evaluate existing short- and long-term ob-
5 jectives for addressing cybersecurity risks to the
6 national airspace system;

7 (C) created a Chief Technology Officer po-
8 sition within the Federal Aviation Administra-
9 tion to be responsible for, among other things,
10 coordinating the implementation, operation,
11 maintenance, and cybersecurity of technology
12 programs relating to the air traffic control sys-
13 tem with the aviation industry and other Fed-
14 eral agencies; and

15 (D) directed the National Academy of
16 Sciences to study the cybersecurity workforce of
17 the Federal Aviation Administration in order to
18 develop recommendations to increase the size,
19 quality, and diversity of such workforce.

20 (4) Congress has tasked the Federal Aviation
21 Administration with being the primary Federal
22 agency to assess and address the threats posed from
23 cyber incidents relating to Federal Aviation Admin-
24 istration-provided air traffic control and air naviga-
25 tion services and the threats posed from cyber inci-

1 dents relating to civil aircraft, aeronautical products
2 and articles, aviation networks, aviation systems,
3 services, and operations, and the aerospace industry
4 affecting aviation safety or the provision of safe, se-
5 cure, and efficient air navigation services and air-
6 space management by the Administration.

7 (5) Since 2005, the Federal Aviation Adminis-
8 tration has been addressing cyber vulnerabilities in
9 civil aircraft and aeronautical products and articles
10 during the safety certification process.

11 **SEC. 572. AEROSPACE PRODUCT SAFETY.**

12 (a) **CYBERSECURITY STANDARDS.**—Section 44701(a)
13 of title 49, United States Code, is amended—

14 (1) in paragraph (1) by inserting “cybersecu-
15 rity,” after “quality of work,”; and

16 (2) in paragraph (5)—

17 (A) by inserting “cybersecurity and” after
18 “standards for”; and

19 (B) by striking “procedure” and inserting
20 “procedures”.

21 (b) **EXCLUSIVE RULEMAKING AUTHORITY.**—Section
22 44701 of title 49, United States Code, is amended by add-
23 ing at the end the following:

24 “(h) **EXCLUSIVE RULEMAKING AUTHORITY.**—Not-
25 withstanding any other provision of law and except as pro-

1 vided in section 40132, the Administrator, in consultation
2 with the heads of such other agencies as the Administrator
3 determines necessary, shall have exclusive authority to
4 prescribe regulations for purposes of assuring civil air-
5 craft, including unmanned aircraft systems, aircraft en-
6 gine, propeller, and appliance cybersecurity.”.

7 **SEC. 573. FEDERAL AVIATION ADMINISTRATION REGULA-**
8 **TIONS, POLICY, AND GUIDANCE.**

9 (a) IN GENERAL.—Chapter 401 of title 49, United
10 States Code, is further amended by adding at the end the
11 following:

12 **“§ 40132. National airspace system cyber threat man-**
13 **agement process**

14 “(a) ESTABLISHMENT.—The Administrator of the
15 Federal Aviation Administration, in consultation with
16 other agencies as the Administrator determines necessary,
17 shall establish a national airspace system cyber threat
18 management process to protect the national airspace sys-
19 tem cyber environment, including the safety, security, and
20 efficiency of the air navigation services provided by the
21 Administration.

22 “(b) ISSUES TO BE ADDRESSED.—In establishing
23 the national airspace system cyber threat management
24 process under subsection (a), the Administrator shall, at
25 a minimum—

1 “(1) monitor the national airspace system for
2 cybersecurity incidents;

3 “(2) in consultation with appropriate Federal
4 agencies, evaluate the cyber threat landscape for the
5 national airspace system, including updating such
6 evaluation on both annual and threat-based
7 timelines;

8 “(3) conduct national airspace system cyber in-
9 cident analyses;

10 “(4) create a cyber common operating picture
11 for the national airspace system cyber environment;

12 “(5) coordinate national airspace system cyber
13 incident responses with other appropriate Federal
14 agencies;

15 “(6) track cyber incident detection, response,
16 mitigation implementation, recovery, and closure;

17 “(7) establish a process, or utilize existing proc-
18 esses, to collect relevant interagency and stakeholder
19 national airspace system cyber incident data, includ-
20 ing data from other Federal agencies and private
21 persons;

22 “(8) conduct a review of potential
23 vulnerabilities in inflight Wi-Fi service that may put
24 the data of passengers at risk; and

1 “(9) consider any other matter the Adminis-
2 trator determines appropriate.

3 “(c) DEFINITIONS.—In this section:

4 “(1) CYBER COMMON OPERATING PICTURE.—
5 The term ‘cyber common operating picture’ means
6 the correlation of a detected cyber incident or cyber
7 threat in the national airspace system and other
8 operational anomalies to provide a holistic view of
9 potential cause and impact.

10 “(2) CYBER ENVIRONMENT.—The term ‘cyber
11 environment’ means the information environment
12 consisting of the interdependent networks of infor-
13 mation technology infrastructures and resident data,
14 including the internet, telecommunications networks,
15 computer systems, and embedded processors and
16 controllers.

17 “(3) CYBER INCIDENT.—The term ‘cyber inci-
18 dent’ means an action that creates noticeable deg-
19 radation, disruption, or destruction to the cyber en-
20 vironment and causes a safety or other negative im-
21 pact on operations of—

22 “(A) the national airspace system;

23 “(B) civil aircraft; or

24 “(C) aeronautical products and articles.

1 “(4) CYBER THREAT.—The term ‘cyber threat’
2 means the threat of an action that, if carried out,
3 would constitute a cyber incident or an electronic at-
4 tack.

5 “(5) ELECTRONIC ATTACK.—The term ‘elec-
6 tronic attack’ means the use of electromagnetic spec-
7 trum energy to impede operations in the cyber envi-
8 ronment, including through techniques such as jam-
9 ming or spoofing.”.

10 (b) CLERICAL AMENDMENT.—The analysis for chap-
11 ter 401 of title 49, United States Code, is further amend-
12 ed by adding at the end the following:

“40132. National airspace system cyber threat management process.”.

13 **SEC. 574. CIVIL AVIATION CYBERSECURITY RULEMAKING**
14 **COMMITTEE.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Administrator of the
17 Federal Aviation Administration shall convene an aviation
18 rulemaking committee on civil aircraft cybersecurity to
19 conduct a review and develop findings and recommenda-
20 tions on cybersecurity standards for civil aircraft, aircraft
21 ground support information systems, airports, air traffic
22 control mission systems, and aeronautical products and
23 articles.

24 (b) DUTIES.—The Administrator shall—

1 (1) not later than 2 years after the date of en-
2 actment of this Act, submit to the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives and the Committee on Commerce,
5 Science, and Transportation of the Senate a report
6 based on the findings of the aviation rulemaking
7 committee convened under subsection (a); and

8 (2) not later than 180 days after the date of
9 submission of the report under paragraph (1) and,
10 in consultation with other agencies as the Adminis-
11 trator determines necessary, for consensus rec-
12 ommendations reached by such aviation rulemaking
13 committee—

14 (A) undertake a rulemaking, if appro-
15 priate, based on such recommendations; and

16 (B) submit to the Committee on Transpor-
17 tation and Infrastructure of the House of Rep-
18 resentatives and the Committee on Commerce,
19 Science, and Transportation of the Senate a
20 supplemental report with explanations for each
21 consensus recommendation not addressed, if ap-
22 plicable, by a rulemaking under subparagraph
23 (A).

24 (c) COMPOSITION.—The aviation rulemaking com-
25 mittee convened under subsection (a) shall consist of mem-

1 bers appointed by the Administrator, including representa-
2 tives of—

3 (1) aircraft manufacturers, to include at least 1
4 manufacturer of transport category aircraft;

5 (2) air carriers;

6 (3) unmanned aircraft system stakeholders, in-
7 cluding operators, service suppliers, and manufactur-
8 ers of hardware components and software applica-
9 tions;

10 (4) manufacturers of powered-lift aircraft;

11 (5) airports;

12 (6) original equipment manufacturers of ground
13 and space based aviation infrastructure;

14 (7) aviation safety experts with specific knowl-
15 edge of aircraft cybersecurity; and

16 (8) a non-profit which operates 1 or more feder-
17 ally funded research and development centers with
18 specific knowledge of aviation and cybersecurity.

19 (d) MEMBER ELIGIBILITY.—Prior to a member’s ap-
20 pointment under subsection (c), the Administrator shall
21 determine if there is cause for such member to be re-
22 stricted from possessing sensitive security information.
23 Upon a determination of no cause being found regarding
24 the member, and upon the member voluntarily signing a
25 nondisclosure agreement, the member may be granted ac-

1 cess to sensitive security information that is relevant to
2 the member's duties on the aviation rulemaking com-
3 mittee. The member shall protect the sensitive security in-
4 formation in accordance with part 1520 of title 49, Code
5 of Federal Regulations.

6 (e) PROHIBITION ON COMPENSATION.—The members
7 of the aviation rulemaking committee convened under sub-
8 section (a) shall not receive pay, allowances, or benefits
9 from the Government by reason of their service on such
10 committee.

11 (f) CONSIDERATIONS.—The Administrator shall di-
12 rect such committee to consider—

13 (1) existing cybersecurity standards, regula-
14 tions, policies, and guidance, including those from
15 other Federal agencies;

16 (2) threat- and risk-based security approaches
17 used by the aviation industry, including the assess-
18 ment of the potential costs and benefits of cyberse-
19 curity actions;

20 (3) data gathered from cybersecurity reporting;

21 (4) data gathered from safety reporting;

22 (5) the diversity of operations and systems on
23 aircraft and amongst air carriers;

24 (6) security of design data;

1 (7) the need to harmonize or deconflict pro-
2 posed and existing standards, regulations, policies,
3 and guidance with other Federal standards, regula-
4 tions, policies, and guidance;

5 (8) design approval holder aircraft network se-
6 curity guidance for operators;

7 (9) the need for such standards, regulations,
8 policies, and guidance as applied to civil aircraft in-
9 formation, data, networks, systems, services, oper-
10 ations, and technology;

11 (10) Federal Aviation Administration services,
12 aviation industry services, and aircraft use of posi-
13 tioning, navigation, and timing data in the context
14 of Executive Order No. 13905, as in effect on the
15 date of enactment of this Act;

16 (11) updates needed to airworthiness regula-
17 tions and systems safety assessment methods used
18 to show compliance with airworthiness requirements
19 for design, function, installation, and certification of
20 civil aircraft, aeronautical products and articles, and
21 aircraft networks;

22 (12) updates needed to air carrier operating
23 and maintenance regulations to ensure continued ad-
24 herence with processes and procedures established in
25 airworthiness regulations to provide cybersecurity

1 protections for aircraft systems, including for contin-
2 ued airworthiness;

3 (13) policies and procedures to coordinate with
4 other Federal agencies, including intelligence agen-
5 cies, and the aviation industry in sharing informa-
6 tion and analyses related to cyber threats to civil
7 aircraft information, data, networks, systems, serv-
8 ices, operations, and technology and aeronautical
9 products and articles;

10 (14) the response of the Administrator and
11 aviation industry to, and recovery from, cyber inci-
12 dents, including by coordinating with other Federal
13 agencies, including intelligence agencies;

14 (15) processes for members of the aviation in-
15 dustry to voluntarily report to the Federal Aviation
16 Administration cyber incidents that may affect avia-
17 tion safety in a manner that protects trade secrets
18 and confidential business information;

19 (16) the unique nature of the aviation industry,
20 including aircraft networks, aircraft systems, and
21 aeronautical products, and the interconnectedness of
22 cybersecurity and aviation safety;

23 (17) appropriate cybersecurity controls for air-
24 craft networks, aircraft systems, and aeronautical

1 products and articles to protect aviation safety, in-
2 cluding airworthiness;

3 (18) appropriate cybersecurity controls for air-
4 ports relative to the size and nature of airside oper-
5 ations of such airports to ensure aviation safety;

6 (19) minimum standards for protecting civil
7 aircraft, aeronautical products and articles, aviation
8 networks, aviation systems, services, and operations
9 from cyber threats and cyber incidents;

10 (20) international collaboration, where appro-
11 priate and consistent with the interests of aviation
12 safety in air commerce and national security, with
13 other civil aviation authorities, international aviation
14 and standards organizations, and any other appro-
15 priate entities to protect civil aviation from cyber in-
16 cidents and cyber threats;

17 (21) the recommendations and implementation
18 of the Aircraft System Information Security/Protec-
19 tion report of the aviation rulemaking advisory com-
20 mittee submitted on August 22, 2016; and

21 (22) any other matter the Administrator deter-
22 mines appropriate.

23 (g) DEFINITIONS.—The definitions set forth in sec-
24 tion 40132 of title 49, United States Code (as added by
25 this subtitle), shall apply to this section.

1 **TITLE VI—AEROSPACE**
2 **INNOVATION**
3 **Subtitle A—Unmanned Aircraft**
4 **Systems**

5 **SEC. 601. DEFINITIONS.**

6 (a) **DEFINITION.**—Section 44801(1) of title 49,
7 United States Code, is amended—

8 (1) in subparagraph (B) by striking “and” at
9 the end;

10 (2) in subparagraph (C) by striking the period
11 at the end and inserting a semicolon; and

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

13 “(D) is able to maintain safe flight control
14 in the event of a power or flight control failure
15 during flight; and

16 “(E) is programmed to initiate a controlled
17 landing in the event of a tether separation.”.

18 **SEC. 602. UNMANNED AIRCRAFT SYSTEM TEST RANGES.**

19 (a) **IN GENERAL.**—Section 44803 of title 49, United
20 States Code, is amended to read as follows:

21 **“§ 44803. Unmanned aircraft system test ranges**

22 “(a) **IN GENERAL.**—The Administrator of the Fed-
23 eral Aviation Administration shall carry out and update,
24 as appropriate, a program to enable a broad variety of
25 testing and evaluation activities at unmanned aircraft sys-

1 tem test ranges, as in effect on the day before the date
2 of enactment of the Securing Growth and Robust Leader-
3 ship in American Aviation Act, to the extent consistent
4 with aviation safety and efficiency, and for purposes of
5 the safe integration of unmanned aircraft systems into the
6 national airspace system.

7 “(b) AIRSPACE REQUIREMENTS.—In carrying out the
8 program under subsection (a)—

9 “(1) the Administrator may establish non-
10 regulatory special use airspace areas upon the re-
11 quest of a test range sponsor selected by the Admin-
12 istrator under subsection (a), for purposes of accom-
13 modating hazardous testing and evaluation activities
14 to inform the safe integration of unmanned aircraft
15 systems into the national airspace system, or for
16 purposes of other activities authorized by the Ad-
17 ministrator under subsection (g);

18 “(2) each selected test range sponsor for a des-
19 igned test range shall be considered the using
20 agency for purposes of the respective nonregulatory
21 special use airspace areas established by the Admin-
22 istrator under this section; and

23 “(3) the Administrator may require that each
24 selected test range sponsor for a designated test
25 range provide a draft environmental review con-

1 sistent with the National Environmental Policy Act
2 of 1969 (42 U.S.C. 4321 et seq.), subject to the su-
3 pervision and adoption of the Administrator, with re-
4 spect to any request for the establishment of a non-
5 regulatory special use airspace area under this sec-
6 tion.

7 “(c) PROGRAM REQUIREMENT.—In carrying out the
8 program under subsection (a), the Administrator—

9 “(1) may develop operational standards and air
10 traffic requirements for flight operations at test
11 ranges;

12 “(2) shall coordinate with, and leverage the re-
13 sources of, other Federal agencies, as the Adminis-
14 trator considers appropriate;

15 “(3) shall address both civil and public aircraft
16 operations;

17 “(4) shall provide for verification of the safety
18 of flight systems and related navigation procedures
19 as it relates to continued development of standards
20 for integration into the national airspace system;

21 “(5) shall engage test range sponsors, as nec-
22 essary and within available resources, in projects for
23 testing and evaluation of flight systems to facilitate
24 the validation of standards by the Administration for
25 the safe integration of unmanned aircraft systems

1 into the national airspace system, which may include
2 solutions for—

3 “(A) developing and enforcing geographic
4 and altitude limitations;

5 “(B) providing for alerts regarding any
6 hazards or limitations on flight, including prohi-
7 bitions on flight;

8 “(C) sense and avoid capabilities;

9 “(D) technology to support communica-
10 tions, navigation, and surveillance;

11 “(E) unmanned aircraft system operations
12 beyond visual line of sight, at nighttime, or over
13 people;

14 “(F) operation of multiple unmanned air-
15 craft systems by a single remote pilot;

16 “(G) unmanned aircraft systems traffic
17 management capabilities or services;

18 “(H) counter unmanned aircraft system
19 capabilities;

20 “(I) improving privacy protections through
21 the use of advances in unmanned aircraft sys-
22 tems; and

23 “(J) other critical priority areas for which
24 testing and evaluation is needed.

1 “(6) shall coordinate periodically with all test
2 range sponsors to ensure test range sponsors know
3 which data should be collected, how data can be de-
4 identified to flow more readily to the Administration,
5 what procedures should be followed, and what test-
6 ing and evaluations would advance efforts to safely
7 integrate unmanned aircraft systems into the na-
8 tional airspace system; and

9 “(7) shall allow test range sponsors to receive
10 Federal funding, other than from the Federal Avia-
11 tion Administration, including in-kind contributions,
12 from test range participants in the furtherance of
13 testing and evaluation objectives.

14 “(d) EXEMPTION.—Except as provided in subsection
15 (g), the requirements of section 44711, including related
16 implementing regulations, shall not apply to persons ap-
17 proved by the test range sponsor for operation at a des-
18 ignated test range under this section.

19 “(e) RESPONSIBILITIES OF TEST RANGE SPON-
20 SOR.—The sponsor of each test range under subsection
21 (a) shall—

22 “(1) provide access to all interested private and
23 public entities seeking to carry out testing and eval-
24 uation activities at the test range designated pursu-
25 ant to this section, to the greatest extent practicable,

1 consistent with safety and any operating procedures
2 established by the test range sponsor, including ac-
3 cess by small business concerns (as that term is de-
4 scribed in section 3(a) of the Small Business Act (15
5 U.S.C. 632(a));

6 “(2) ensure all activities remain within the geo-
7 graphical boundaries and altitude limitations estab-
8 lished for the nonregulatory special use airspace
9 area covering the test range;

10 “(3) ensure no activity is conducted at the des-
11 ignated test range in a careless or reckless manner;

12 “(4) establish safe operating procedures for all
13 operators approved for activities at the test range,
14 including provisions for maintaining operational con-
15 trol and ensuring protection of persons and property
16 on the ground, subject to approval by the Adminis-
17 trator;

18 “(5) exercise direct oversight of all operations
19 conducted at the test range;

20 “(6) consult with the Administrator on the na-
21 ture of planned activities at the test range and
22 whether temporary segregation through the use of a
23 nonregulatory special use airspace area is required
24 to contain such activities is consistent with aviation
25 safety;

1 “(7) protect proprietary technology, sensitive
2 data, or sensitive research of any civil or private en-
3 tity when using the test range;

4 “(8) maintain detailed records of all ongoing
5 and completed testing and evaluation activities con-
6 ducted at the test range and all operators con-
7 ducting such activities, for inspection by, and report-
8 ing to, the Administrator, as required by agreement
9 between the Administrator and the test range spon-
10 sor;

11 “(9) make all original records available for in-
12 spection upon request by the Administrator; and

13 “(10) provide recommendations to the Adminis-
14 trator to further enable public and private testing
15 and evaluation activities at the test ranges that con-
16 tribute to the safe integration of unmanned aircraft
17 systems by the Administration into the national air-
18 space system, on a quarterly basis until the program
19 terminates.

20 “(f) TESTING.—

21 “(1) IN GENERAL.—The Administrator may au-
22 thorize a sponsor of a test range designated under
23 subsection (a) to host testing and evaluation activi-
24 ties other than those directly related to the integra-
25 tion of unmanned aircraft systems into the national

1 airspace system, provided that the activity is nec-
2 essary to inform the development of standards or
3 policy for integrating new types of flight systems
4 into the national airspace system.

5 “(2) WAIVER.—In carrying out this subsection,
6 the Administrator may waive the requirements of
7 section 44711, including related regulations, to the
8 extent consistent with aviation safety.

9 “(g) AGREEMENTS.—The Administrator may use the
10 transaction authority under section 106(l)(6) to enter into
11 appropriate agreements to direct testing and evaluation
12 activities related to unmanned aircraft systems at any test
13 range designated under subsection (a).

14 “(h) TERMINATION.—The program under this sec-
15 tion shall terminate on September 30, 2028.”.

16 (b) CONFORMING AMENDMENT.—Section 44801(10)
17 of title 49, United States Code, is amended by striking
18 “any of the 6 test ranges” and all that follows through
19 “January 1, 2009” and inserting “the test ranges estab-
20 lished by the Administrator under section 44803”.

21 **SEC. 603. UNMANNED AIRCRAFT IN THE ARCTIC.**

22 (a) IN GENERAL.—Section 44804 of title 49, United
23 States Code, is amended—

24 (1) in section heading by striking “**Small un-**
25 **manned**” and inserting “**Unmanned**”; and

1 (2) by striking “small” each place it appears.

2 (b) CLERICAL AMENDMENT.—The analysis for chap-
3 ter 448 of title 49, United States Code, is amended by
4 striking the item relating to section 44804 and insert the
5 following:

“44804. Unmanned aircraft in the Arctic.”.

6 **SEC. 604. PUBLIC SAFETY USE OF TETHERED UAS.**

7 (a) IN GENERAL.—Section 44806 of title 49, United
8 States Code, is amended—

9 (1) in the section heading by inserting “**and**
10 **public safety use of unmanned aircraft**
11 **systems**” after “**systems**”;

12 (2) in subsection (c)—

13 (A) in the subsection heading by inserting
14 “SAFETY USE OF” after “PUBLIC”; and

15 (B) in paragraph (1)—

16 (i) in the matter preceding subpara-
17 graph (A)—

18 (I) by striking “Not later than
19 180 days after the date of enactment
20 of this Act, the” and inserting “The”;

21 (II) by striking “permit the use
22 of” and inserting “permit”;

23 (III) by striking “public”; and

1 (IV) by inserting “by a public
2 safety organization for such systems”
3 after “systems”;

4 (ii) by striking subparagraph (A) and
5 inserting the following:

6 “(A) operated—

7 “(i) at or below an altitude of 150
8 feet above ground level within class B, C,
9 D, E, or G airspace, but not at a greater
10 altitude than the ceiling depicted on the
11 UAS facility maps published by the Fed-
12 eral Aviation Administration, where appli-
13 cable;

14 “(ii) within zero-grid airspaces as de-
15 picted on such UAS facility maps, only if
16 operated in life-saving or emergency situa-
17 tions and with prior notification to the Ad-
18 ministration in a manner determined by
19 the Administrator; or

20 “(iii) above 150 feet above ground
21 level within class B, C, D, E, or G airspace
22 only with prior authorization from the Ad-
23 ministrator;”;

24 (iii) by striking subparagraph (B);
25 and

1 (iv) by redesignating subparagraphs
 2 (C), (D), and (E) as subparagraphs (B),
 3 (C), and (D), respectively; and
 4 (C) in paragraph (3) by striking “Public
 5 actively” and inserting “Actively”; and
 6 (3) by adding at the end, the following:

7 “(e) DEFINITION.—In this section, the term ‘public
 8 safety organization’ means an entity that primarily en-
 9 gages in activities related to the safety and well-being of
 10 the general public, including law enforcement, fire depart-
 11 ments, emergency medical services, and other organiza-
 12 tions that protect and serve the public in matters of safety
 13 and security.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
 15 ter 448 of title 49, United States Code, is amended by
 16 striking the item relating to section 44806 and inserting
 17 the following:

“44806. Public unmanned aircraft systems and public safety use of unmanned
 aircraft systems.”.

18 **SEC. 605. SPECIAL AUTHORITY FOR UNMANNED AIRCRAFT**
 19 **SYSTEMS.**

20 Section 44807 of title 49, United States Code, is
 21 amended—

22 (1) in subsection (a)—

23 (A) by inserting “or chapter 447” after
 24 “this chapter”;

1 (B) by striking “the Secretary of Trans-
2 portation” and inserting “the Administrator of
3 the Federal Aviation Administration”; and

4 (C) by striking “if certain” and inserting
5 “how”;

6 (2) in subsection (b)—

7 (A) by striking “the Secretary” and insert-
8 ing “the Administrator”; and

9 (B) in paragraph (1)—

10 (i) by striking “which types of un-
11 manned aircraft systems, if any, as a re-
12 sult of their size” and inserting “how the
13 unmanned aircraft, as a result of such air-
14 craft’s size”; and

15 (ii) by striking “do not create” and
16 inserting “does not create”;

17 (3) in subsection (c) to read as follows:

18 “(c) REQUIREMENTS FOR SAFE OPERATION.—

19 “(1) IN GENERAL.—For unmanned aircraft sys-
20 tems that the Administrator determines under this
21 section may operate safely in the national airspace
22 system, the Administrator shall establish risk-based
23 requirements, or a process to accept risk-based pro-
24 posed requirements, for the safe operation of such
25 aircraft systems in the national airspace system, in-

1 including operation related to testing and evaluation of
2 proprietary systems.

3 “(2) TREATMENT OF MITIGATION MEASURES.—

4 To the extent that a proposed operation will be con-
5 ducted exclusively within the airspace of a Mode C
6 Veil during the entirety of the operation, such oper-
7 ation shall be treated as satisfying the requirements
8 of section 91.113(b) of title 14, Code of Federal
9 Regulations, so long as the operation employs—

10 “(A) ADS-B In-based detect and avoid ca-
11 pabilities;

12 “(B) air traffic control communication and
13 coordination; and

14 “(C) aeronautical information management
15 systems to notify other aircraft operators of
16 such operations.

17 “(3) RULE OF CONSTRUCTION.—Nothing in
18 this subsection shall be construed to give an un-
19 manned aircraft operating pursuant to this section
20 the right of way over a manned aircraft.”;

21 (4) in subsection (d) by striking “2023” and in-
22 serting “2033”; and

23 (5) by adding at the end the following:

24 “(e) LIMITATION.—In making determinations under
25 this section, the Administrator may not consider un-

1 manned aircraft systems to the extent that such systems
2 may meet the requirements of established regulations ap-
3 plicable to the proposed operation of a system.

4 “(f) EXEMPTION.—The Administrator may exercise
5 the authorities described in this section without requiring
6 a rulemaking or imposing the requirements of part 11 of
7 title 14, Code of Federal Regulations, to the extent con-
8 sistent with aviation safety.”.

9 **SEC. 606. RECREATIONAL OPERATIONS OF DRONE SYS-**
10 **TEMS.**

11 (a) SPECIFIED EXCEPTION FOR LIMITED REC-
12 REATIONAL OPERATIONS OF UNMANNED AIRCRAFT.—
13 Section 44809 of title 49, United States Code, is amend-
14 ed—

15 (1) in subsection (a) by striking paragraph (6)
16 and inserting the following:

17 “(6) Except for circumstances when the Admin-
18 istrator establishes alternative altitude ceilings or as
19 otherwise authorized in section (c), in Class G air-
20 space, the aircraft is flown from the surface to not
21 more than 400 feet above ground level and complies
22 with all airspace and flight restrictions and prohibi-
23 tions established under this subtitle, such as special
24 use airspace designations and temporary flight re-
25 strictions.”;

1 (2) by striking subsection (c) and inserting the
2 following:

3 “(c) OPERATIONS AT FIXED SITES.—

4 “(1) IN GENERAL.—The Administrator shall es-
5 tablish a process to approve, and publicly dissemi-
6 nate the location of, fixed sites at which a person
7 may carry out recreational unmanned aircraft sys-
8 tem operations.

9 “(2) OPERATING PROCEDURES.—

10 “(A) CONTROLLED AIRSPACE.—Persons
11 operating unmanned aircraft under paragraph
12 (1) from a fixed site within Class B, Class C,
13 or Class D airspace or within the lateral bound-
14 aries of the surface area of Class E airspace
15 designated for an airport, or a community-
16 based organization sponsoring operations within
17 such airspace, shall make the location of the
18 fixed site known to the Administrator and shall
19 establish a mutually agreed upon operating pro-
20 cedure with the air traffic control facility.

21 “(B) ALTITUDE.—The Administrator, in
22 coordination with community-based organiza-
23 tions sponsoring operations at fixed sites, shall
24 develop a process to approve requests for rec-
25 reational unmanned aircraft systems operations

1 at fixed sites that exceed the maximum altitude
2 contained in a UAS Facility Map.

3 “(C) CLASS G AIRSPACE.—Subject to com-
4 pliance with all airspace and flight restrictions
5 and prohibitions established under this subtitle,
6 such as special use airspace designations and
7 temporary flight restrictions, persons operating
8 drones under paragraph (1) from a fixed site at
9 which the operations are sponsored by a com-
10 munity-based organization may operate within
11 Class G airspace—

12 “(i) up to 400 feet above ground level,
13 without prior authorization from the Ad-
14 ministrator; and

15 “(ii) above 400 feet above ground
16 level, with prior authorization from the Ad-
17 ministrator.

18 “(3) UNMANNED AIRCRAFT WEIGHING 55
19 POUNDS OR GREATER.—A person may operate an
20 unmanned aircraft weighing 55 pounds or greater,
21 including the weight of anything attached to or car-
22 ried by the aircraft, under paragraph (1) if—

23 “(A) the unmanned aircraft complies with
24 standards and limitations developed by a com-

1 community-based organization and approved by the
2 Administrator; and

3 “(B) the aircraft is operated from a fixed
4 site as described in paragraph (1).

5 “(4) FAA-RECOGNIZED IDENTIFICATION
6 AREAS.—In implementing subpart C of part 89 of
7 title 14, Code of Federal Regulations, the Adminis-
8 trator shall prioritize the review and adjudication of
9 requests to establish FAA Recognized Identification
10 Areas at fixed sites established under this section.”;

11 (3) in subsection (d) by striking the subsection
12 designation and heading and all that follows through
13 “(3) SAVINGS CLAUSE.—” and inserting “(d) SAV-
14 INGS CLAUSE.—”;

15 (4) in subsection (d) by striking “subsection (a)
16 of”;

17 (5) in subsection (f)(1) by striking “updates
18 to”;

19 (6) by striking subsection (g)(1) and inserting
20 the following:

21 “(1) IN GENERAL.—The Administrator, in con-
22 sultation with manufacturers of unmanned aircraft
23 systems, community-based organizations, and other
24 industry stakeholders, shall develop, maintain, and
25 update, as necessary, an aeronautical knowledge and

1 safety test. Such test shall be administered electroni-
2 cally by the Administrator or a person designated by
3 the Administrator.”; and

4 (7) in subsection (h)—

5 (A) by redesignating paragraphs (1)
6 through (6) as paragraphs (2) through (7), re-
7 spectively; and

8 (B) by inserting before paragraph (2) (as
9 so redesignated) the following:

10 “(1) is recognized by the Administrator of the
11 Federal Aviation Administration;”.

12 (b) USE OF UNMANNED AIRCRAFT SYSTEMS FOR
13 EDUCATIONAL PURPOSES.—Section 350 of the FAA Re-
14 authorization Act of 2018 (49 U.S.C. 44809 note) is
15 amended—

16 (1) in subsection (a)—

17 (A) by redesignating paragraphs (2) and
18 (3) as paragraphs (3) and (4), respectively; and

19 (B) by inserting before paragraph (3) (as
20 so redesignated) the following:

21 “(2) operated by an elementary school or sec-
22 ondary school for educational or research pur-
23 poses;”; and

24 (2) in subsection (d)—

1 (A) in paragraph (2) by inserting “an ele-
2 mentary school, or a secondary school,” after
3 “with respect to the operation of an unmanned
4 aircraft system by an institution of higher edu-
5 cation,”; and

6 (B) by inserting after paragraph (2) the
7 following:

8 “(3) ELEMENTARY SCHOOL.—The term ‘ele-
9 mentary school’ has the meaning given to that term
10 by section 8101 of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7801(19)).

12 “(4) SECONDARY SCHOOL.—The term ‘sec-
13 ondary school’ has the meaning given to that term
14 by section 8101 of the Elementary and Secondary
15 Education Act of 1965 (20 U.S.C. 7801(45)).”.

16 **SEC. 607. AIRPORT SAFETY AND AIRSPACE HAZARD MITI-**
17 **GATION AND ENFORCEMENT.**

18 Section 44810(h) of title 49, United States Code, is
19 amended by striking “2023” and inserting “2028”.

20 **SEC. 608. APPLICATIONS FOR DESIGNATION.**

21 (a) IN GENERAL.—Section 44810(c) of title 49,
22 United States Code, is amended by inserting “, and any
23 other location the Administrator determines appropriate”
24 after “Data”.

1 (b) APPLICATIONS FOR DESIGNATION.—Section
2 2209 of the FAA Extension, Safety, and Security Act of
3 2016 (49 U.S.C. 44802 note) is further amended—

4 (1) in subsection (a) by inserting “, including
5 temporarily,” after “restrict”;

6 (2) in subsection (b)(1)(C)(iv) by striking
7 “Other locations that warrant such restrictions” and
8 inserting “State correctional facilities”; and

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

10 “(f) DEADLINES.—

11 “(1) Not later than March 1, 2024, the Admin-
12 istrator shall publish a notice of proposed rule-
13 making to carry out the requirements of this section.

14 “(2) Not later than 16 months after publishing
15 the notice of proposed rulemaking under paragraph
16 (1), the Administrator shall issue a final rule.”.

17 **SEC. 609. BEYOND VISUAL LINE OF SIGHT RULEMAKING.**

18 (a) IN GENERAL.—Not later than 4 months after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration shall issue a notice of
21 proposed rulemaking establishing performance-based air-
22 worthiness criteria and risk-based operational regulations
23 for unmanned aircraft systems operated beyond visual line
24 of sight that are intended to operate primarily at or below
25 400 feet above ground level.

1 (b) CONTENTS.—In carrying out subsection (a), the
2 Administrator shall—

3 (1) establish a means to accept proposed—

4 (A) airworthiness standards for unmanned
5 aircraft;

6 (B) standards for associated elements of
7 unmanned aircraft; and

8 (C) qualification standards for remote pi-
9 lots operating unmanned aircraft beyond visual
10 line of sight;

11 (2) enable the ability for unmanned aircraft to
12 be operated for agricultural purposes including re-
13 search;

14 (3) establish a process by which the Adminis-
15 trator may approve or accept third party compliance
16 services in support of the safe integration of un-
17 manned aircraft systems into the national airspace
18 system;

19 (4) establish protocols, as appropriate, for
20 networked information exchange, including network-
21 based remote identification in support of beyond vis-
22 ual line of sight operations; and

23 (5) ensure the safety of manned aircraft oper-
24 ating in the national airspace system.

1 (c) CONSIDERATIONS.—In carrying out subsection
2 (a), the Administrator may leverage previously gathered
3 data, information, and efforts of the Administration to fi-
4 nalize rulemaking as required under this section.

5 (d) UNMANNED AIRCRAFT AIRWORTHINESS STAND-
6 ARDS.—In carrying out subsection (b)(1)(A), the Adminis-
7 trator shall—

8 (1) define the operational environments for
9 which airworthiness is needed to ensure aviation
10 safety;

11 (2) establish an airworthiness category or cat-
12 egories for unmanned aircraft to be eligible for a
13 special airworthiness certificate; and

14 (3) establish a process to approve standards,
15 means of compliance, and declarations of compli-
16 ance.

17 (e) UNMANNED AIRCRAFT ASSOCIATED ELEMENTS
18 STANDARDS.—

19 (1) IN GENERAL.—In carrying out subsection
20 (b)(1)(B), the Administrator shall establish a proc-
21 ess to accept or approve the associated elements of
22 an unmanned aircraft that, when considered collec-
23 tively with other associated elements and an un-
24 manned aircraft, meet an acceptable performance-
25 based safety standard.

1 (2) CONSIDERATIONS.—In establishing the
2 process under paragraph (1), the Administrator
3 shall consider the ways associated elements of an
4 unmanned aircraft system interact with other associ-
5 ated elements and unmanned aircraft.

6 (f) REMOTE PILOT QUALIFICATIONS.—

7 (1) IN GENERAL.—In carrying out subsection
8 (b)(1)(C), the Administrator shall establish quali-
9 fications and standards, or a means to accept pro-
10 posed qualifications and standards, for remote pilots
11 operating unmanned aircraft systems.

12 (2) CONSIDERATIONS.—In carrying out para-
13 graph (1), the Administrator shall account for the
14 varying levels of automation of unmanned aircraft
15 systems.

16 (3) RULE OF CONSTRUCTION.—Nothing in this
17 subsection may be construed to allow for the estab-
18 lishment of type-ratings that apply specifically and
19 exclusively to an aircraft manufactured by 1 manu-
20 facturer.

21 (g) INTERIM APPROVALS.—Before the date on which
22 the Administrator issues a final rule under this section,
23 the Administrator shall use the process described in sec-
24 tion 44807 of title 49, United States Code, to authorize

1 unmanned aircraft system operations conducted beyond
2 visual line of sight.

3 (h) FINAL RULE.—Not later than 16 months after
4 the date of enactment of this Act, the Administrator shall
5 issue a final rule establishing the regulations required
6 under this section.

7 (i) DEFINITIONS.—In this section:

8 (1) ASSOCIATED ELEMENTS.—The term “asso-
9 ciated elements” means any component of an un-
10 manned aircraft system, not permanently affixed to
11 the unmanned aircraft, required for the remote pilot
12 to operate such aircraft safely and efficiently in the
13 national airspace system.

14 (2) BEYOND VISUAL LINE OF SIGHT.—The
15 term “beyond visual line of sight” means a distance
16 at which the remote pilot in command of an un-
17 manned aircraft system cannot see the unmanned
18 aircraft with vision unaided by any device other than
19 corrective lenses.

20 (3) UNMANNED AIRCRAFT; UNMANNED AIR-
21 CRAFT SYSTEM.—The terms “unmanned aircraft”
22 and “unmanned aircraft system” have the meaning
23 given such terms in section 44801 of title 49, United
24 States Code.

1 **SEC. 610. UAS TRAFFIC MANAGEMENT.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Administrator of the
4 Federal Aviation Administration may enter into agree-
5 ments for purposes of—

6 (1) testing and refining UTM capabilities and
7 services to inform the development of UTM stand-
8 ards in subsection (b);

9 (2) authorizing UTM service providers that
10 meet the requirements described in subsection (b) to
11 provide UTM services to better enable advanced un-
12 manned aircraft systems operations, including—

13 (A) beyond visual line of sight operations;

14 (B) aircraft-to-aircraft communications;

15 and

16 (C) operations in which an individual acts
17 as remote pilot in command of more than 1 un-
18 manned aircraft at the same time; and

19 (3) fostering the safe integration of unmanned
20 aircraft systems using UTM capabilities and services
21 within the national airspace system.

22 (b) STANDARDIZATION.—

23 (1) IN GENERAL.—In carrying out subsection
24 (a), the Administrator shall publish requirements or
25 guidance associated with UTM, including—

1 (A) the types of operations requiring, or
2 benefitting from, the use of UTM capabilities
3 and services described in subsection (a), includ-
4 ing beyond visual line of sight operations;

5 (B) areas of operation or categories of air-
6 space requiring, or benefitting from, the use of
7 UTM capabilities and services;

8 (C) performance-based technical standards
9 for UAS operations using UTM capabilities and
10 services; and

11 (D) application program interfaces that en-
12 able UTM service suppliers to integrate UTM
13 capabilities and services into other systems for
14 use by users of the national airspace system, in-
15 cluding unmanned aircraft system operators.

16 (2) INTERNATIONAL HARMONIZATION.—In car-
17 rying out paragraph (1), the Administrator shall
18 seek to harmonize, to the extent practicable and ad-
19 visable, UTM standards with standards produced by
20 recognized industry standards organizations or other
21 peer civil aviation authorities.

22 (3) FEEDBACK OF CONCEPT OF OPERATIONS.—
23 Not later than 90 days after the date of enactment
24 of this Act, the Administrator shall solicit feedback

1 from stakeholders on the most recently published
2 UTM concept of operations of the Administration.

3 (4) FINALIZATION OF CONCEPT OF OPER-
4 ATIONS.—Not later than 1 year after the date of en-
5 actment of this Act, the Administrator shall publish
6 a final version of the UTM concept of operations of
7 the Administration.

8 (c) STAKEHOLDER PARTNERSHIPS.—In carrying out
9 subsection (a), the Administrator shall establish a means
10 by which the Administrator can enter into cooperative
11 agreements, contracts, other transaction agreements, and
12 other appropriate mechanisms with appropriate persons,
13 partnerships, and consortia to enable qualified third-par-
14 ties to design, build, develop, fund, and manage UTM.

15 (d) RULES OF CONSTRUCTION.—

16 (1) BEYOND VISUAL LINE OF SIGHT OPER-
17 ATIONS.—Nothing in this section shall be construed
18 to prevent or prohibit beyond visual line of sight op-
19 erations through the use of technologies other than
20 UTM capabilities and services.

21 (2) AIRSPACE.—Nothing in this section shall be
22 construed to alter the authority under section 40103
23 of title 49, United States Code.

24 (e) BRIEFING.—Not later than 90 days after the date
25 of enactment of this Act, and annually thereafter, the Ad-

1 administrator shall brief the Committee on Transportation
2 and Infrastructure of the House of Representatives and
3 the Committee on Commerce, Science, and Transportation
4 of the Senate on progress made by the Administration de-
5 tailing the implementation and requirements of this sec-
6 tion and any applicable timelines to completion.

7 (f) DEFINITIONS.—In this section:

8 (1) APPROPRIATE PERSONS.—The term “appro-
9 priate persons” means a Federal, State, local, Trib-
10 al, or territorial governmental entity, or a person.

11 (2) UTM.—The term “UTM” means the man-
12 ner in which the Administration will support oper-
13 ations for unmanned aircraft systems operating in
14 low-altitude airspace.

15 **SEC. 611. RADAR DATA PILOT PROGRAM.**

16 (a) SENSITIVE RADAR DATA FEED PILOT PRO-
17 GRAM.—Not later than 180 days after the date of enact-
18 ment of this Act, the Administrator of the Federal Avia-
19 tion Administration, in coordination with the Secretary of
20 Defense, and other heads of relevant Federal agencies,
21 shall establish a pilot program to make airspace data feeds
22 containing classified or controlled unclassified information
23 available to qualified users, in conjunction with subsection
24 (b).

1 (b) AUTHORIZATION.—In carrying out subsection (a),
2 the Administrator and the heads of other relevant Federal
3 agencies and in coordination with the Secretary of De-
4 fense, shall establish a process to authorize qualified enti-
5 ties to receive airspace data feeds containing classified in-
6 formation related to air traffic within the national airspace
7 system and use such information in an agreed upon man-
8 ner to—

9 (1) provide—

10 (A) air traffic management services; and

11 (B) unmanned aircraft system traffic man-
12 agement services; or

13 (2) to test technologies that may enable or en-
14 hance the provision of the services described in para-
15 graph (1).

16 (c) BRIEFING.—Not later than 90 days after estab-
17 lishing the pilot program under subsection (a), and annu-
18 ally thereafter, the Administrator shall brief the Com-
19 mittee on Transportation and Infrastructure of the House
20 of Representatives and the Committee on Commerce,
21 Science, and Transportation of the Senate on the findings
22 of the Administrator related to the pilot program estab-
23 lished under this section.

24 (d) SUNSET.—This section shall cease to be effective
25 on October 1, 2028.

1 (e) DEFINITION OF QUALIFIED USER.—In this sec-
2 tion, the term “qualified user” means an entity authorized
3 to receive airspace data feeds containing classified or con-
4 trolled unclassified information pursuant to subsection
5 (b).

6 **SEC. 612. ELECTRONIC CONSPICUITY STUDY.**

7 (a) IN GENERAL.—The Comptroller General of the
8 United States shall conduct a study of technologies and
9 methods that may be used by operators of unmanned air-
10 craft systems to detect and avoid manned aircraft that
11 may lawfully operate below 500 feet above ground level
12 and that are—

13 (1) not equipped with a transponder or auto-
14 matic dependent surveillance-broadcast out equip-
15 ment; or

16 (2) otherwise not electronically conspicuous.

17 (b) CONSULTATION.—In conducting the study re-
18 quired under subsection (a), the Comptroller General shall
19 consult with—

20 (1) representatives from—

21 (A) unmanned aircraft systems manufac-
22 turers and operators;

23 (B) general aviation operators;

24 (C) aerial applicators; and

1 (D) helicopter operators, including State
2 and local governments; and

3 (2) any other person the Comptroller General
4 determines appropriate.

5 (c) REPORT.—Not later than 1 year after the date
6 of the enactment of this Act, the Comptroller General shall
7 submit to the Committee on Transportation and Infra-
8 structure of the House of Representatives and the Com-
9 mittee on Commerce, Science, and Transportation of the
10 Senate a report describing the results of such study.

11 **SEC. 613. REMOTE IDENTIFICATION ALTERNATIVE MEANS**
12 **OF COMPLIANCE.**

13 (a) STUDY.—The Administrator of the Federal Avia-
14 tion Administration shall review and evaluate the final
15 rule titled “Remote Identification of Unmanned Aircraft”,
16 issued on January 15, 2021, to determine the feasibility
17 and advisability of whether unmanned aircraft manufac-
18 turers and operators can meet the intent of such final rule
19 through alternative means of compliance, including
20 through network-based remote identification.

21 (b) REPORT.—Not later than 1 year after the date
22 of enactment of this Act, the Administrator shall submit
23 to the Committee on Transportation and Infrastructure
24 of the House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Senate a
2 report on the results of the study under subsection (a).

3 **SEC. 614. PART 107 WAIVER IMPROVEMENTS.**

4 (a) IN GENERAL.—The Administrator of the Federal
5 Aviation Administration shall adopt a performance- and
6 risk-based approach in reviewing requests for certificates
7 of waiver under section 107.200 of title 14, Code of Fed-
8 eral Regulations.

9 (b) STANDARDIZATION OF WAIVER APPLICATION.—

10 (1) IN GENERAL.—In carrying out subsection
11 (a), the Administrator shall improve the process es-
12 tablished to submit requests for certificates of waiv-
13 er described in subsection (a).

14 (2) FORMAT.—In carrying out paragraph (1),
15 the Administrator may not require the use of open-
16 ended descriptive prompts that are required to be
17 filled out by an applicant, except to provide appli-
18 cants the ability to provide the Administration with
19 information for an unusual or irregular operation.

20 (3) DATA.—

21 (A) IN GENERAL.—In carrying out para-
22 graph (1), the Administrator shall leverage data
23 gathered from previous requests for certificates
24 of waivers.

1 (B) CONSIDERATIONS.—In carrying out
2 subparagraph (A), the Administrator shall safe-
3 ly use—

- 4 (i) big data analytics; and
5 (ii) machine learning.

6 (c) CONSIDERATION OF PROPERTY OWNERSHIP IN-
7 TEREST.—

8 (1) IN GENERAL.—In determining whether to
9 issue a certificate of waiver under section 107.200 of
10 title 14, Code of Federal Regulations, the Adminis-
11 trator shall—

12 (A) consider whether the waiver applicant
13 has control over access to all real property on
14 the ground within the area of operation; and

15 (B) recognize and account for the safety
16 enhancements of such controlled access.

17 (2) RULE OF CONSTRUCTION.—Nothing in this
18 subsection shall be construed to direct the Adminis-
19 trator to consider the lack of control over access to
20 all real property on the ground within an area of op-
21 eration, or a lack of property interest in such area
22 of operation, as negatively affecting the safety of the
23 operation intended to be conducted under such cer-
24 tificate of waiver.

25 (d) PUBLIC AVAILABILITY OF WAIVERS.—

1 (1) IN GENERAL.—The Administrator shall
2 publish all certificates of waiver issued under section
3 107.200 of title 14, Code of Federal Regulations, on
4 the website of the Administration, including, with re-
5 spect to each issued certificate of waiver—

6 (A) the terms, conditions, and limitations;

7 and

8 (B) the class of airspace and any restric-
9 tions related to operating near airports or heli-
10 ports.

11 (2) PUBLICATION.—In carrying out paragraph
12 (1), the Administrator shall ensure that published
13 information is made available in a manner that pre-
14 vents inappropriate disclosure of proprietary infor-
15 mation.

16 (e) PRECEDENTIAL USE OF PREVIOUSLY APPROVED
17 WAIVERS.—

18 (1) WAIVER APPROVAL PRECEDENT.—Except
19 as provided in paragraph (3), if the Administrator
20 determines, using criteria for a particular waiver,
21 that an application for a certificate of waiver issued
22 under section 107.200 of title 14, Code of Federal
23 Regulations, is substantially similar (or is comprised
24 of elements that are substantially similar) to an ap-
25 plication for a certificate of waiver that the Adminis-

1 trator has previously approved, the Administrator
2 may streamline, as appropriate, the approval of ap-
3 plications with substantially similar conditions and
4 limitations as a previously approved application.

5 (2) RULE OF CONSTRUCTION.—Nothing in
6 paragraph (1) shall be construed to preclude an ap-
7 plicant for a certificate of waiver from applying to
8 modify a condition, or remove a limitation of, such
9 certificate.

10 (f) MODIFICATION OF WAIVERS.—

11 (1) IN GENERAL.—The Administrator shall es-
12 tablish an expedited review process for a request to
13 modify or renew certificates of waiver previously
14 issued under section 107.200 of title 14, Code of
15 Federal Regulations, as appropriate.

16 (2) USE OF REVIEW PROCESS.—The review
17 process established under paragraph (1) shall be
18 used to review certificates of waiver that cover oper-
19 ations that are substantially similar in all material
20 facts to operations covered under a subsequently
21 issued certificate of waiver.

22 **SEC. 615. ACCEPTABLE LEVELS OF RISK AND RISK ASSESS-**
23 **MENT METHODOLOGY.**

24 (a) IN GENERAL.—Not later than 90 days after the
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall establish acceptable
2 levels of risk, and develop a risk assessment methodology
3 associated with such levels of risk, to enable unmanned
4 aircraft system operations conducted—

5 (1) under waivers issued to part 107 of title 14,
6 Code of Federal Regulations;

7 (2) pursuant to section 44807 of title 49,
8 United States Code; or

9 (3) pursuant to future regulations promulgated
10 by the Administrator, as appropriate.

11 (b) ACCEPTABLE LEVELS OF RISK.—In carrying out
12 subsection (a), the Administrator shall establish accept-
13 able levels of risk for unmanned aircraft system operations
14 in the national airspace system and a method for assessing
15 the operational risk of a proposed operation in accordance
16 with such acceptable level.

17 (c) RISK ASSESSMENT METHODOLOGY.—In carrying
18 out subsections (a) and (b), the Administrator shall de-
19 velop a risk assessment methodology to allow remote pilots
20 in command operating unmanned aircraft systems pursu-
21 ant to subsection (a) to determine the risk associated with
22 a specific operation, and mitigate such a risk, as nec-
23 essary.

24 (d) RISK ASSESSMENT METHODOLOGY CONSIDER-
25 ATIONS.—In establishing the risk assessment methodology

1 described under this section, the Administrator shall con-
2 sider—

3 (1) the time of day of the operation;

4 (2) the population density of the area of oper-
5 ation;

6 (3) the class of airspace and such requirements
7 necessary for airspace users to legally operate in
8 each class of airspace;

9 (4) the proximity to infrastructure, to the ex-
10 tent that proximity mitigates risk to other operators
11 of the national airspace system;

12 (5) the nature of the detect and avoid mitiga-
13 tion measures of an unmanned aircraft system; and

14 (6) the attributes and characteristics of the un-
15 manned aircraft of the unmanned aircraft system,
16 including the—

17 (A) size;

18 (B) visibility;

19 (C) maximum takeoff weight;

20 (D) maximum indicated airspeed; and

21 (E) payload.

22 (e) PUBLICATION.—The Administrator shall make
23 the risk assessment methodology established under this
24 section available to the public on an appropriate website
25 of the Administration.

1 (f) DEFINITIONS OF UNMANNED AIRCRAFT AND UN-
2 MANNED AIRCRAFT SYSTEM.—In this section, the terms
3 “unmanned aircraft” and “unmanned aircraft system”
4 have the meanings given such terms in section 44801 of
5 title 49, United States Code.

6 **SEC. 616. ENVIRONMENTAL REVIEW.**

7 (a) GUIDANCE UPDATES.—Not later than 180 days
8 after the date of enactment of this Act, the Administrator
9 of the Federal Aviation Administration shall publish un-
10 manned aircraft system-specific guidance and implementa-
11 tion procedures. Such guidance and implementation proce-
12 dures shall—

13 (1) provide guidance to streamline environ-
14 mental assessments at a programmatic level, as the
15 Administrator considers appropriate, for an un-
16 manned aircraft system operator’s network of oper-
17 ations within a defined geographical region, includ-
18 ing within and over approved commercial or indus-
19 trial sites closed or restricted to the public;

20 (2) provide guidance for nationwide pro-
21 grammatic approaches for large scale distributed un-
22 manned aircraft system operations whereby a Pro-
23 grammatic Environmental Assessment or Environ-
24 mental Impact Statement can be leveraged for sub-

1 sequent related actions to ensure efficient environ-
2 mental review;

3 (3) consider additional Categorical Exclusions
4 based on previously prepared and finalized Environ-
5 mental Assessments or in consultation with the
6 Council on Environmental Quality;

7 (4) prioritize proposed projects or activities that
8 may—

9 (A) offset or limit the impacts of non-zero
10 emission activities;

11 (B) offset or limit the release of environ-
12 mental pollutants to soil or water; or

13 (C) demonstrate other factors to the ben-
14 efit of the environment as determined by the
15 Administrator;

16 (5) contain intra-agency process improvements
17 to avoid providing conflicting safety and environ-
18 mental feedback to operators;

19 (6) contain standards and criteria for engaging
20 specialized third parties to support the Administra-
21 tion's preparation and review of documentation re-
22 lating to the requirements of the National Environ-
23 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
24 to ensure streamlined timelines for complex reviews;
25 and

1 (7) any other modifications the Administrator
2 considers necessary within the stated environmental
3 objectives of the National Environmental Policy Act
4 of 1969 (42 U.S.C. 4321 et seq.) and the Federal
5 priority to maintain global leadership in aviation in-
6 novation.

7 (b) BRIEFING.—No later than 90 days after the date
8 of enactment of this Act, the Administrator shall brief the
9 Committee on Transportation and Infrastructure of the
10 House of Representatives and the Committee on Com-
11 merce, Science, and Transportation of the Senate on the
12 plan of the Administration to implement subsection (b),
13 including each of the considerations specified in the sub-
14 section, and an explanation for any consideration the Ad-
15 ministrator does not intend to implement.

16 (c) CONCURRENT REVIEWS.—If the Administrator
17 determines that the review of an unmanned aircraft sys-
18 tem’s design, construction, maintenance and operational
19 sustainability, airworthiness approval, or operational ap-
20 proval requires environmental assessment, including re-
21 quirements under the National Environmental Policy Act
22 of 1969 (42 U.S.C. 4321 et seq.), the Administrator shall,
23 to the maximum extent practicable, conduct such reviews
24 and analyses concurrent with one another.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed as prohibiting, restricting or other-
3 wise limiting the authority of the Secretary of Transpor-
4 tation or the Administrator from implementing or com-
5 plying with the requirements of the National Environ-
6 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
7 any related requirements to ensure the protection of the
8 environment and aviation safety.

9 (e) ASSOCIATED UAS CERTIFICATION STAND-
10 ARDS.—

11 (1) OPTION TO SUSPEND NOISE CERTIFICATION
12 REQUIREMENT PENDING STANDARDS DEVELOP-
13 MENT.—Notwithstanding the requirements of sec-
14 tion 44715 of title 49, United States Code, the Ad-
15 ministrator may waive the determination of compli-
16 ance with part 36 of title 14, Code of Federal Regu-
17 lations, for an applicant seeking an unmanned air-
18 craft system type and airworthiness certification,
19 provided the Administrator has developed appro-
20 priate noise measurement procedures for such sys-
21 tems and the Administrator has received the noise
22 measurements results based on such procedures
23 from the applicant.

24 (2) DEVELOPMENT OF CRITERIA.—Not later
25 than 90 days after the date of enactment of this

1 Act, the Administrator shall develop and establish
2 substantive criteria and standards metrics used by
3 the Administrator to determine whether to approve
4 or disapprove the airworthiness of an unmanned air-
5 craft pursuant to part 36 of title 14, Code of Fed-
6 eral Regulations.

7 (3) SUBSTANTIVE CRITERIA AND STANDARDS
8 METRICS.—In establishing the substantive criteria
9 and standards metrics as required under paragraph
10 (2), the Administrator shall include such criteria and
11 metrics related to the airworthiness of unmanned
12 aircraft for the following:

13 (A) Noise impacts.

14 (B) Visual impacts.

15 (4) PUBLICATION.—The Administrator shall
16 publish in the Federal Register and post on a
17 website of the Federal Aviation Administration the
18 criteria and metrics established pursuant to para-
19 graph (2).

20 (f) DEFINITION OF UNMANNED AIRCRAFT SYS-
21 TEM.—In this section, the term “unmanned aircraft sys-
22 tem” has the meaning given such term in section 44801
23 of title 49, United States Code.

1 **SEC. 617. CARRIAGE OF HAZARDOUS MATERIALS.**

2 (a) NEAR-TERM APPROVALS.—Not later than 180
3 days after the date of enactment of this Act, the Adminis-
4 trator of the Federal Aviation Administration shall coordi-
5 nate with the Administrator of the Pipeline and Haz-
6 ardous Materials Safety Administration to revise processes
7 in effect on the date of enactment of this Act for the car-
8 riage of hazardous materials by unmanned aircraft sys-
9 tems to provide that—

10 (1) special conditions, waivers, or other require-
11 ments necessary to enable the carriage of hazardous
12 materials shall be incorporated into the existing reg-
13 ulatory and operator certification processes of the
14 Federal Aviation Administration for unmanned air-
15 craft operations in which the aircraft—

16 (A) weighs less than 100 pounds; and

17 (B) is capable of carrying less than 10
18 pounds gross weight of limited quantity cargo;
19 and

20 (2) the existing special permitting process or
21 other existing processes carried out by the Adminis-
22 trator of the Pipeline and Hazardous Materials Safe-
23 ty Administration shall be initiated as early as prac-
24 ticable, and in conjunction with the existing regu-
25 latory and operator certification processes of the

1 Federal Aviation Administration, for unmanned air-
2 craft operations in which the unmanned aircraft—

3 (A) weighs 100 pounds or more; or

4 (B) is capable of carrying 10 pounds or
5 more gross weight of limited quantity cargo.

6 (b) RULEMAKING.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Secretary of
9 Transportation shall revise requirements, guidance,
10 standards, or other policy materials governing the
11 carriage of hazardous materials to allow for the car-
12 riage of a de minimis amount of hazardous materials
13 by an unmanned aircraft.

14 (2) CONSIDERATIONS.—In carrying out para-
15 graph (1), the Secretary shall consider—

16 (A) whether a hazardous material is a con-
17 sumer commodity;

18 (B) requirements for common carriage and
19 private carriage;

20 (C) whether the transportation of a de
21 minimis volume, weight, or amount of a haz-
22 ardous material would pose an unreasonable
23 risk to health and safety or property;

24 (D) whether the volume, weight, or amount
25 of a hazardous material is large enough to per-

1 mit the transportation of a commercially mean-
2 ingful volume, weight, or amount; and

3 (E) the altitude at which unmanned air-
4 craft operations are conducted.

5 (3) IMPLEMENTATION.—

6 (A) PETITION.—The Secretary shall estab-
7 lish a process for a person to petition to estab-
8 lish or revise a de minimis amount or a haz-
9 ardous material.

10 (B) PERIODIC UPDATES.—The Secretary
11 shall—

12 (i) periodically review, as necessary,
13 de minimis amounts of hazardous mate-
14 rials established under paragraph (1);

15 (ii) determine whether such amounts
16 of Hazardous materials should be revised,
17 based on operational and safety data or
18 other factors; and

19 (iii) assess whether to establish a de
20 minimis amount for a hazardous material
21 for which a de minimis volume, weight, or
22 amount has previously not been estab-
23 lished.

24 (c) SAVING CLAUSE.—Nothing in this section shall
25 be construed to—

1 (1) limit the authority of the Secretary, the Ad-
2 ministrator of the Federal Aviation Administration,
3 or the Administrator of the Pipeline and Hazardous
4 Materials Safety Administration from implementing
5 requirements under existing authorities to ensure
6 the safe carriage of hazardous materials by aircraft;
7 and

8 (2) confer upon the Administrator of the Fed-
9 eral Aviation Administration the authorities of the
10 Administrator of the Pipeline and Hazardous Mate-
11 rials Safety Administration, as described in part 175
12 of title 49, Code of Federal Regulations, and chapter
13 51 of title 49, United States Code.

14 (d) EXEMPTION.—The authorities of the Adminis-
15 trator related to the transportation, packaging, marking,
16 or description of hazardous materials in section 106(g)(1)
17 of title 49, United States Code, shall not apply to the ex-
18 tent necessary to enact the requirements of this section.

19 (e) DEFINITIONS.—In the section:

20 (1) UNMANNED AIRCRAFT SYSTEM.—The term
21 “unmanned aircraft system” has the meaning given
22 the term in section 44801 of title 49, United States
23 Code.

24 (2) CONSUMER COMMODITY.—The term “con-
25 sumer commodity” has the meaning given such term

1 in section 171.8 of title 49, Code of Federal Regula-
2 tions.

3 **SEC. 618. UNMANNED AIRCRAFT SYSTEM USE IN WILDFIRE**
4 **RESPONSE.**

5 (a) UNMANNED AIRCRAFT SYSTEMS IN WILDFIRE
6 RESPONSE.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Administrator
9 of the Federal Aviation Administration, in coordina-
10 tion with the United States Forest Service and any
11 other Federal entity or contracted operator the Ad-
12 ministrator considers appropriate, shall develop a
13 plan on the use of unmanned aircraft systems by
14 public entities in wildfire response efforts, including
15 research, wildfire detection, mitigation, and suppres-
16 sion.

17 (2) PLAN CONTENTS.—The plan under sub-
18 section (a) shall provide recommendations to—

19 (A) identify and designate areas of public
20 land with high potential for wildfires in which
21 public entities may conduct unmanned aircraft
22 system beyond visual line of sight operations as
23 part of wildfire response efforts, including wild-
24 fire detection, mitigation, and suppression;

1 (B) develop a process to facilitate the safe
2 and efficient operation of unmanned aircraft
3 systems beyond the visual line of sight in wild-
4 fire response efforts in areas designated under
5 paragraph (A), including the waiver process
6 under section 91.113 or section 107.31 of title
7 14, Code of Federal Regulations, for public en-
8 tities that use unmanned aircraft systems for
9 aerial wildfire detection, mitigation, and sup-
10 pression; and

11 (C) improve coordination between the rel-
12 evant Federal agencies and public entities on
13 the use of unmanned aircraft systems in wild-
14 fire response efforts.

15 (3) PLAN SUBMISSION.—Upon completion of
16 the plan under subsection (a), the Administrator of
17 the Federal Aviation Administration shall submit
18 such plan to, and provide a briefing for, the Com-
19 mittee on Transportation and Infrastructure of the
20 House of Representatives and the Committee on
21 Commerce, Science, and Transportation of the Sen-
22 ates.

23 (4) PUBLICATION.—Upon submission of the
24 plan under subsection (a), the Administrator of the
25 Federal Aviation Administration shall publish such

1 plan on a publicly available website of the Adminis-
2 tration.

3 (b) APPLICABILITY.—This section shall only apply to
4 unmanned aircraft systems that are—

5 (1) operated by, or on behalf of, a public entity;

6 (2) operated in airspace covered by a wildfire-
7 related temporary flight restriction under section
8 91.137 of title 14, Code of Federal Regulations; and

9 (3) under the operational control of, or other-
10 wise are being operationally coordinated by, an au-
11 thorized aviation coordinator responsible for coordi-
12 nating disaster relief aircraft within the airspace
13 covered by such temporary flight restriction.

14 (c) INTERAGENCY COORDINATION.—Not later than
15 180 days after the date of enactment of this Act, the Ad-
16 ministrator shall seek to enter into the necessary agree-
17 ments to provide a liaison of the Administration to the
18 National Interagency Fire Center to facilitate the use of
19 manned and unmanned aircraft in wildfire response ef-
20 forts, including wildfire detection, mitigation, and suppres-
21 sion.

22 (d) SAVINGS CLAUSE.—Nothing in this Act shall be
23 construed to confer upon the Administrator of the Federal
24 Aviation Administration the authorities of the Administra-
25 tion of the Federal Emergency Management Agency on

1 wildfire response under section 611 of the Robert T. Staf-
2 ford Disaster Relief and Emergency Assistance Act (42
3 U.S.C. 5196).

4 (e) DEFINITIONS.—In this section:

5 (1) PUBLIC ENTITY.—The term “public entity”
6 means—

7 (A) a Federal agency;

8 (B) a State government;

9 (C) a local government;

10 (D) a Tribal government; and

11 (E) a territorial government.

12 (2) PUBLIC LAND.—The term “public land”
13 has the meaning given such term in section 205 of
14 the Sikes Act (16 U.S.C. 670k).

15 (3) UNMANNED AIRCRAFT SYSTEM.—The term
16 “unmanned aircraft system” has the meaning given
17 such term in section 44801 of title 49, United
18 States Code.

19 (4) WILDFIRE.—The term “wildfire” has the
20 meaning given that term in section 2 of the Emer-
21 gency Wildfire Suppression Act (42 U.S.C. 1856m).

22 **SEC. 619. PILOT PROGRAM FOR UAS INSPECTIONS OF FAA**
23 **INFRASTRUCTURE.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of enactment of this Act, the Secretary of Transpor-

1 tation shall establish and initiate a pilot program to sup-
2 plement appropriate inspection and oversight activities of
3 the department with unmanned aircraft systems for the
4 purposes of increasing employee safety, enhancing data
5 collection, increasing the accuracy of inspections, reducing
6 costs, and other purposes the Secretary considers to be
7 in the broader interests of good government.

8 (b) GROUND-BASED AVIATION INFRASTRUCTURE.—
9 Under the program required in subsection (a), the Admin-
10 istrator of the Federal Aviation Administration shall
11 evaluate the use of unmanned aircraft systems to inspect
12 ground-based aviation infrastructure that may require vis-
13 ual inspection in hard-to-reach areas, including—

- 14 (1) navigational aids;
- 15 (2) air traffic control towers;
- 16 (3) radar facilities;
- 17 (4) communication facilities; and
- 18 (5) other air traffic control facilities.

19 (c) COORDINATION.—In carrying out the pilot pro-
20 gram established under subsection (a), the Secretary shall
21 consult with the labor union certified under section 7111
22 of title 5, United States Code, to represent personnel re-
23 sponsible for the inspection of the ground-based aviation
24 infrastructure described in subsection (b).

1 (d) COVERED FOREIGN UNMANNED AIRCRAFT SYS-
2 TEM.—The Secretary may not carry out an inspection
3 under this section using an unmanned aircraft system
4 manufactured by—

5 (1) an entity included on the Consolidated
6 Screening list or Entity List as designated by the
7 Secretary of Commerce;

8 (2) an entity domiciled in the People’s Republic
9 of China or the Russian Federation; or

10 (3) an entity, or a subsidiary or affiliate of an
11 entity, that is subject to influence or control by—

12 (A) the Government of the People’s Repub-
13 lic of China;

14 (B) the Chinese Communist Party; or

15 (C) the Russian Federation.

16 (e) BRIEFING.—Not later than 2 years after the date
17 of enactment of this Act, and annually thereafter until the
18 termination of the pilot program under this section, the
19 Secretary shall provide to the Committee on Transpor-
20 tation and Infrastructure of the House of Representatives
21 and the Committee on Commerce, Science, and Transpor-
22 tation of the Senate a briefing on the status and results
23 of the pilot program established under subsection (a), in-
24 cluding—

25 (1) cost saving;

1 (2) a description of how unmanned aircraft sys-
2 tems were used to supplement existing inspection,
3 data collection, or oversight activities of Department
4 employees, including the number of operations and
5 types of activities performed;

6 (3) efficiency or safety improvements, if any,
7 associated with the use of unmanned aircraft sys-
8 tems to supplement conventional inspection, data
9 collection, or oversight activities;

10 (4) the fleet of unmanned aircraft systems
11 maintained by the Department of Transportation for
12 the program, or an overview of the services used as
13 part of the pilot program; and

14 (5) recommendations for improving the use or
15 efficacy of unmanned aircraft systems to supplement
16 the Department's conventional inspection, data col-
17 lection, or oversight activities.

18 (f) SUNSET AND INCORPORATION INTO STANDARD
19 PRACTICE.—

20 (1) SUNSET.—The pilot program established
21 under subsection (a) and the reporting requirement
22 under subsection (f) shall terminate on the date that
23 is 50 months after the date of enactment of this Act.

24 (2) INCORPORATION INTO STANDARD PRAC-
25 TICE.—Upon termination of the pilot program, the

1 Secretary shall assess the results of the pilot pro-
2 gram under this section and determine whether to
3 permanently incorporate the use of unmanned air-
4 craft systems into the regular inspection, data collec-
5 tion, and oversight activities of the Department.

6 (3) REPORT TO CONGRESS.—Not later than 3
7 months after the termination of the pilot program
8 under paragraph (1), the Secretary shall submit to
9 the Committee on Transportation and Infrastructure
10 of the House of Representatives and the Committee
11 on Commerce, Science, and Transportation of the
12 Senate a report on the final results of the pilot pro-
13 gram and the actions taken by the Administrator
14 pursuant to paragraph (2).

15 **SEC. 620. DRONE INFRASTRUCTURE INSPECTION GRANT**
16 **PROGRAM.**

17 (a) AUTHORITY.—Not later than 180 days after the
18 date of enactment of this Act, the Secretary of Transpor-
19 tation shall establish a drone infrastructure inspection
20 grant program to make grants to governmental entities
21 to facilitate the use of eligible small unmanned aircraft
22 systems to support more efficient inspection, operation,
23 construction, maintenance, modernization, and repair of
24 an element of critical infrastructure to improve worker
25 safety related to critical infrastructure projects.

1 (b) USE OF GRANT AMOUNTS.—A governmental enti-
2 ty may use a grant provided under this section to—

3 (1) purchase or lease eligible small unmanned
4 aircraft systems;

5 (2) support operational capabilities of eligible
6 small unmanned aircraft systems by the govern-
7 mental entity;

8 (3) contract for services performed using an eli-
9 gible small unmanned aircraft system in cir-
10 cumstances in which the governmental entity does
11 not have the resources or expertise to safely carry
12 out or assist in carrying out the activities described
13 under subsection (a); and

14 (4) support the program management capability
15 of the governmental entity to use an eligible small
16 unmanned aircraft system.

17 (c) ELIGIBILITY.—To be eligible to receive a grant
18 under this section, a governmental entity shall submit an
19 application to the Secretary at such time, in such form,
20 and containing such information as the Secretary may re-
21 quire, including an assurance that the governmental entity
22 or any contractor of the governmental entity, will comply
23 with relevant Federal regulations.

1 (d) SELECTION OF APPLICANTS.—In awarding a
2 grant under this section, the Secretary shall prioritize ap-
3 plications that propose to—

4 (1) carry out a critical infrastructure project in
5 a variety of communities, including urban, suburban,
6 rural, tribal, or any other type of community; and

7 (2) address a safety risk in the inspection, oper-
8 ation, construction, maintenance, or repair of an ele-
9 ment of critical infrastructure.

10 (e) LIMITATION.—Nothing in this section shall be
11 construed as to interfere with an agreement between a
12 governmental entity and a labor union, including require-
13 ments under section 5333(b) of title 49, United States
14 Code.

15 (f) REPORT TO CONGRESS.—Not later than 1 year
16 after the first grant is provided under this section, the
17 Secretary shall submit to the Committee on Transpor-
18 tation and Infrastructure of the House of Representatives
19 and the Committee on Commerce, Science, and Transpor-
20 tation of the Senate a report that evaluates the program
21 carried out under this section, including—

22 (1) a description of the number of grants
23 awarded;

24 (2) the amount of each grant;

25 (3) the activities funded under this section; and

1 (4) the effectiveness of such funded activities in
2 meeting the objectives described in subsection (a).

3 (g) FUNDING.—

4 (1) FEDERAL SHARE.—

5 (A) IN GENERAL.—Except as provided in
6 subparagraph (B), the Federal share of the cost
7 of a project carried out using a grant under
8 this section shall not exceed 50 percent of the
9 total project cost.

10 (B) WAIVER.—The Secretary may increase
11 the Federal share requirement under subpara-
12 graph (A) to up to 75 percent for a project car-
13 ried out using a grant under this section by a
14 governmental entity if such entity—

15 (i) submits a written application to
16 the Secretary requesting an increase in the
17 Federal share; and

18 (ii) demonstrates that the additional
19 assistance is necessary to facilitate the ac-
20 ceptance and full use of a grant under this
21 section, such as alleviating economic hard-
22 ship, meeting additional workforce needs,
23 or such other uses that the Secretary de-
24 termines to be appropriate.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—Out
2 of amounts authorized to be appropriated under sec-
3 tion 106(k) of title 49, United States Code, the Sec-
4 retary shall make available to carry out this sec-
5 tion—

6 (A) \$2,000,000 for fiscal year 2024;

7 (B) \$12,000,000 for fiscal year 2025;

8 (C) \$12,000,000 for fiscal year 2026;

9 (D) \$12,000,000 for fiscal year 2027; and

10 (E) \$12,000,000 for fiscal year 2028.

11 (h) DEFINITIONS.—In this section:

12 (1) COVERED FOREIGN ENTITY.—The term
13 “covered foreign entity” means an entity—

14 (A) included on the Consolidated Screening
15 List or Entity List as designated by the Sec-
16 retary of Commerce;

17 (B) domiciled in the People’s Republic of
18 China or the Russian Federation;

19 (C) subject to influence or control by the
20 government of the People’s Republic of China
21 or by the Russian Federation; or

22 (D) is a subsidiary or affiliate of an entity
23 described in subparagraphs (A) through (C).

24 (2) CRITICAL INFRASTRUCTURE.—The term
25 “critical infrastructure” has the meaning given such

1 term in subsection (e) of the Critical Infrastructures
2 Protection Act of 2001 (42 U.S.C. 5195c(e)).

3 (3) ELEMENT OF CRITICAL INFRASTRUC-
4 TURE.—The term “element of critical infrastruc-
5 ture” means a critical infrastructure facility or
6 asset, including public bridges, tunnels, roads, high-
7 ways, dams, electric grid, water infrastructure, com-
8 munication systems, pipelines, or other related facili-
9 ties or assets, as determined by the Secretary.

10 (4) ELIGIBLE SMALL UNMANNED AIRCRAFT
11 SYSTEM.—The term “eligible small unmanned air-
12 craft system” means a small unmanned aircraft sys-
13 tem manufactured or assembled by a company that
14 is domiciled in the United States and is not a cov-
15 ered foreign entity.

16 (5) GOVERNMENTAL ENTITY.—The term “gov-
17 ernmental entity” means—

18 (A) a State, the District of Columbia, the
19 Commonwealth of Puerto Rico, a territory of
20 the United States, or a political subdivision
21 thereof;

22 (B) a unit of local government;

23 (C) a Tribal Government;

24 (D) a metropolitan planning organization;

25 or

1 (E) a consortia of more than 1 of the enti-
2 ties described in subparagraphs (A) through
3 (D).

4 (6) PROJECT.—The term “project” means a
5 project for the inspection, operation, maintenance,
6 repair, modernization, or construction of an element
7 of critical infrastructure, including mitigating envi-
8 ronmental hazards to such infrastructure.

9 (7) SMALL UNMANNED AIRCRAFT; UNMANNED
10 AIRCRAFT SYSTEM.—The terms “small unmanned
11 aircraft” and “unmanned aircraft system” have the
12 meanings given such terms in section 44801 of title
13 49, United States Code.

14 **SEC. 621. DRONE EDUCATION AND WORKFORCE TRAINING**
15 **GRANT PROGRAM.**

16 (a) AUTHORITY.—Not later than 180 days after the
17 date of enactment of this Act, the Secretary of Transpor-
18 tation shall establish a drone education and training grant
19 program to make grants to educational institutions for
20 workforce training for eligible small unmanned aircraft
21 systems.

22 (b) USE OF GRANT AMOUNTS.—Amounts from a
23 grant under this section shall be used in furtherance of
24 activities authorized under sections 631 and 632 of the

1 FAA Reauthorization Act of 2018 (49 U.S.C. 40101
2 note).

3 (c) ELIGIBILITY.—To be eligible to receive a grant
4 under this section, an educational institution shall submit
5 an application to the Secretary at such time, in such form,
6 and containing such information as the Secretary may re-
7 quire.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—Out of
9 amounts authorized to be appropriated under section
10 106(k) of title 49, United States Code, the Secretary shall
11 make available to carry out this section—

- 12 (1) \$2,000,000 for fiscal year 2024;
- 13 (2) \$12,000,000 for fiscal year 2025;
- 14 (3) \$12,000,000 for fiscal year 2026;
- 15 (4) \$12,000,000 for fiscal year 2027; and
- 16 (5) \$12,000,000 for fiscal year 2028.

17 (e) DEFINITIONS.—In this section:

18 (1) COVERED FOREIGN ENTITY.—The term
19 “covered foreign entity” means an entity—

20 (A) included on the Consolidated Screening
21 List or Entity List as designated by the Sec-
22 retary of Commerce;

23 (B) domiciled in the People’s Republic of
24 China or the Russian Federation;

1 (C) subject to influence or control by the
2 government of the People’s Republic of China
3 or by the Russian Federation; or

4 (D) is a subsidiary or affiliate of an entity
5 described in subparagraphs (A) through (C).

6 (2) EDUCATIONAL INSTITUTION.—The term
7 “educational institution” means an institution of
8 higher education (as defined in section 101 of the
9 High Education Act of 1965 (20 U.S.C. 1001)) that
10 participates in a program authorized under sections
11 631 and 632 of the FAA Reauthorization Act of
12 2018 (49 U.S.C. 40101 note).

13 (3) ELIGIBLE SMALL UNMANNED AIRCRAFT
14 SYSTEM.—The term “eligible small unmanned air-
15 craft system” means a small unmanned aircraft sys-
16 tem manufactured or assembled by a company that
17 is domiciled in the United States and is not a cov-
18 ered foreign entity.

19 (4) SMALL UNMANNED AIRCRAFT; UNMANNED
20 AIRCRAFT SYSTEM.—The terms “small unmanned
21 aircraft” and “unmanned aircraft system” have the
22 meanings given such terms in section 44801 of title
23 49, United States Code.

1 **SEC. 622. DRONE WORKFORCE TRAINING PROGRAM STUDY.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Comptroller General
4 of the United States shall initiate a study of the effective-
5 ness of the Collegiate Training Initiative Program for Un-
6 manned Aircraft Systems, established pursuant to section
7 632 of the FAA Reauthorization Act 2018 (49 U.S.C.
8 40101 note).

9 (b) REPORT.—Upon completion of the study under
10 subsection (a), the Comptroller General shall submit to the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a report
14 describing—

15 (1) the findings of the study; and

16 (2) any recommendations to improve and ex-
17 pand the Collegiate Training Initiative Program for
18 Unmanned Aircraft Systems.

19 **SEC. 623. UAS INTEGRATION OFFICE.**

20 The Executive Director of the UAS Integration Of-
21 fice of the Federal Aviation Administration shall—

22 (1) support, and provide substantive rec-
23 ommendations for, rulemaking proceedings, in co-
24 ordination with other relevant services and offices
25 and the Assistant Administrator of Rulemaking and
26 Regulatory Improvement, regarding the integration

1 of unmanned aircraft systems into the national air-
2 space system;

3 (2) support, and make substantive rec-
4 ommendations to inform, the review and adjudica-
5 tion of submissions under the processes established
6 under section 44807 of title 49, United States Code,
7 as amended by section 605;

8 (3) support, and make substantive rec-
9 ommendations to inform, the development, modifica-
10 tion, and acceptance or approval of relevant con-
11 sensus standards, means of compliance, and declara-
12 tions of compliance related to unmanned aircraft
13 systems;

14 (4) ensure the timely consideration of airworthi-
15 ness and operational determinations related to un-
16 manned aircraft systems by relevant offices of the
17 Administration;

18 (5) consult, advise, coordinate with, and make
19 substantive recommendations to relevant lines of
20 business and staff offices of the Administration to
21 support the activities of the Administration and effi-
22 ciently carry out the duties described in this section;

23 (6) hire full-time equivalent employees, as nec-
24 essary, to build expertise within the UAS Integration

1 Office to assess unmanned aviation technologies and
2 related operational risk mitigation; and

3 (7) engage in any other activities determined
4 necessary by the Executive Director or the Adminis-
5 trator of the Federal Aviation Administration, to ful-
6 fill the duties described in this section.

7 **SEC. 624. TERMINATION OF ADVANCED AVIATION ADVI-**
8 **SORY COMMITTEE.**

9 The Secretary of Transportation may not renew the
10 charter of the Advanced Aviation Advisory Committee
11 (chartered by the Secretary on June 10, 2022).

12 **SEC. 625. UNMANNED AND AUTONOMOUS FLIGHT ADVI-**
13 **SORY COMMITTEE.**

14 (a) IN GENERAL.—Not later than 1 year after the
15 termination of the Advanced Aviation Advisory Committee
16 pursuant to section 624, the Administrator of the Federal
17 Aviation Administration shall establish an Unmanned and
18 Autonomous Flight Advisory Committee (in this section
19 referred to as the “Advisory Committee”).

20 (b) DUTIES.—The Advisory Committee shall provide
21 the Administrator advice on policy- and technical-level
22 issues related to unmanned and autonomous aviation oper-
23 ations and activities, including, at a minimum, the fol-
24 lowing:

1 (1) The safe integration of unmanned aircraft
2 systems and autonomous flight operations into the
3 national airspace system, including feedback on—

4 (A) the certification and operational stand-
5 ards of highly automated aircraft, unmanned
6 aircraft, and associated elements of such air-
7 craft;

8 (B) coordination of procedures for oper-
9 ations in controlled airspace; and

10 (C) communication protocols.

11 (2) The use cases of unmanned aircraft sys-
12 tems, including evaluating and assessing the poten-
13 tial benefits of using unmanned aircraft systems.

14 (3) The development of processes and meth-
15 odologies to address safety concerns related to the
16 operation of unmanned aircraft systems, including
17 risk assessments and mitigation strategies.

18 (4) Unmanned aircraft system training, edu-
19 cation, and workforce development programs, includ-
20 ing evaluating aeronautical knowledge gaps in the
21 unmanned aircraft system workforce, assessing the
22 workforce needs of unmanned aircraft system oper-
23 ations, and establishing a strong pipeline to ensure
24 a robust unmanned aircraft system workforce.

1 (5) The analysis of unmanned aircraft system
2 data and trends.

3 (6) Unmanned aircraft system infrastructure,
4 including the use of existing aviation infrastructure
5 and the development of necessary infrastructure.

6 (c) MEMBERSHIP.—

7 (1) IN GENERAL.—The Advisory Committee
8 shall be composed of not more than 12 members.

9 (2) REPRESENTATIVES.—The Advisory Com-
10 mittee shall include at least 1 representative of each
11 of the following:

12 (A) Small unmanned aircraft system com-
13 mercial operators.

14 (B) Small unmanned aircraft system man-
15 ufacturers.

16 (C) Manufacturers of unmanned aircraft
17 weighing 55 pounds or more pursuing or hold-
18 ing a certificate for design or production of
19 such unmanned aircraft.

20 (D) Counter-unmanned aircraft system
21 manufacturers.

22 (E) Federal Aviation Administration ap-
23 proved unmanned aircraft system service sup-
24 pliers.

1 (F) Unmanned aircraft system test sites
2 under section 44803 of title 49, United States
3 Code.

4 (G) An unmanned aircraft system physical
5 infrastructure network provider.

6 (H) Community advocates.

7 (I) Certified labor organizations rep-
8 resenting commercial airline pilots, air traffic
9 control specialists employed by the Administra-
10 tion, certified aircraft maintenance technicians,
11 certified aircraft dispatchers, and aviation safe-
12 ty inspectors.

13 (J) Operators pursuing or holding a cer-
14 tificate for the operation of an unmanned air-
15 craft weighing 55 pounds or more.

16 (d) REPORTING.—

17 (1) IN GENERAL.—The Advisory Committee
18 shall submit to the Secretary an annual report of the
19 activities, findings, and recommendations of the
20 Committee.

21 (2) CONGRESSIONAL REPORTING.—The Sec-
22 retary shall submit to the Committee on Transpor-
23 tation and Infrastructure of the House of Represent-
24 atives and the Committee on Commerce, Science,

1 and Transportation of the Senate the reports re-
2 quired under paragraph (1).

3 (e) DEFINITION OF UNMANNED AIRCRAFT.—In this
4 section, the term “unmanned aircraft” has the meaning
5 given such term in section 44801 of title 49, United States
6 Code.

7 **SEC. 626. NEXTGEN ADVISORY COMMITTEE MEMBERSHIP**
8 **EXPANSION.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of enactment of this Act, the Secretary of Transpor-
11 tation shall take such actions as may be necessary to ex-
12 pand the membership of the NextGen Advisory Committee
13 chartered by the Secretary on June 15, 2022, and any
14 subsequent chartered committees, to include a representa-
15 tive from the unmanned aircraft system industry and a
16 representative from the powered-lift industry.

17 (b) QUALIFICATIONS.—The representatives required
18 under subsection (a) shall have the following qualifica-
19 tions, as applicable:

20 (1) Demonstrated expertise in the design, man-
21 ufacture, and operation of unmanned aircraft sys-
22 tems.

23 (2) Demonstrated experience in the develop-
24 ment or implementation of unmanned aircraft sys-
25 tems policies and procedures.

1 (3) Demonstrated commitment to advancing the
2 safe integration of unmanned aircraft systems into
3 the national airspace system.

4 **SEC. 627. TEMPORARY FLIGHT RESTRICTION INTEGRITY.**

5 (a) IN GENERAL.—Section 40103(b) of title 49,
6 United States Code, is amended by adding at the end the
7 following:

8 “(5)(A) In issuing a temporary flight restriction, the
9 Administrator shall—

10 “(i) ensure there is a specific and articulable
11 safety or security basis for the size, scope, and dura-
12 tion of such restriction;

13 “(ii) immediately distribute a notice of the tem-
14 porary flight restriction via the Notice to Air Mis-
15 sions system; and

16 “(iii) detail in the notice required under clause
17 (ii)—

18 “(I) the safety basis for the restriction;

19 and

20 “(II) how a covered person may lawfully
21 and expeditiously operate an aircraft within the
22 restriction.

23 “(B) In this paragraph, the term ‘covered person’
24 means—

25 “(i) a public safety agency;

- 1 “(ii) a first responder;
2 “(iii) an accredited news representative; or
3 “(iv) any other person as determined appro-
4 prium by the Administrator.”.

5 **SEC. 628. INTERAGENCY COORDINATION.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) the purpose of the joint Department of De-
9 fense-Federal Aviation Administration executive
10 committee (referred to in this subsection as “Execu-
11 tive Committee”) on conflict and dispute resolution
12 as described in Section 1036(b) of the Duncan Hun-
13 ter National Defense Authorization Act for Fiscal
14 Year 2009 (Public Law 110–417) is to resolve dis-
15 putes on the matters of policy and procedures be-
16 tween the Department of Defense and the Federal
17 Aviation Administration relating to airspace, aircraft
18 certifications, aircrew training, and other issues, in-
19 cluding the access of unmanned aerial systems of the
20 Department of Defense to the national airspace sys-
21 tem;

22 (2) by mutual agreement of Executive Com-
23 mittee leadership, operating with the best of inten-
24 tions, the current scope of activities and membership
25 of the Executive Committee has exceeded the origi-

1 nal intent of, and tasking to, the Executive Com-
2 mittee; and

3 (3) the expansion described in paragraph (2)
4 has resulted in an imbalance in the oversight of cer-
5 tain Federal entities in matters concerning civil avia-
6 tion safety and security.

7 (b) IN GENERAL.—

8 (1) CHARTER REVISION.—Not later than 180
9 days after the date of enactment of this Act, the Ad-
10 ministrator of the Federal Aviation Administration
11 shall seek to revise the charter of the Executive
12 Committee to reflect the scope, objectives, member-
13 ship, and activities described in such section 1036(b)
14 in order to achieve the increasing, and ultimately
15 routine, access of unmanned aircraft systems (as de-
16 fined in section 44801 of title 49, United States
17 Code) into the national airspace system.

18 (2) SUNSET.—Not earlier than 2 years after
19 the date of enactment of this Act, the Administrator
20 shall seek to sunset Executive Committee activities
21 by joint agreement of the Administrator and the
22 Secretary of Defense.

1 **SEC. 629. REVIEW OF REGULATIONS TO ENABLE**
2 **UNESCORTED UAS OPERATIONS.**

3 (a) **IN GENERAL.**—Not later than 2 years after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall, in coordination
6 with the Secretary of Defense, conduct a review of require-
7 ments necessary to permit an unmanned aircraft systems
8 (excluding small unmanned aircraft systems) operated by
9 a Federal agency or an armed service to be operated in
10 the national airspace system, including outside of re-
11 stricted airspace, without being escorted by a manned air-
12 craft.

13 (b) **REPORT.**—Not later than 2 years after the date
14 of enactment of this Act, the Administrator shall submit
15 to the Committee on Transportation and Infrastructure
16 of the House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Senate a
18 report on the results of the review, including findings and
19 recommendations on regulatory and statutory changes
20 that can be made to enable the operations described under
21 subsection (a).

22 (c) **DEFINITIONS.**—The definitions under section
23 44801 of title 49, United States Code, shall apply to this
24 section.

1 **SEC. 630. UAS OPERATIONS OVER HIGH SEAS.**

2 (a) IN GENERAL.—An unmanned aircraft system op-
3 eration that begins and ends within the United States or
4 the territorial waters of the United States, shall not be
5 considered international flight regardless of whether the
6 unmanned aircraft system enters international airspace.

7 (b) DEFINITION OF UNMANNED AIRCRAFT SYS-
8 TEM.—In this section, the term “unmanned aircraft sys-
9 tem” has the meaning given such term in section 44801
10 of title 49, United States Code.

11 **SEC. 631. BEYOND BEYOND.**

12 (a) FAA BEYOND PROGRAM EXTENSION.—The
13 Administrator of the Federal Aviation Administration
14 shall extend the BEYOND program of the Administration
15 as in effect on the day before the date of enactment of
16 this Act (referred to in this section as the “Program”)
17 and the existing agreements with State, local, and Tribal
18 governments entered into under the Program until such
19 date, as specified in subsection (b).

20 (b) FAA BEYOND PROGRAM EXPANSION.—

21 (1) IN GENERAL.—Not later than 2 years after
22 the date of enactment of this Act, the Administrator
23 shall expand the Program to additional locations and
24 test the use of new and emerging aviation concepts
25 and technologies, including concepts and tech-
26 nologies unrelated to unmanned aircraft systems, to

1 evaluate and inform Administration policies, rule-
2 making, and guidance related to the safe integration
3 of such concepts and technologies into the national
4 airspace system.

5 (2) SCOPE.—In expanding the Program under
6 this subsection, the Administrator shall address ad-
7 ditional factors, including—

8 (A) increasing automation in civil aircraft,
9 including unmanned aircraft systems and new
10 or emerging aviation technologies;

11 (B) operations of such systems and tech-
12 nologies, including beyond visual line of sight;
13 and

14 (C) the social and economic impacts of
15 such operations.

16 (3) CONTINUATION.—The Administrator shall
17 carry out the expanded Program required under this
18 subsection until such time that the Administrator
19 determines the Program is no longer necessary or
20 useful.

21 **SEC. 632. UAS INTEGRATION STRATEGY.**

22 (a) IN GENERAL.—The Administrator of the Federal
23 Aviation Administration shall implement the recommenda-
24 tions made by—

1 (1) the Comptroller General of the United
2 States to the Secretary of Transportation contained
3 in the report titled “Drones: FAA Should Improve
4 Its Approach to Integrating Drones into the Na-
5 tional Airspace System” issued in January 2023
6 (GAO–23–105189); and

7 (2) the inspector general of the Department of
8 Transportation to the Administrator contained in
9 the audit report titled “FAA Made Progress
10 Through Its UAS Integration Pilot Program, but
11 FAA and Industry Challenges Remain To Achieve
12 Full UAS Integration” issued in April 2022 (Project
13 ID: AV2022027).

14 (b) BRIEFING.—Not later than 12 months after the
15 date of enactment of this Act, the Administrator shall pro-
16 vide a briefing to the Committee on Transportation and
17 Infrastructure of the House of Representatives and the
18 Committee on Commerce, Science, and Transportation of
19 the Senate annually on the status of the activities de-
20 scribed in subsection (a).

21 **SEC. 633. AUTHORIZATION OF APPROPRIATIONS FOR KNOW**
22 **BEFORE YOU FLY CAMPAIGN.**

23 There is authorized to be appropriated to the Admin-
24 istrator \$1,000,000 for each of fiscal years 2024 through
25 2028, out of funds made available under section 106(k)

1 of title 49, United States Code, for the Know Before You
2 Fly educational campaign or similar public informational
3 efforts intended to broaden unmanned aircraft systems
4 safety awareness.

5 **SEC. 634. PUBLIC AIRCRAFT DEFINITION.**

6 Section 40125(a)(2) of title 49, United States Code,
7 is amended—

8 (1) by striking the first instance of “or”; and

9 (2) by inserting “(including data collection on
10 civil aviation systems undergoing research, develop-
11 ment, test, or evaluation at a test range (as such
12 term is defined in section 44801)), infrastructure in-
13 spections, or any other activity undertaken by a gov-
14 ernmental entity that the Administrator determines
15 is inherently governmental” after “biological or geo-
16 logical resource management”.

17 **SEC. 635. PROTECTION OF PUBLIC GATHERINGS.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration shall establish a process
21 to allow applicants to request temporary prohibitions of
22 unmanned aircraft operations in close proximity to an eli-
23 gible large public gathering for a specified period of time.

24 (b) APPLICATION PROCEDURES.—

1 (1) IN GENERAL.—In making a determination
2 whether to grant or deny an application for a des-
3 ignation, the Administrator shall consider—

4 (A) aviation safety;

5 (B) protection of persons and property on
6 the ground;

7 (C) national security; or

8 (D) homeland security.

9 (2) REQUIREMENTS.—The application proce-
10 dures under this section shall allow eligible petitions
11 to apply for a prohibition individually or collectively.

12 (3) ELIGIBLE LARGE GATHERINGS.—Large
13 public gatherings eligible for application under this
14 section shall—

15 (A) have an estimated attendance of great-
16 er than 20,000 people;

17 (B) be primarily outdoors;

18 (C) have defined and static geographical
19 boundaries; and

20 (D) be advertised in the public domain.

21 (4) ELIGIBLE PETITIONERS.—Applicants eligi-
22 ble to submit petitions for consideration in sub-
23 section (a) shall be a credentialed law enforcement
24 organization or public safety organization otherwise

1 recognized by a Federal, State, local, Tribal, or ter-
2 ritorial governmental entity.

3 (c) REVIEW PROCESS.—

4 (1) IN GENERAL.—The Administrator shall pro-
5 vide for a timely determination on an application
6 submitted under subsection (a) to allow for the pub-
7 lic to be notified of a prohibition in advance of the
8 public gathering.

9 (2) ADDITIONAL REQUIREMENT.—The Admin-
10 istrator shall make every practicable effort to make
11 a determination on an application submitted under
12 subsection (a) not later than 7 days before the ex-
13 pected start date of the large public gathering.

14 (d) PUBLIC INFORMATION.—Temporary prohibition
15 designated under subsection (a) shall be published by the
16 Federal Aviation Administration in a publicly accessible
17 manner, in English and other non-English languages, at
18 least 2 days before the large public gathering.

19 (e) SAVINGS CLAUSE.—Nothing in this section may
20 be construed as prohibiting the Administrator from au-
21 thorizing operation of an aircraft, including an unmanned
22 aircraft system, over, under, or within a specified distance
23 from that large public gathering designated under sub-
24 section (b).

1 (f) DEFINITIONS.—In this section, the terms “un-
2 manned aircraft” and “unmanned aircraft system” have
3 the meanings given such terms in section 44801 of title
4 49, United States Code.

5 **Subtitle B—Advanced Air Mobility**

6 **SEC. 651. DEFINITION.**

7 In this subtitle, the term “powered-lift aircraft” has
8 the meaning given the term “powered-lift” in section 1.1
9 of title 14, Code of Federal Regulations.

10 **SEC. 652. POWERED-LIFT AIRCRAFT RULEMAKINGS.**

11 (a) FINAL RULEMAKING.—Not later than 13 months
12 after the date of enactment of this Act, the Administrator
13 of the Federal Aviation Administration shall publish a
14 final rule for a special Federal aviation regulation estab-
15 lishing procedures for certifying powered-lift pilots and
16 providing operational rules for powered-lift aircraft.

17 (b) FUTURE RULEMAKING.—Not later than 5 years
18 after the date of enactment of this Act, the Administrator
19 shall initiate a rulemaking activity providing for a perma-
20 nent pathway for the—

- 21 (1) performance-based certification of powered-
22 lift aircraft;
- 23 (2) certification of powered-lift airmen; and
- 24 (3) operation of powered-lift aircraft in com-
25 mercial service and air transportation.

1 (c) RULEMAKING CONSIDERATIONS.—

2 (1) CONTENTS OF RULEMAKINGS.—In the de-
3 velopment of the rulemakings required under sub-
4 sections (a) and (b), the Administrator shall—

5 (A) provide for any aircraft type certifi-
6 cated by the Administrator—

7 (i) a practical pathway for pilot quali-
8 fication and operations; and

9 (ii) performance-based requirements
10 for energy reserves and other range- and
11 endurance-related requirements that reflect
12 the capabilities and intended operations of
13 the aircraft;

14 (B) provide for a combination of pilot
15 training requirements, including simulators, to
16 ensure the safe operation of powered-lift air-
17 craft;

18 (C) grant an individual with an existing
19 commercial airplane (single- or multi-engine) or
20 helicopter pilot certificate the authority to serve
21 as pilot-in-command of a powered-lift aircraft in
22 commercial operation following the completion
23 of a Federal Aviation Administration-approved
24 pilot type rating for such type of aircraft;

1 (D) to the maximum extent practicable,
2 align powered-lift pilot qualifications with sec-
3 tion 2.1.1.4 of the International Civil Aviation
4 Organization's Annex 1;

5 (E) consider the adoption of the rec-
6 ommendations contained in document 10103 of
7 the International Civil Aviation Organization
8 for powered-lift operations, as appropriate; and

9 (F) consult with the Secretary of Defense
10 with regard to—

11 (i) the U.S. Air Force Agility Prime
12 Program and powered-lift aircraft evalu-
13 ated and deployed for military purposes,
14 including the F35B program;

15 (ii) the commonalities and differences
16 between powered-lift aircraft types and the
17 handling qualities of such aircraft; and

18 (iii) the pathways for pilots to gain
19 proficiency and earn the necessary ratings
20 required to act as a pilot in command of
21 powered-lift aircraft.

22 (2) CONSIDERATIONS FOR FUTURE
23 RULEMAKINGS.—In the development of the
24 rulemakings required under subsection (b), the Ad-
25 ministrator shall—

1 (A) consider and plan for unmanned and
2 remotely piloted powered-lift aircraft systems,
3 and the associated elements of such aircraft,
4 through the promulgation of performance-based
5 regulations;

6 (B) consider and plan for alternative fuel
7 types and propulsion methods, including review-
8 ing the performance-based nature of parts 33
9 and 35 of title 14, Code of Federal Regulations;

10 (C) work to harmonize the certification
11 and operational requirements of the Federal
12 Aviation Administration with the certification
13 and operational requirements of civil aviation
14 authorities with bilateral safety agreements in
15 place with the United States, to the extent har-
16 monization does not negatively impact domestic
17 manufacturers and operators; and

18 (D) inform such rulemakings based on op-
19 erations and efforts that occur as a result of
20 the special Federal aviation regulation pursuant
21 to subsection (b).

22 (d) INTERIM APPLICATION OF RULES AND PRIVI-
23 LEGES IN LIEU OF RULEMAKING.—Beginning 21 months
24 after the date of enactment of this Act, if a final rule has
25 not been published pursuant to subsection (a)—

1 (1) rules in effect on such date that apply to
2 the operation and the operator of rotorcraft or fixed-
3 wing aircraft under subchapters F, G, H, and I of
4 chapter 1 of title 14, Code of Federal Regulations,
5 shall be—

6 (A) deemed to apply to—

7 (i) the operation of a powered-lift air-
8 craft in the national airspace system; and

9 (ii) the operator of such a powered-lift
10 aircraft; and

11 (B) applicable as determined by the oper-
12 ator of an airworthy powered-lift aircraft in
13 consultation with the Administrator and con-
14 sistent with sections 91.3 and 91.13 of title 14,
15 Code of Federal Regulations; and

16 (2) upon the completion of a type rating for a
17 specific powered-lift aircraft, airmen that hold a
18 pilot or instructor certification with airplane cat-
19 egory ratings in any class or rotorcraft category rat-
20 ings in the helicopter class shall be deemed to have
21 privileges of a powered-lift rating for that aircraft.

22 (e) TERMINATION OF INTERIM RULES AND PRIVI-
23 LEGES.—Subsection (d) shall cease to have effect 1 month
24 after the effective date of a final rule issued pursuant to
25 subsection (a).

1 **SEC. 653. POWERED-LIFT AIRCRAFT ENTRY INTO SERVICE.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Aviation Administration shall, in consultation with exclu-
4 sive bargaining representatives of air traffic controllers
5 certified under section 7111 of title 5, United States Code,
6 take such actions as may be necessary to safely integrate
7 powered-lift aircraft into the national airspace system, in-
8 cluding in controlled airspace, and learn from any efforts
9 to adopt and update related policy and guidance.

10 (b) AIR TRAFFIC POLICIES FOR ENTRY INTO SERV-
11 ICE.—Not later than 24 months after the date of enact-
12 ment of this Act, the Administrator shall update air traffic
13 orders and policies, to the extent necessary, and address
14 air traffic control system challenges in order to allow for—

15 (1) the use of existing air traffic procedures,
16 where safe, by powered-lift aircraft; and

17 (2) the approval of letters of agreement between
18 air traffic control system facilities and powered-lift
19 operators and infrastructure operators to minimize
20 the amount of active coordination required for safe
21 recurring powered-lift aircraft operations, as appro-
22 priate.

23 (c) LONG-TERM AIR TRAFFIC POLICIES.—Based on
24 the implementation of subsection (b), the Administrator
25 shall—

1 (1) continue to update air traffic orders and
2 policies;

3 (2) to the extent necessary, develop powered-lift
4 specific procedures for airports, heliports, and
5 vertiports;

6 (3) evaluate the human factors impacts on con-
7 trollers associated with managing powered-lift air-
8 craft operations, consider the impact of additional
9 operations on air traffic controller staffing, and
10 make necessary changes to staffing, procedures, reg-
11 ulations, and orders; and

12 (4) consider the use of third-party service pro-
13 viders to manage increased operations in controlled
14 airspace to support and supplement the work of air
15 traffic controllers.

16 **SEC. 654. SENSE OF CONGRESS ON PREPARATION FOR**
17 **ENTRY INTO SERVICE OF POWERED-LIFT AIR-**
18 **CRAFT.**

19 It is the sense of Congress that the Administrator
20 of the Federal Aviation Administration should work with
21 manufacturers, prospective operators of powered-lift air-
22 craft, and other stakeholders, to enable the safe entry of
23 such aircraft into commercial service following the publica-
24 tion of the final special Federal Aviation Administration
25 rulemaking titled “Integration of Powered-Lift: Pilot Cer-

1 tification and Operations; Miscellaneous Amendments Re-
2 lated to Rotorcraft and Airplanes”, including by reviewing
3 and providing feedback to such manufacturers and opera-
4 tors on draft pilot training, operations, and maintenance
5 manuals after the publication of the draft special Federal
6 Aviation Administration rulemaking and prior to the pub-
7 lication of a final rule, as appropriate.

8 **SEC. 655. INFRASTRUCTURE SUPPORTING VERTICAL**
9 **FLIGHT.**

10 (a) **UPDATES TO REGULATIONS FOR CONSIST-**
11 **ENCY.**—The Administrator of the Federal Aviation Ad-
12 ministration shall update part 1 and part 157 of title 14,
13 Code of Federal Regulations, and other regulations as nec-
14 essary to implement the amendments made by section
15 401.

16 (b) **UPDATE TO HELIPORT DESIGN STANDARDS.**—
17 The Administrator shall update the Advisory Circular
18 150/5390–2, titled “Heliport Design” to—

19 (1) increase the inclusion of performance-based
20 guidance, including around aircraft fuel type and
21 propulsion method;

22 (2) update guidance to consider risk mitigations
23 and hazards associated with different aircraft fuel
24 types and propulsion methods;

1 (3) affirm the general permissibility of vertical
2 takeoff and landing capable aircraft to use a heliport
3 when such heliport can safely accommodate the
4 physical and operating characteristics of such air-
5 craft; and

6 (4) include vertiport as a subclass of heliport.

7 (c) ENGINEERING BRIEF ON VERTIPOINT DESIGN.—
8 The Administrator may update the version of Engineering
9 Brief 105, titled “Vertiport Design” in effect on the date
10 of enactment of this Act, prior to issuing an update to
11 Advisory Circular 150/5390–2, as required under sub-
12 section (b).

13 (d) ENGINEERING BRIEF SUNSET.—The Adminis-
14 trator shall revoke Engineering Brief 105, titled
15 “Vertiport Design”, on the earlier of—

16 (1) the date on which Advisory Circular 150/
17 5390–2 is updated under subsection (b); or

18 (2) 5 years after the date of enactment of this
19 Act.

20 (e) GUIDANCE, FORMS, AND PLANNING.—The Ad-
21 ministrators shall—

22 (1) ensure airport district offices of the Admin-
23 istration have sufficient guidance and policy direc-
24 tion regarding the Administration’s heliport and
25 vertiport design guidance not later than 18 months

1 after the date of enactment of this Act and update
2 such guidance routinely;

3 (2) determine if updates to Administration
4 Form 7460 and Form 7480 are necessary and take
5 such actions, as appropriate; and

6 (3) ensure that the methodology and underlying
7 data sources of the Administration's Terminal Area
8 Forecast include commercial operations conducted
9 by aircraft regardless of propulsion type or fuel type.

10 **SEC. 656. CHARTING OF AVIATION INFRASTRUCTURE.**

11 (a) IN GENERAL.—The Administrator of the Federal
12 Aviation Administration shall increase efforts to update
13 and keep current the Airport Master Record of the Admin-
14 istration, including by establishing a streamlined process
15 by which the owners and operators of public and private
16 aviation facilities with nontemporary, nonintermittent op-
17 erations are encouraged to keep the information on such
18 facilities current.

19 (b) BRIEFING.—The Administrator shall brief the
20 Committee on Transportation and Infrastructure of the
21 House of Representatives and the Committee on Com-
22 merce, Science, and Transportation of the Senate on the
23 plans of the Administrator to update and keep current the
24 Airport Master Record for private and public airports, hel-
25 iports, and vertiports.

1 **SEC. 657. ADVANCED AIR MOBILITY WORKING GROUP.**

2 Section 2 of the Advanced Air Mobility Coordination
3 and Leadership Act (49 U.S.C. 40101 note) is amended—

4 (1) in subsection (b) by striking “, particularly
5 passenger-carrying aircraft,”;

6 (2) in subsection (d)(1) by striking subpara-
7 graph (D) and inserting the following:

8 “(D) operators of airports, heliports, and
9 vertiports, and fixed-base operators;”;

10 (3) in subsection (e)—

11 (A) in the matter preceding paragraph (1)
12 by striking “1 year” and inserting “18
13 months”;

14 (B) in paragraph (3) by inserting “or that
15 may impede maturation” after “AAM indus-
16 try”;

17 (C) in paragraph (7) by striking “and” at
18 the end;

19 (D) in paragraph (8) by striking the period
20 at the end and inserting “; and”; and

21 (E) by adding at the end the following:

22 “(9) processes and programs that can be lever-
23 aged to improve the efficiency of Federal reviews re-
24 quired for infrastructure development, including for
25 electrical capacity projects.”;

26 (4) in subsection (g)—

1 (A) in the matter preceding paragraph (1)
2 by striking “working group” and inserting
3 “Secretary of Transportation”;

4 (B) in paragraph (1) by striking “and” at
5 the end;

6 (C) by redesignating paragraph (2) as
7 paragraph (3); and

8 (D) by inserting after paragraph (1) the
9 following:

10 “(2) summarizing any dissenting views and
11 opinions of a participant of the working group de-
12 scribed in subsection (c)(3); and”;

13 (5) in subsection (i)—

14 (A) in paragraph (1) by striking “that
15 transports people and property by air between
16 two points in the United States using aircraft
17 with advanced technologies, including electric
18 aircraft or electric vertical take-off and landing
19 aircraft,” and inserting “comprised of urban air
20 mobility and regional air mobility using manned
21 or unmanned aircraft”;

22 (B) by redesignating paragraph (5) as
23 paragraph (7);

24 (C) by redesignating paragraph (6) as
25 paragraph (9);

1 (D) by inserting after paragraph (4) the
2 following:

3 “(5) POWERED-LIFT AIRCRAFT.—The term
4 ‘powered-lift aircraft’ has the meaning given the
5 term ‘powered-lift’ in section 1.1 of title 14, Code of
6 Federal Regulations.

7 “(6) REGIONAL AIR MOBILITY.—The term ‘re-
8 gional air mobility’ means the movement of people or
9 property by air between 2 points using an airworthy
10 aircraft that—

11 “(A) has advanced technologies, such as
12 distributed propulsion, vertical take-off and
13 landing, powered-lift, non-traditional power sys-
14 tems, or autonomous technologies;

15 “(B) has a maximum takeoff weight of
16 greater than 1,320 pounds; and

17 “(C) is not urban air mobility.”;

18 (E) by inserting after paragraph (7), as so
19 redesignated, the following:

20 “(8) URBAN AIR MOBILITY.—The term ‘urban
21 air mobility’ means the movement of people or prop-
22 erty by air between 2 intracity or intercity points
23 using an airworthy aircraft that—

24 “(A) advanced technologies, such as dis-
25 tributed propulsion, vertical take-off and land-

1 ing, powered-lift, nontraditional power systems,
2 or autonomous technologies; and

3 “(B) a maximum takeoff weight of greater
4 than 1,320 pounds.”; and

5 (F) by adding at the end the following:

6 “(10) VERTIPORT.—The term ‘vertiport’ has
7 the meaning given such term in section 47102 of
8 title 49, United States Code.”;

9 (6) by redesignating subsection (i) as subsection
10 (j); and

11 (7) by inserting after subsection (h) the fol-
12 lowing:

13 “(i) CONSIDERATIONS FOR TERMINATION OF WORK-
14 ING GROUP.—In deciding whether to terminate the work-
15 ing group under subsection (h), the Secretary and the Ad-
16 ministrator of the Federal Aviation Administration shall
17 consider other interagency coordination activities associ-
18 ated with AAM, or other new or novel users of the national
19 airspace system, that could benefit from continued wider
20 interagency coordination.”.

21 **SEC. 658. ADVANCED AIR MOBILITY INFRASTRUCTURE**
22 **PILOT PROGRAM EXTENSION.**

23 Section 101 of division Q of the Consolidated Appro-
24 priations Act, 2023 (49 U.S.C. 40101 note) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (2)—

2 (i) in subparagraph (A) by inserting
3 “, as well as the use of existing airport and
4 heliport infrastructure that may require
5 modifications to safely accommodate AAM
6 operations,” after “vertiport infrastruc-
7 ture”; and

8 (ii) in subparagraph (B)—

9 (I) in clause (iii) by striking
10 “vertiport” and inserting “locations
11 for”;

12 (II) in clause (iv) by inserting
13 “and guidance” after “any stand-
14 ards”;

15 (III) in clause (v) by striking
16 “vertiport infrastructure” and insert-
17 ing “urban air mobility and regional
18 air mobility operations”; and

19 (IV) in clause (x) by inserting
20 “or the modification of existing avia-
21 tion infrastructure” after “operation
22 of a vertiport”;

23 (B) in paragraph (4)(B) by inserting “the
24 Department of Defense, the National Guard,”
25 before “or”; and

1 (C) in paragraph (6)(B)—

2 (i) in clause (i) by striking “and” at
3 the end;

4 (ii) in clause (ii) by striking the pe-
5 riod at the end and inserting “; and”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(iii) a description of—

9 “(I) initial community engage-
10 ment efforts and responses from the
11 public on the planning and develop-
12 ment efforts of eligible entities related
13 to urban air mobility and regional air
14 mobility operations;

15 “(II) how eligible entities are
16 planning for and encouraging early
17 adoption of urban air mobility and re-
18 gional air mobility operations;

19 “(III) what role each level of gov-
20 ernment plays in the process; and

21 “(IV) whether such entities rec-
22 ommend specific regulatory or guid-
23 ance actions be taken by the Secretary
24 of Transportation or other Federal

1 agencies in order to support such
2 early adoption.”;

3 (2) in subsection (c)(1)—

4 (A) by striking “years 2023 and 2024”
5 and inserting “years 2023 through 2026”; and

6 (B) by inserting before the period “out of
7 funds made available under section 106(k) of
8 title 49, United States Code”;

9 (3) in subsection (d) by striking “2024” and in-
10 serting “2026” each place it appears; and

11 (4) in subsection (e)—

12 (A) by striking paragraph (1) and insert-
13 ing the following:

14 “(1) ADVANCED AIR MOBILITY; AAM; REGIONAL
15 AIR MOBILITY; URBAN AIR MOBILITY; VERTIPOINT.—

16 The terms ‘advanced air mobility’, ‘AAM’, ‘regional
17 air mobility’, ‘urban air mobility’, and ‘vertiport’
18 have the meaning given such terms in section 2(j) of
19 the Advanced Air Mobility Coordination and Leader-
20 ship Act (49 U.S.C. 40101 note).”; and

21 (B) by striking paragraphs (9) and (10).

1 **Subtitle C—Other Provisions**

2 **SEC. 681. REPORT ON NATIONAL SPACEPORTS POLICY.**

3 Section 580(c)(3) of the FAA Reauthorization Act of
4 2018 (Public Law 115–254) is amended by striking
5 “2024” and inserting “2028”.

6 **SEC. 682. INTERMODAL TRANSPORTATION INFRASTRUC-** 7 **TURE IMPROVEMENT PILOT PROGRAM.**

8 (a) **IN GENERAL.**—The Secretary may establish a
9 pilot program to issue grants to operators of launch and
10 reentry sites for projects to construct, repair, maintain,
11 or improve transportation infrastructure and facilities at
12 such sites.

13 (b) **PILOT PROGRAM QUALIFICATIONS.**—The Sec-
14 retary may enter into agreements under this section to
15 issue a grant to an operator only if the operator—

16 (1) has submitted an application to the Sec-
17 retary in such form, at such time, and containing
18 such information as prescribed by the Secretary;

19 (2) demonstrates to the Secretary’s satisfaction
20 that the project for which the application has been
21 submitted is for an eligible purpose under subsection
22 (c); and

23 (3) agrees to maintain such records relating to
24 the grant as the Secretary may require and to make

1 such records available to the Secretary or the Comptroller General of the United States upon request.

3 (c) PERMITTED USE OF PILOT PROGRAM GRANTS.—

4 An operator may use a grant provided under this subsection for a project to construct, repair, maintain, or improve infrastructure and facilities that—

7 (1) are located at, or adjacent to, a launch or reentry site; and

9 (2) directly enable or support transportation safety or covered transportation activities.

11 (d) PILOT PROGRAM GRANTS.—

12 (1) GRANT FORMULA.—Subject to the availability of appropriations, at the beginning of each fiscal year after fiscal year 2024, the Secretary shall issue a grant to an operator that qualifies for the pilot program under subsection (b) an amount equal to the sum of—

18 (A) \$250,000 for each licensed launch or reentry operation conducted from the applicable launch or reentry site or at any adjacent Federal launch range in the previous fiscal year; and

23 (B) \$100,000 for each launch or reentry operation conducted under a permit from the applicable launch or reentry site or at any adja-

1 cent Federal launch range in the previous fiscal
2 year.

3 (2) MAXIMUM GRANT.—Except as provided in
4 subsection (e)(5), a grant issued to an operator
5 under this subsection shall not exceed \$2,500,000
6 for a fiscal year.

7 (3) ADJACENCY.—

8 (A) IN GENERAL.—In issuing a grant to
9 an operator under paragraph (1), the Secretary
10 shall determine whether a launch or reentry site
11 is adjacent to a Federal launch range.

12 (B) LIMITATION.—Only 1 operator may
13 receive an amount under paragraph (1) for
14 each licensed or permitted launch or reentry op-
15 eration described in such subparagraph.

16 (C) MULTIPLE LAUNCH OR REENTRY
17 SITES OPERATED BY 1 OPERATOR.—If an oper-
18 ator holds a license to operate more than 1
19 launch site or more than 1 reentry site that are
20 adjacent to a Federal launch range, the Sec-
21 retary shall consider such launch or reentry
22 sites as 1 launch or reentry site for purposes of
23 subparagraph (A).

24 (e) SUPPLEMENTAL GRANTS IN SUPPORT OF STATE,
25 LOCAL, OR PRIVATE MATCHING.—

1 (1) IN GENERAL.—The Secretary may issue a
2 supplemental grant to an operator, subject to the re-
3 quirements of this paragraph.

4 (2) DOLLAR-FOR-DOLLAR MATCHING.—If a
5 qualified entity provides an operator an amount
6 equal to or greater than the amount of a grant pro-
7 vided in a fiscal year under subsection (d) (for the
8 explicit purpose of matching such grant), the Sec-
9 retary may issue a supplemental grant to the oper-
10 ator that is equal to 25 percent of such grant in the
11 following fiscal year.

12 (3) ADDITIONAL NON-FEDERAL MATCHING.—If
13 a qualified entity provides an operator an amount
14 equal to or greater than two times the amount of a
15 grant provided in a fiscal year to the operator under
16 subsection (d) (for the explicit purpose of matching
17 such grant), the Secretary may issue a supplemental
18 grant to the operator that is equal to 50 percent of
19 such grant in the following fiscal year.

20 (4) SUPPLEMENTAL GRANT LIMITATIONS.—

21 (A) MATCH TIMING.—The Secretary may
22 issue a supplemental grant under paragraph (2)
23 or (3) only if an amount provided by a qualified
24 entity is provided to the operator in the same

1 fiscal year as the grant issued under subsection
2 (d).

3 (B) NON-DUPLICATION OF MATCHING
4 GRANTS.—If the Secretary issues a supple-
5 mental grant to the operator of a launch site
6 under paragraph (3), the Secretary may not
7 issue a supplemental grant under paragraph (2)
8 to the same operator in the same fiscal year.

9 (5) NON-APPLICATION OF GRANT CEILING.—
10 The limitation on a grant amount under subsection
11 (d)(2) shall not apply to supplemental grants issued
12 under this subsection.

13 (f) FUNDING.—

14 (1) PILOT PROGRAM GRANT FUNDS.—The
15 grants issued under this section shall be issued from
16 funds made available out of amounts available under
17 section 106(k) of title 49, United States Code.

18 (2) MAXIMUM ANNUAL LIMIT ON PILOT PRO-
19 GRAM.—

20 (A) IN GENERAL.—The total amount of all
21 grants issued under this section shall not ex-
22 ceed \$20,000,000 in any fiscal year.

23 (B) GRANT REDUCTION.—In complying
24 with subparagraph (A), the Secretary—

1 (i) may proportionally reduce the
2 amount of, or decline to issue, a supple-
3 mental grant under subsection (e); and

4 (ii) if the reduction under clause (i) is
5 insufficient, shall proportionally reduce
6 grants issued under subsection (d).

7 (g) DEFINITIONS.—In this section:

8 (1) COVERED TRANSPORTATION ACTIVITY.—

9 The term “covered transportation activity” means
10 the movement of people or property to, from, or
11 within a launch site and the necessary or incidental
12 activities associated with such movement through
13 the use of—

14 (A) a vehicle (as defined in section 4 of
15 title 1, United States Code);

16 (B) a vessel (as defined in section 3 of title
17 1, United States Code);

18 (C) a railroad (as defined in section 20102
19 of title 49, United States Code);

20 (D) an aircraft (as defined in section
21 40102 of title 49, United States Code); or

22 (E) a pipeline facility (as defined in section
23 60101 of title 49, United States Code).

24 (2) LAUNCH; LAUNCH SITE; LAUNCH VEHICLE;
25 REENTRY SITE; REENTRY VEHICLE.—The terms

1 “launch”, “launch site”, “launch vehicle”, “reentry
2 site”, and “reentry vehicle” have the meanings given
3 those terms in section 50902 of title 51, United
4 States Code.

5 (3) OPERATOR.—The term “operator” means a
6 person licensed by the Secretary to operate a launch
7 or reentry site.

8 (4) QUALIFIED ENTITY.—The term “qualified
9 entity” means a State, local, territorial, or Tribal
10 government or private sector entity, or any combina-
11 tion thereof.

12 (h) PILOT PROGRAM SUNSET.—This section shall
13 cease to be effective on October 1, 2028.

14 **SEC. 683. AIRSPACE ACCESS FOR HIGH-SPEED AIRCRAFT.**

15 (a) HIGH-SPEED AIRCRAFT TESTING.—Not later
16 than 2 years after the date of enactment of this Act, the
17 Administrator of the Federal Aviation Administration, in
18 coordination with any other Federal agency the Adminis-
19 trator determines appropriate, shall ensure that there is
20 a process in which manufacturers and operators of high-
21 speed aircraft can engage in flight testing of such high-
22 speed aircraft, which may include the establishment of
23 high speed testing corridors in the national airspace sys-
24 tem.

1 (b) STUDY ON HIGH-SPEED AIRCRAFT OPER-
2 ATIONS.—

3 (1) IN GENERAL.—The Administrator of the
4 Federal Aviation Administration shall, after con-
5 sultation with aircraft manufacturers, institutions of
6 higher learning, the Administrator of the National
7 Aeronautics and Space Administration, the Sec-
8 retary of Defense, and any other agencies the Ad-
9 ministrator determines appropriate, conduct a study
10 to assess actions necessary to facilitate the safe op-
11 eration and integration of high-speed aircraft into
12 the national airspace system.

13 (2) CONTENTS.—In carrying out the study
14 under paragraph (1), the Administrator shall—

15 (A) assess various altitudes and operating
16 conditions of high-speed aircraft in Class E air-
17 space above the upper boundary of Class A air-
18 space and the resulting aircraft noise levels at
19 the surface;

20 (B) include the development of a frame-
21 work and timeline to establish the appropriate
22 regulatory requirements to conducting high-
23 speed aircraft flights;

24 (C) identify the data required to develop
25 certification, flight standards, and air traffic re-

1 requirements for the deployment and integration
2 of high-speed aircraft;

3 (D) assess cross-agency equities related to
4 high-speed aircraft technologies and flight; and

5 (E) survey global high-speed aircraft-re-
6 lated regulatory and testing developments or ac-
7 tivities.

8 (3) RECOMMENDATIONS.—As part of the study
9 under paragraph (1), the Administrator shall issue
10 recommendations to update, if feasible, regulations
11 for certification, flight standards and air traffic
12 management.

13 (c) REPORT.—Not later than 2 years after the date
14 of enactment of this Act, the Administrator shall submit
15 to the Committee on Transportation and Infrastructure
16 of the House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Senate a
18 report on the results of the study conducted under sub-
19 section (a), including the recommendations under sub-
20 section (b)(3), to facilitate the safe operation and integra-
21 tion of high-speed aircraft in the national airspace system.

22 (d) STUDY AND RULEMAKING ON HIGH ALTITUDE
23 CLASS E AIRSPACE FLIGHT OPERATIONS.—

24 (1) CONSULTATION.—Not later than 12 months
25 after the date of enactment of this Act, the Adminis-

1 trator, in consultation with the Administrator of the
2 National Aeronautics and Space Administration and
3 relevant stakeholders, including industry and aca-
4 demia, shall identify the minimum altitude above the
5 upper boundary of Class A airspace at or above
6 which flights operating with speeds above Mach 1
7 generate sonic booms that are inaudible at the sur-
8 face under prevailing atmospheric conditions.

9 (2) RULEMAKING.—Not later than 2 years after
10 the date on which the Administrator identifies the
11 minimum altitude described in paragraph (1), the
12 Administrator shall publish in the Federal Register
13 a notice of proposed rulemaking to amend sections
14 91.817 and 91.818 of title 14, Code of Federal Reg-
15 ulations, and such other regulations as appropriate,
16 to permit flight operations with speeds above Mach
17 1 at or above the minimum altitude identified under
18 paragraph (1) without specific authorizations, pro-
19 vided that such flight operations—

20 (A) show compliance with airworthiness re-
21 quirements;

22 (B) do not cause a measurable sonic boom
23 over pressure to reach the surface; and

1 (C) have ordinary instrument flight rules
2 clearances necessary to operate in controlled
3 airspace.

4 (e) DEFINITION.—In this section, the term “high-
5 speed aircraft” means an aircraft operating at speeds in
6 excess of Mach 1, which shall include supersonic and
7 hypersonic aircraft.

8 **SEC. 684. ICAO ACTIVITIES ON NEW TECHNOLOGIES.**

9 (a) IN GENERAL.—The Administrator of the Federal
10 Aviation Administration shall prioritize engagement with
11 the International Civil Aviation Organization and con-
12 tribute to or lead the development of international stand-
13 ards and recommended practices to improve aviation safe-
14 ty and support the entry-into-service of new forms of avia-
15 tion.

16 (b) PARTICULAR ACTIVITIES.—In carrying out sub-
17 section (a), the Administrator shall contribute to or lead
18 International Civil Aviation Organization efforts with re-
19 spect to the development of landing and take-off noise
20 standards for supersonic aircraft.

21 **SEC. 685. AIP ELIGIBILITY FOR CERTAIN SPACEPORT IN-**
22 **FRASTRUCTURE.**

23 (a) IN GENERAL.—Notwithstanding any other provi-
24 sion of law, the Secretary of Transportation may make
25 a grant under subchapter I of chapter 471 of title 49,

1 United States Code, to an airport sponsor to reconstruct,
2 repave, or rehabilitate the full length and width of a run-
3 way, including connecting taxiways, if the runway is exist-
4 ing on the date of enactment of this Act if—

5 (1) the runway is at an airport that is also a
6 launch site or reentry site operated by a person cer-
7 tified under section 50905 of title 51, United States
8 Code;

9 (2) the runway is greater than 12,000 feet long
10 and not less than 200 feet wide; and

11 (3) the airport sponsor certifies to the Secretary
12 that the full length and width of the runways and
13 taxiways are required to support activities at the
14 launch site.

15 (b) SUNSET.—This section shall cease to be effective
16 on September 30, 2028.

17 **SEC. 686. COMMERCIAL SPACE LAUNCH AND REENTRY STA-**
18 **TISTICS.**

19 Section 329(b) of title 49, United States Code, is
20 amended—

21 (1) in paragraph (2) by striking “aeronautical”
22 and inserting “aerospace”;

23 (2) in paragraph (3) by striking “civil aero-
24 nautics” and inserting “civil aerospace”;

1 (3) by redesignating paragraphs (2) and (3) as
2 paragraphs (3) and (4), respectively; and

3 (4) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) collect and disseminate information on
6 commercial space launch and reentry operations
7 (other than that collected and disseminated by the
8 National Transportation Safety Board under chapter
9 11) including, at a minimum, information on the
10 number of launches or reentries licensed by the Sec-
11 retary, the number of space flight participants, the
12 number of payloads, and the mass of payloads, orga-
13 nized by class of orbit;”.

14 **SEC. 687. REPORT ON CERTAIN INFRASTRUCTURE NEEDS.**

15 Not later than 120 days after the date of enactment
16 of this Act, the Secretary of Transportation shall submit
17 to the Committee on Transportation and Infrastructure
18 and the Committee on Science, Space, and Technology of
19 the House of Representatives and the Committee on Com-
20 merce, Science, and Transportation of the Senate a report
21 on the infrastructure needs at Federal Aviation Adminis-
22 tration-licensed horizontal and vertical launch sites located
23 in rural communities.

1 **SEC. 688. AIRSPACE INTEGRATION FOR SPACE LAUNCH**
2 **AND REENTRY.**

3 (a) SENSE OF CONGRESS.—It is the Sense of Con-
4 gress that—

5 (1) a safe and efficient national airspace system
6 that successfully supports existing users and inte-
7 grates new entrants is of the utmost importance;

8 (2) both commercial aviation and space launch
9 and reentry operations are vital to United States
10 global leadership, national security, and economic
11 opportunity;

12 (3) aircraft hazard areas are necessary during
13 space launch and reentry operations to ensure public
14 safety; and

15 (4) the Administrator of Federal Aviation Ad-
16 ministration should prioritize the development and
17 deployment of technologies to improve visibility of
18 space launch and reentry operations within Adminis-
19 tration computer systems and minimize operational
20 workload to air traffic controllers associated with
21 routing traffic during spaceflight launch and reentry
22 operations.

23 (b) SPACE LAUNCH AND REENTRY AIRSPACE INTE-
24 GRATION TECHNOLOGY.—There is authorized to be appro-
25 priated \$10,000,000 for each of the fiscal years 2024
26 through 2028, or until such time as the Administrator de-

1 terminates that the project has reached an operational sta-
 2 tus, for the Administrator to expedite the development, ac-
 3 quisition, and deployment of technologies or capabilities
 4 to aid in space launch and reentry integration, which may
 5 include technologies recommended by the Airspace Access
 6 Priorities Aviation Rulemaking Committee in 2019, sys-
 7 tems to enable the integration of launch and reentry data
 8 directly onto air traffic controller displays, and automated
 9 systems to enable near real-time planning and dynamic re-
 10 routing of commercial aircraft during and following com-
 11 mercial space launch and reentry operations, with the ob-
 12 jective of operational readiness not later than December
 13 31, 2026.

14 **TITLE VII—PASSENGER**
 15 **EXPERIENCE IMPROVEMENTS**

16 **Subtitle A—General Provisions**

17 **SEC. 701. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**
 18 **SENGER AIR TRANSPORTATION.**

19 (a) FULL FARE ADVERTISING.—Section 41712 of
 20 title 49, United States Code, is further amended by adding
 21 at the end the following:

22 “(e) FULL FARE ADVERTISING.—

23 “(1) IN GENERAL.—It shall not be an unfair or
 24 deceptive practice under subsection (a) for a covered
 25 entity to state in an advertisement or solicitation for

1 passenger air transportation the base airfare for
2 such air transportation if the covered entity clearly
3 and separately discloses—

4 “(A) the government-imposed taxes and
5 fees associated with the air transportation; and

6 “(B) the total cost of the air transpor-
7 tation.

8 “(2) FORM OF DISCLOSURE.—

9 “(A) IN GENERAL.—For purposes of para-
10 graph (1), the information described in para-
11 graphs (1)(A) and (1)(B) shall be disclosed in
12 the advertisement or solicitation in a manner
13 that clearly presents the information to the con-
14 sumer.

15 “(B) INTERNET ADVERTISEMENTS AND
16 SOLICITATIONS.—For purposes of paragraph
17 (1), with respect to an advertisement or sollicita-
18 tion for passenger air transportation that ap-
19 pears on a website, the information described in
20 paragraphs (1)(A) and (1)(B) may be disclosed
21 through a link or pop-up, as such terms may be
22 defined by the Secretary, in a manner that is
23 easily accessible and viewable by the consumer.

24 “(3) DEFINITIONS.—In this subsection:

1 “(A) BASE AIRFARE.—The term ‘base air-
2 fare’ means the cost of passenger air transpor-
3 tation, excluding government-imposed taxes and
4 fees.

5 “(B) COVERED ENTITY.—The term ‘cov-
6 ered entity’ means an air carrier, including an
7 indirect air carrier, foreign carrier, ticket agent,
8 or other person offering to sell tickets for pas-
9 senger air transportation or a tour, or tour
10 component, that must be purchased with air
11 transportation.”.

12 (b) LIMITATION ON STATUTORY CONSTRUCTION.—
13 Nothing in the amendment made by subsection (b) may
14 be construed to affect any obligation of a person that sells
15 passenger air transportation to disclose the total cost of
16 such air transportation, including government-imposed
17 taxes and fees, prior to purchase of such air transpor-
18 tation.

19 (c) REGULATIONS.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation shall issue final regulations to carry out the amend-
22 ment made by subsection (a).

23 (d) STATUTORY CONSTRUCTION.—Nothing in this
24 section may be construed to limit or otherwise affect the
25 authority of the Secretary to regulate the disclosure of air

1 carrier-imposed fees, or alter the requirements under part
2 399 of title 14, Code of Federal Regulations, as such part
3 relates to air carrier-imposed fees.

4 (e) EFFECTIVE DATE.—This section, and the amend-
5 ment made by this section, shall take effect on the date
6 that is 180 days after the date of enactment of this Act.

7 **SEC. 702. MODERNIZATION OF CONSUMER COMPLAINT**
8 **SUBMISSIONS.**

9 Section 42302 of title 49, United States Code, is
10 amended to read as follows:

11 **“§ 42302. Consumer complaints**

12 “(a) IN GENERAL.—The Secretary of Transportation
13 shall—

14 “(1) maintain an accessible website through the
15 Office of Aviation Consumer Protection to accept the
16 submission of complaints from airline passengers re-
17 garding air travel service problems; and

18 “(2) take appropriate actions to notify the pub-
19 lic of such accessible website.

20 “(b) NOTICE TO PASSENGERS ON THE INTERNET.—

21 An air carrier or foreign air carrier providing scheduled
22 air transportation using any aircraft that as originally de-
23 signed has a passenger capacity of 30 or more passenger
24 seats shall include on the accessible website of the car-
25 rier—

1 “(1) the accessible website, e-mail address, or
2 telephone number of the air carrier for the submis-
3 sion of complaints by passengers about air travel
4 service problems; and

5 “(2) the accessible website maintained pursuant
6 to subsection (a).

7 “(c) USE OF ADDITIONAL OR ALTERNATIVE TECH-
8 NOLOGIES.—The Secretary shall periodically evaluate the
9 benefits of using mobile phone applications or other widely
10 used technologies to—

11 “(1) provide additional or alternative means for
12 air passengers to submit complaints; and

13 “(2) provide such additional or alternative
14 means as the Secretary determines appropriate.

15 “(d) AIR AMBULANCE PROVIDERS.—Each air ambu-
16 lance provider shall include the accessible website, or a
17 link to such accessible website, maintained pursuant to
18 subsection (a) and the contact information for the Avia-
19 tion Consumer Advocate established by section 424 of the
20 FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note)
21 on—

22 “(1) any invoice, bill, or other communication
23 provided to a passenger or customer of such pro-
24 vider; and

1 baggage, wheelchairs, mobility aids and other assist-
2 ive devices.

3 “(5) Voluntary relinquishment of a ticketed
4 seat due to overbooking or priority of other pas-
5 sengers.

6 “(6) Involuntary denial of boarding and forced
7 removal for whatever reason, including for safety
8 and security reasons.

9 “(b) FILING OF SUMMARIZED GUIDELINES.—Not
10 later than 90 days after each air carrier and foreign air
11 carrier submits the 1-page document to the Secretary
12 under subsection (a), each such air carrier and foreign air
13 carrier shall make available such 1-page document in a
14 prominent location on its website.”.

15 (b) AIRLINE PASSENGERS WITH DISABILITIES BILL
16 OF RIGHTS.—Subchapter I of chapter 417 of title 49,
17 United States Code, is further amended by adding at the
18 end the following:

19 “§ 41728. **Airline passengers with disabilities bill of**
20 **rights**

21 “(a) AIRLINE PASSENGERS WITH DISABILITIES
22 BILL OF RIGHTS.—The Secretary of Transportation shall
23 develop a document, to be known as the ‘Airline Pas-
24 sengers with Disabilities Bill of Rights’, using plain lan-
25 guage to describe the basic protections and responsibilities

1 of air carriers and foreign air carriers, their employees and
2 contractors, and people with disabilities under section
3 41705.

4 “(b) CONTENT.—In developing the Airline Pas-
5 sengers with Disabilities Bill of Rights under subsection
6 (a), the Secretary shall include, at a minimum, plain lan-
7 guage descriptions of protections and responsibilities pro-
8 vided in law related to the following:

9 “(1) The right of passengers with disabilities to
10 be treated with dignity and respect.

11 “(2) The right of passengers with disabilities to
12 receive timely assistance, if requested, from properly
13 trained air carrier, foreign air carrier, and con-
14 tractor personnel.

15 “(3) The right of passengers with disabilities to
16 travel with wheelchairs, mobility aids, and other as-
17 sistive devices, including necessary medications and
18 medical supplies, including stowage of such wheel-
19 chairs, aids, and devices.

20 “(4) The right of passengers with disabilities to
21 receive seating accommodations, if requested, to ac-
22 commodate a disability

23 “(5) The right of passengers with disabilities to
24 receive announcements in an accessible format.

1 “(6) The right of passengers with disabilities to
2 speak with a complaint resolution officer or to file
3 a complaint with an air carrier, a foreign air carrier,
4 or the Department of Transportation.

5 “(c) RULE OF CONSTRUCTION.—The development of
6 the Airline Passengers with Disabilities Bill of Rights
7 under subsections (a) and (b) shall not be construed as
8 expanding or restricting the rights available to passengers
9 with disabilities on the day before the date of the enact-
10 ment of the FAA Reauthorization Act of 2018 (Public
11 Law 115–254) pursuant to any statute or regulation.

12 “(d) CONSULTATIONS.—In developing the Airline
13 Passengers with Disabilities Bill of Rights under sub-
14 section (a), the Secretary shall consult with stakeholders,
15 including disability organizations and air carriers, foreign
16 air carriers, and their contractors.

17 “(e) DISPLAY.—Each air carrier and foreign air car-
18 rier shall include the Airline Passengers with Disabilities
19 Bill of Rights—

20 “(1) on a publicly available internet website of
21 the carrier; and

22 “(2) in any pre-flight notifications or commu-
23 nications provided to passengers who alert the car-
24 rier in advance of the need for accommodations re-
25 lating to a disability.

1 “(f) TRAINING.—

2 “(1) IN GENERAL.—Air carriers, foreign air
3 carriers, and contractors of such carriers shall sub-
4 mit to the Secretary plans that ensure that employ-
5 ees of such carriers and their contractors receive
6 training on the protections and responsibilities de-
7 scribed in the Airline Passengers with Disabilities
8 Bill of Rights.

9 “(2) REVIEW.—The Secretary shall review such
10 plans to ensure the plans address the matters de-
11 scribed in subsection (b).”.

12 (c) CONFORMING AMENDMENTS.—The analysis for
13 chapter 417 of title 49, United States Code, is amended
14 by inserting after the item relating to section 41726 the
15 following:

“41727. Passenger rights.

“41728. Airline passengers with disabilities bill of rights.”.

16 (d) CONFORMING REPEALS.—Sections 429 and 434
17 of the FAA Reauthorization Act of 2018 (49 U.S.C.
18 42301 note; 41705 note) and the item relating to such
19 sections in the table of contents in section 1(b) of such
20 Act are repealed.

21 **SEC. 704. EXTENSION OF AVIATION CONSUMER PROTEC-**
22 **TION ADVISORY COMMITTEE.**

23 Section 411 of the FAA Modernization and Reform
24 Act of 2012 (49 U.S.C. 42301 note) is amended—

1 (1) in subsection (b)—

2 (A) by redesignating paragraphs (3) and
3 (4) as paragraphs (4) and (5), respectively; and

4 (B) by inserting after paragraph (2) the
5 following:

6 “(3) ticket agents and travel management com-
7 panies;”; and

8 (2) in subsection (h) by striking “2023” and in-
9 serting “2028”; and

10 **SEC. 705. REMOVAL OF OUTDATED REFERENCES TO PAS-**
11 **SENGERS WITH DISABILITIES.**

12 (a) SOVEREIGNTY AND USE OF AIRSPACE.—Section
13 40103(a)(2) of title 49, United States Code, is amended
14 by striking “handicapped individuals” and inserting “indi-
15 viduals with disabilities”.

16 (b) SPECIAL PRICES FOR FOREIGN AIR TRANSPOR-
17 TATION.—Section 41511(b)(4) of title 49, United States
18 Code, is amended by striking “handicap” and inserting
19 “disability”.

20 (c) DISCRIMINATION AGAINST INDIVIDUALS WITH
21 DISABILITIES.—Section 41705 of title 49, United States
22 Code, is amended in the heading by striking “**handi-**
23 **capped individuals**” and inserting “**individuals**
24 **with disabilities**”.

1 (d) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 417 of title 49, United States Code, is amended by
3 striking the item relating to section 41705 and inserting
4 the following:

“41705. Discrimination against individuals with disabilities.”.

5 **SEC. 706. EXTENSION OF AVIATION CONSUMER ADVOCATE**
6 **REPORTING REQUIREMENT.**

7 Section 424(e) of the FAA Reauthorization Act of
8 2018 (49 U.S.C. 42302 note) is amended by striking
9 “2023” and inserting “2028”.

10 **SEC. 707. AIR CARRIER ACCESS ACT ADVISORY COM-**
11 **MITTEE.**

12 (a) IN GENERAL.—Section 439 of the FAA Reau-
13 thorization Act of 2018 (49 U.S.C. 41705 note) is amend-
14 ed—

15 (1) in the section heading by striking “**ADVI-**
16 **SORY COMMITTEE ON THE AIR TRAVEL NEEDS**
17 **OF PASSENGERS WITH DISABILITIES**” and in-
18 serting “**AIR CARRIER ACCESS ACT ADVISORY**
19 **COMMITTEE**”;

20 (2) in subsection (c)(1) by striking subpara-
21 graph (G) and inserting the following:

22 “(G) Manufacturers of wheelchairs, includ-
23 ing powered wheelchairs, and other mobility
24 aids.”; and

1 (3) in subsection (g) by striking “2023” and in-
2 serting “2028”.

3 (b) CONFORMING AMENDMENT.—Section 1(b) of the
4 FAA Reauthorization Act of 2018 (Public Law 115–254)
5 is amended by striking the item relating to section 439
6 and inserting the following:

 “Sec. 439. Air Carrier Access Act advisory committee.”.

7 **SEC. 708. PASSENGER EXPERIENCE ADVISORY COMMITTEE.**

8 (a) IN GENERAL.—The Secretary of Transportation
9 shall establish an advisory committee to advise the Sec-
10 retary and the Administrator of the Federal Aviation Ad-
11 ministration in carrying out activities relating to the im-
12 provement of the passenger experience in air transpor-
13 tation customer service.

14 (b) MEMBERSHIP.—The Secretary shall appoint the
15 members of the advisory committee, which shall be com-
16 prised of at least 1 representative of each of—

17 (1) mainline air carriers;

18 (2) air carriers with a low-cost or ultra-low-cost
19 business model;

20 (3) regional air carriers;

21 (4) large hub airport sponsors and operators;

22 (5) medium hub airport sponsors and operators;

23 (6) small hub airport sponsors and operators;

24 (7) nonhub airport sponsors and operators;

25 (8) ticket agents;

- 1 (9) representatives of intermodal transportation
- 2 companies that operate at airports;
- 3 (10) airport concessionaires;
- 4 (11) nonprofit public interest groups with ex-
- 5 pertise in consumer protection matters;
- 6 (12) senior managers of the Administration's
- 7 Air Traffic Organization;
- 8 (13) aircraft manufacturers;
- 9 (14) entities representing individuals with dis-
- 10 abilities;
- 11 (15) certified labor organizations representing
- 12 aviation workers, including—
- 13 (A) Federal Aviation Administration em-
- 14 ployees;
- 15 (B) airline pilots working for air carriers
- 16 operating under part 121 of title 14, Code of
- 17 Federal Regulations;
- 18 (C) flight attendants working for air car-
- 19 riers operating under part 121 of title 14, Code
- 20 of Federal Regulations; and
- 21 (D) other customer facing airline and air-
- 22 port workers;
- 23 (16) other organizations or industry segments
- 24 as determined by the Secretary; and

1 (17) other Federal agencies that directly inter-
2 face with passengers at airports.

3 (c) VACANCIES.—A vacancy in the advisory com-
4 mittee under this section shall be filled in a manner con-
5 sistent with subsection (b).

6 (d) TRAVEL EXPENSES.—Members of the advisory
7 committee under this section shall serve without pay but
8 shall receive travel expenses, including per diem in lieu
9 of subsistence, in accordance with subchapter I of chapter
10 57 of title 5, United States Code.

11 (e) CHAIR.—The Secretary shall designate an indi-
12 vidual among the individuals appointed under subsection
13 (b) to serve as Chair of the advisory committee.

14 (f) DUTIES.—The duties of the advisory committee
15 shall include—

16 (1) evaluating ways to improve the comprehen-
17 sive passenger experience, including—

18 (A) transportation between airport termi-
19 nals and facilities;

20 (B) baggage handling;

21 (C) wayfinding;

22 (D) the security screening process; and

23 (E) the communication of flight delays and
24 cancellations;

1 (2) evaluating ways to improve efficiency in the
2 national airspace system affecting passengers;

3 (3) evaluating ways to improve the cooperation
4 and coordination between the Department of Trans-
5 portation and other Federal agencies that directly
6 interface with aviation passengers at airports;

7 (4) responding to other taskings determined by
8 the Secretary; and

9 (5) providing recommendations to the Secretary
10 and the Administrator, if determined necessary dur-
11 ing the evaluations considered in paragraphs (1)
12 through (4).

13 (g) REPORT TO CONGRESS.—Not later than 1 year
14 after the date of enactment of this Act, and every 2 years
15 thereafter, the Secretary shall submit to Congress a report
16 containing—

17 (1) consensus recommendations made by the
18 advisory committee since such date of enactment or
19 the previous report, as appropriate; and

20 (2) an explanation of how the Secretary has im-
21 plemented such recommendations and, for such rec-
22 ommendations not implemented, the Secretary's rea-
23 son for not implementing such recommendation.

24 (h) DEFINITION.—The definitions in section 40102
25 of title 49, United States Code, shall apply to this section.

1 (i) SUNSET.—This section shall cease to be effective
2 on October 1, 2028.

3 (j) TERMINATION OF DOT ACCESS ADVISORY COM-
4 MITTEE.—The ACCESS Advisory Committee of the De-
5 partment of Transportation shall terminate on the date
6 of enactment of this Act.

7 **SEC. 709. STREAMLINING OF OFFLINE TICKET DISCLO-**
8 **SURES.**

9 (a) IN GENERAL.—Not later than 18 months after
10 the date of enactment of this Act, the Secretary of Trans-
11 portation shall take such action as may be necessary to
12 update the process by which an air carrier or ticket agent
13 is required to fulfill disclosure obligations in ticketing
14 transactions for air transportation not completed through
15 a website.

16 (b) REQUIREMENTS.—The process updated under
17 subsection (a) shall—

18 (1) include means of referral to the applicable
19 air carrier website with respect to disclosures related
20 to air carrier optional fees and policies;

21 (2) include a means of referral to the website
22 of the Department of Transportation with respect to
23 any other required disclosures to air transportation
24 passengers;

1 (3) make no changes to air carrier or ticket
2 agent obligations with respect to—

3 (A) section 41712(c) of title 49, United
4 States Code; or

5 (B) subsections (a) and (b) of section
6 399.84 of title 14, Code of Federal Regulations
7 (or any successor regulations); and

8 (4) require disclosures referred to in para-
9 graphs (1) and (2) to be made in the manner exist-
10 ing prior to the date of enactment of this Act upon
11 passenger request.

12 (c) AIR CARRIER DEFINED.—In this section, the
13 term “air carrier” has the meaning given such term in
14 section 40102(a) of title 49, United States Code.

15 **SEC. 710. TICKET AGENT REFUND OBLIGATIONS.**

16 (a) IN GENERAL.—Not later than 18 months after
17 the date of enactment of this Act, the Secretary of Trans-
18 portation shall issue a final rule to revise section 399.80
19 of title 14, Code of Federal Regulations, to clarify the re-
20 fund obligations of ticket agents.

21 (b) CONDITIONS.—In issuing the final rule under
22 subsection (a), the Secretary shall clarify that a ticket
23 agent shall provide a refund only when such ticket agent
24 possesses, or has access to, the funds of a passenger.

1 (c) DEFINITIONS.—In this section, the term “ticket
2 agent” has the meaning given such term in section
3 40102(a) of title 49, United States Code.

4 **SEC. 711. UPDATING PASSENGER INFORMATION REQUIRE-**
5 **MENT REGULATIONS.**

6 (a) ARAC TASKING.—Not later than 3 years after
7 the date of enactment of this Act, the Administrator of
8 the Federal Aviation Administration shall task the Avia-
9 tion Rulemaking Advisory Committee with—

10 (1) reviewing passenger information require-
11 ment regulations under section 121.317 of title 14,
12 Code of Federal Regulation, and such other related
13 regulations as the Administrator determines appro-
14 priate; and

15 (2) making recommendations to update and im-
16 prove such regulations.

17 (b) FINAL REGULATION.—Not later than 6 years
18 after the date of enactment of this Act, the Administrator
19 of the Federal Aviation Administration shall issue a final
20 regulation revising section 121.317 of title 14, Code of
21 Federal Regulations, and such other related regulations
22 as the Administrator determines appropriate, to—

23 (1) update such section and regulations to in-
24 corporate exemptions commonly issued by the Ad-
25 ministrator;

1 (2) reflect civil penalty inflation adjustments;
2 and

3 (3) incorporate such updates and improvements
4 recommended by the Aviation Rulemaking Advisory
5 Committee that the Administrator determines appro-
6 priate.

7 **SEC. 712. MOBILITY AIDS ON BOARD IMPROVE LIVES AND**
8 **EMPOWER ALL.**

9 (a) PUBLICATION OF CARGO HOLD DIMENSIONS.—

10 (1) IN GENERAL.—Not later than 2 years after
11 the date of enactment of this Act, the Secretary of
12 Transportation shall require air carriers to publish
13 on a prominent and easily accessible place on the
14 public website of the air carrier, information describ-
15 ing the relevant dimensions and other characteristics
16 of the cargo holds of all aircraft types operated by
17 the air carrier, including the dimensions of the cargo
18 hold entry, that would limit the size, weight, and al-
19 lowable type of cargo available.

20 (2) PROPRIETARY INFORMATION.—The Sec-
21 retary shall allow an air carrier to protect the con-
22 fidentiality of any trade secret or proprietary infor-
23 mation submitted in accordance with paragraph (1),
24 as appropriate.

1 (b) REFUND REQUIRED FOR INDIVIDUAL TRAVELING
2 WITH WHEELCHAIR.—In the case of a qualified individual
3 with a disability traveling with a wheelchair who has pur-
4 chased a ticket for a flight from an air carrier, but who
5 cannot travel on the aircraft for such flight because the
6 wheelchair of such qualified individual cannot be phys-
7 ically accommodated in the cargo hold of the aircraft, the
8 Secretary shall require such air carrier to offer a refund
9 to such qualified individual of any previously paid fares,
10 fees, and taxes applicable to such flight.

11 (c) EVALUATION OF DATA REGARDING DAMAGED
12 WHEELCHAIRS.—Not later than 12 months after the date
13 of enactment of this Act, and annually thereafter, the Sec-
14 retary shall—

15 (1) evaluate data regarding the type and fre-
16 quency of incidents of the mishandling of wheel-
17 chairs on aircraft and delineate such data by—

18 (A) types of wheelchairs involved in such
19 incidents; and

20 (B) the ways in which wheelchairs are mis-
21 handled, including the type of damage to wheel-
22 chairs (such as broken drive wheels or casters,
23 bent or broken frames, damage to electrical
24 connectors or wires, control input devices,

1 joysticks, upholstery or other components, loss,
2 or delay of return);

3 (2) determine whether there are trends with re-
4 spect to the data evaluated under paragraph (1);
5 and

6 (3) make available on the public website of the
7 Department of Transportation, in an accessible
8 manner, a report containing the results of the eval-
9 uation of data and determination made under para-
10 graphs (1) and (2) and a description of how the Sec-
11 retary plans to address such results.

12 (d) FEASIBILITY OF IN-CABIN WHEELCHAIR RE-
13 STRAINT SYSTEMS.—

14 (1) ROADMAP.—Not later than 1 year after the
15 date of enactment of this Act, the Secretary shall
16 submit to the Committee on Transportation and In-
17 frastructure of the House of Representatives and the
18 Committee on Commerce, Science, and Transpor-
19 tation of the Senate a publicly available strategic
20 roadmap that describes how the Department of
21 Transportation and the United States Access Board,
22 respectively, shall, in accordance with the rec-
23 ommendations from the National Academies of
24 Science, Engineering, and Mathematics Transpor-
25 tation Research Board Special Report 341—

1 (A) establish a program of research, in col-
2 laboration with the Rehabilitation Engineering
3 and Assistive Technology Society of North
4 America, the assistive technology industry, air
5 carriers, original equipment manufacturers, na-
6 tional disability and disabled veterans organiza-
7 tions, and any other relevant stakeholders, to
8 test and evaluate an appropriate selection of
9 WC19-compliant wheelchairs and accessories in
10 accordance with applicable Federal Aviation Ad-
11 ministration crashworthiness and safety per-
12 formance criteria, including the issues and con-
13 siderations set forth in such Special Report
14 341; and

15 (B) sponsor studies that assess issues and
16 considerations, including those set forth in such
17 Special Report 341, such as—

18 (i) the likely demand for air travel by
19 individuals who are nonambulatory if such
20 individuals could remain seated in their
21 personal wheelchairs in flight; and

22 (ii) the feasibility of implementing
23 seating arrangements that would accommo-
24 date passengers in wheelchairs in the main
25 cabin in flight.

1 (2) STUDY.—If determined to be technically
2 feasible by the Secretary, not later than 2 years
3 after making such determination, the Secretary shall
4 commence a study to assess the economic and finan-
5 cial feasibility of air carriers and foreign air carriers
6 implementing seating arrangements that accommo-
7 date passengers with wheelchairs (including power
8 wheelchairs, manual wheelchairs, and scooters) in
9 the main cabin during flight. Such study shall in-
10 clude an assessment of—

11 (A) the cost of such seating arrangements,
12 equipment, and installation;

13 (B) the demand for such seating arrange-
14 ments;

15 (C) the impact of such seating arrange-
16 ments on passenger seating and safety on air-
17 craft;

18 (D) the impact of such seating arrange-
19 ments on the cost of operations and airfare;
20 and

21 (E) any other information determined ap-
22 propriate by the Secretary.

23 (3) REPORT.—Not later than 1 year after the
24 date on which the study under paragraph (2) is
25 completed, the Secretary shall submit to the Com-

1 mittee on Transportation and Infrastructure of the
2 House of Representatives and the Committee on
3 Commerce, Science, and Transportation of the Sen-
4 ate a publicly available report describing the results
5 of the study conducted under paragraph (2), to-
6 gether with any recommendations the Secretary de-
7 termines appropriate.

8 (e) DEFINITIONS.—In this section:

9 (1) AIR CARRIER.—The term “air carrier” has
10 the meaning given such term in section 40102 of
11 title 49, United States Code.

12 (2) DISABILITY; QUALIFIED INDIVIDUAL WITH
13 A DISABILITY.—The terms “disability” and “quali-
14 fied individual with a disability” have the meanings
15 given such terms in section 382.3 of title 14, Code
16 of Federal Regulations (as in effect on date of en-
17 actment of this Act).

18 (3) WHEELCHAIR.—The term “wheelchair” has
19 the meaning given such term in section 37.3 of title
20 49, Code of Federal Regulations (as in effect on
21 date of enactment of this Act), including power
22 wheelchairs, manual wheelchairs, and scooters.

1 **SEC. 713. PRIORITIZING ACCOUNTABILITY AND ACCESSI-**
2 **BILITY FOR AVIATION CONSUMERS.**

3 (a) ANNUAL REPORT.—Not later than 1 year after
4 the date of enactment of this Act, and annually thereafter,
5 the Secretary of Transportation shall provide to the Com-
6 mittee on Transportation and Infrastructure of the House
7 of Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a report on dis-
9 ability-related aviation consumer complaints filed with the
10 Department of Transportation, and shall make each an-
11 nual report publicly available.

12 (b) SCOPE OF REPORT.—In each report required
13 under subsection (a), the Secretary shall include, at min-
14 imum, a description of the following:

15 (1) The number of disability-related aviation
16 consumer complaints filed with the Department of
17 Transportation during the calendar year preceding
18 the year in which such report is submitted.

19 (2) The nature of such complaints, such as re-
20 ported issues with—

21 (A) an air carrier;

22 (B) mishandling of passengers with a dis-
23 ability, including mishandling of a wheelchair,
24 mobility aid, or other accessibility equipment of
25 a passenger by an air carrier;

1 (C) the condition or availability of accessi-
2 bility equipment or materials operated by an air
3 carrier;

4 (D) the accessibility of in-flight services,
5 including accessing and utilizing onboard lava-
6 tories, for passengers with a disability;

7 (E) difficulties experienced by passengers
8 with a disability in communicating with an air
9 carrier employee;

10 (F) difficulties experienced by passengers
11 with a disability in being moved, handled, or
12 otherwise assisted;

13 (G) an air carrier changing the flight
14 itinerary of a passenger with a disability with-
15 out the consent of such passenger;

16 (H) difficulties experienced by passengers
17 with a disability traveling with a service animal;
18 and

19 (I) any other issues the Secretary of
20 Transportation determines appropriate.

21 (3) The review process for such complaints.

22 (4) The average amount of days before the De-
23 partment initiated a formal review of such com-
24 plaints.

1 (5) The average amount of days until such
2 complaints were resolved by the Department.

3 (6) The number of such complaints that re-
4 sulted in dismissal, a civil monetary penalty, or
5 other injunctive relief.

6 (7) Of the complaints that were found to violate
7 section 41705 of title 49, United States Code—

8 (A) the number of such complaints for
9 which a formal enforcement order was issued;
10 and

11 (B) the number of such complaints for
12 which a formal enforcement order was not
13 issued.

14 (8) The number of disability-related aviation
15 consumer complaints filed with the Department of
16 Transportation involving airport staff or other mat-
17 ters under the jurisdiction of the Federal Aviation
18 Administration that were referred to the Federal
19 Aviation Administration.

20 (9) The number of disability-related aviation
21 consumer complaints filed with the Department of
22 Transportation involving Transportation Security
23 Administration staff that were referred to the
24 Transportation Security Administration or the De-
25 partment of Homeland Security.

1 (c) REPORT TO CONGRESS.—The Secretary shall
2 submit annually to the Committee on Transportation and
3 Infrastructure of the House of Representatives and the
4 Committee on Commerce, Science, and Transportation of
5 the Senate the report required under subsection (a).

6 (d) DEFINITIONS.—In this section:

7 (1) IN GENERAL.—Except as otherwise pro-
8 vided, the terms used in this section have the mean-
9 ings given such terms in section 40102 of title 49,
10 United States Code, or section 382.3 of title 14,
11 Code of Federal Regulations, as applicable.

12 (2) AIR CARRIER.—The term “air carrier”
13 means an air carrier conducting passenger oper-
14 ations under part 121 of title 14, Code of Federal
15 Regulations.

16 (3) PASSENGER WITH A DISABILITY.—The term
17 “passenger with a disability” has the meaning given
18 the term “qualified individual with a disability” in
19 section 382.3 of title 14, Code of Federal Regula-
20 tions.

21 **SEC. 714. AIRCRAFT ACCESSIBILITY.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act, the Secretary of Transpor-
24 tation shall initiate a program to study and evaluate im-

1 improvements to transport category aircraft accessibility, in-
2 cluding—

3 (1) determining whether and, if so, how per-
4 sonal wheelchairs, including manual and powered
5 wheelchairs, can be safely secured in the passenger
6 seating areas of an aircraft certificated under part
7 25 of title 14, Code of Federal Regulations;

8 (2) considering the safe evacuation processes
9 for such aircraft, including individuals who use man-
10 ual and powered wheelchairs; and

11 (3) determining how various types or aircraft
12 described in paragraph (1) can safely and efficiently
13 be retrofit for accessible lavatories.

14 (b) REPORT AND RECOMMENDATIONS.—Not later
15 than 2 years after the date of enactment of this Act, the
16 Secretary shall provide to the Committee on Transpor-
17 tation and Infrastructure of the House of Representatives
18 and the Committee on Commerce, Science, and Transpor-
19 tation of the Senate a report on the findings of the study
20 and evaluation described in subsection (a) and rec-
21 ommendations to address the findings of such study and
22 evaluation.

1 **SEC. 715. ACCESSIBILITY OF WEBSITES, SOFTWARE APPLI-**
2 **CATIONS, AND KIOSKS FOR INDIVIDUALS**
3 **WITH DISABILITIES.**

4 Not later than 2 years after the date of enactment
5 of this Act, the Secretary of Transportation shall, in direct
6 consultation with the United States Architectural and
7 Transportation Barriers Compliance Board, prescribe reg-
8 ulations setting forth minimum standards to ensure that
9 individuals with disabilities are able to access kiosks, soft-
10 ware applications, and websites in a manner that is equal-
11 ly as effective as individuals without disabilities, with a
12 substantially equivalent ease of use. Such standards shall
13 be consistent with the standards set forth in the Web Con-
14 tent Accessibility Guidelines 2.1 Level AA of the Web Ac-
15 cessibility Initiative of the World Wide Web Consortium
16 or any subsequent version.

17 **SEC. 716. REVIEW OF METHODS TO REPORT FLIGHT DELAY**
18 **AND CANCELLATION STATISTICS.**

19 (a) **IN GENERAL.**—No later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation, in consultation with the Administrator of the Fed-
22 eral Aviation Administration, shall conduct a review of the
23 means of reporting flight delay and cancellation statistics
24 to the Secretary and the accuracy of such data.

25 (b) **COORDINATION REQUIREMENT.**—In conducting
26 the review required in paragraph (1), the Secretary shall

1 coordinate and collaborate with air carriers (as such term
2 is defined in section 40102 of title 49, United States
3 Code) to assist in conducting the review and providing rec-
4 ommendations on improving the means of reporting flight
5 delay and cancellation statistics to the Secretary and the
6 accuracy of such data.

7 **SEC. 717. REIMBURSEMENT FOR INCURRED COSTS.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 date of enactment of this Act, the Secretary of Transpor-
10 tation shall direct all air carriers providing scheduled pas-
11 senger interstate or intrastate air transportation to estab-
12 lish policies regarding reimbursement for lodging, trans-
13 portation between such lodging and the airport, and meal
14 costs incurred due to a flight cancellation or significant
15 delay directly attributable to the air carrier.

16 (b) DEFINITION OF SIGNIFICANTLY DELAYED.—In
17 this section, the term “significantly delayed” means, with
18 respect to air transportation, the departure or arrival at
19 the originally ticketed destination associated with such
20 transportation has changed—

21 (1) in the case of air transportation within the
22 United States, by 3 or more hours; or

23 (2) in the case of air transportation to or from
24 a location outside the United States, by 6 or more
25 hours.

1 **SEC. 718. AIRLINE OPERATIONAL RESILIENCY PLANS.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Secretary of Transpor-
4 tation shall require a covered carrier to develop and regu-
5 larly update an operational resiliency strategy to prevent
6 or limit the impact of future flight disruptions on pas-
7 sengers.

8 (b) OPERATIONAL RESILIENCY STRATEGY.—In each
9 operational resiliency strategy developed under subsection
10 (a), a covered carrier shall include a description of—

11 (1) the potential impact of severe weather and
12 other reasonably anticipated disruptive events on the
13 operations of the carrier and how the carrier seeks
14 to prevent or limit the impact of such events on pas-
15 sengers;

16 (2) the potential impact of severe weather
17 events and other reasonably anticipated disruptive
18 events on—

19 (A) staffing models and the preparedness
20 of the current workforce of the carrier to ad-
21 dress such conditions; and

22 (B) the current information and technology
23 systems of the carrier, including crew sched-
24 uling systems, and the preparedness of such
25 systems to continue operations after such an
26 event or disruption;

1 (3) the preparedness of the carrier to maintain
2 operations and limit or prevent the impact of other
3 potential disruptive events identified by the carrier;

4 (4) the extent to which the carrier addresses
5 known cybersecurity risks to prevent potential flight
6 disruptions; and

7 (5) any other issues the Secretary determines
8 appropriate to protect consumers and maintain the
9 operational stability of the airline industry.

10 (c) PROPRIETARY INFORMATION.—The Secretary
11 shall develop a method to protect the confidentiality of any
12 trade secret or proprietary information submitted in an
13 operational resiliency strategy under subsection (b).

14 (d) EVALUATION.—

15 (1) AUDIT.—Not later than 3 years after the
16 date of enactment of this Act, the Comptroller Gen-
17 eral of the United States shall initiate an audit to
18 evaluate the effectiveness of the operational resil-
19 iency strategies developed under this section by cov-
20 ered air carriers.

21 (2) REPORT.—Not later than 1 year after com-
22 pletion of the audit conducted under paragraph (1),
23 the Comptroller General shall submit to the Com-
24 mittee on Transportation and Infrastructure of the
25 House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Sen-
2 ate a report on the findings of the audit.

3 (e) COVERED CARRIER.—In this section, the term
4 “covered carrier” has the meaning given such term in sec-
5 tion 259.3 of title 14, Code of Federal Regulations (or
6 successor regulations).

7 **SEC. 719. FAMILY SEATING.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Secretary of Transpor-
10 tation shall issue a notice of proposed rulemaking to estab-
11 lish a policy directing air carriers that assign seats, or
12 allow individuals to select seats in advance of the date of
13 departure of a flight, to sit each young child adjacent to
14 an accompanying adult, to the greatest extent practicable,
15 if adjacent seat assignments are available at any time
16 after the ticket is issued for each young child and before
17 the first passenger boards the flight.

18 (b) PROHIBITION ON FEES.—The notice of proposed
19 rulemaking described in subsection (a) shall include a pro-
20 vision that prohibits an air carrier from charging a fee,
21 or imposing an additional cost beyond the ticket price of
22 the additional seat, to seat each young child adjacent to
23 an accompanying adult within the same class of service.

24 (c) RULE OF CONSTRUCTION.—Notwithstanding the
25 requirement in subsection (a), nothing in this section may

1 be construed to allow the Secretary to impose a change
2 in the overall seating or boarding policy of an air carrier
3 that has an open or flexible seating policy in place that
4 generally allows adjacent family seating as described
5 under this section.

6 (d) YOUNG CHILD.—In this section, the term “young
7 child” means an individual who has not attained 14 years
8 of age.

9 **SEC. 720. SEAT DIMENSIONS.**

10 Not later than 60 days after the date of enactment
11 of this Act, the Administrator of the Federal Aviation Ad-
12 ministration shall—

13 (1) initiate a rulemaking activity based on the
14 regulation described in section 577 of the FAA Re-
15 authorization Act of 2018 (49 U.S.C. 42301 note);
16 and

17 (2) if the Administrator decides not to pursue
18 the rulemaking described in paragraph (1), the Ad-
19 ministrator shall brief the Committee on Transpor-
20 tation and Infrastructure of the House of Represent-
21 atives and the Committee on Commerce, Science,
22 and Transportation of the Senate on the justifica-
23 tion of such decision.

1 **SEC. 721. IMPROVED TRAINING STANDARDS FOR ASSIST-**
2 **ING PASSENGERS WHO USE WHEELCHAIRS.**

3 (a) RULEMAKING.—Not later than 6 months after
4 the date of enactment of this Act, the Secretary of Trans-
5 portation shall issue a notice of proposed rulemaking to
6 develop requirements for minimum training standards for
7 airline personnel or contractors who assist wheelchair
8 users who must board or deplane using an aisle chair or
9 other boarding device.

10 (b) REQUIREMENTS.—The training standards devel-
11 oped under subsection (a) shall require, at a minimum,
12 that airline personnel or contractors who assist passengers
13 who use wheelchairs who must board or deplane using an
14 aisle chair or other boarding device—

15 (1) complete refresher training within 18
16 months and be recertified on the job within 18
17 months by a superior in order to remain qualified
18 for providing aisle chair assistance; and

19 (2) be able to successfully demonstrate each of
20 following skills in hands-on training sessions before
21 being allowed to board or deplane a passenger using
22 an aisle chair or other boarding device:

23 (A) How to safely use the aisle chair, or
24 other boarding device, including the use of all
25 straps, brakes, and other safety features.

1 (B) How to assist in the transfer of pas-
2 sengers to and from their wheelchair, the aisle
3 chair, and the aircraft's passenger seat, either
4 by physically lifting the passenger or deploying
5 a mechanical device for the lift or transfer.

6 (C) How to effectively communicate with,
7 and take instruction from, the passenger.

8 (c) CONSIDERATIONS.—In conducting the rulemaking
9 under subsection (a), the Secretary shall consider, at a
10 minimum—

11 (1) whether to require air carriers and foreign
12 air carriers to partner with national disability orga-
13 nizations and disabled veterans organizations rep-
14 resenting individuals with disabilities who use wheel-
15 chairs and scooters in developing and reviewing
16 training; and

17 (2) whether individuals able to provide boarding
18 and deplaning assistance for passengers with limited
19 or no mobility should receive training incorporating
20 procedures from medical professionals on how to
21 properly lift these passengers.

22 (d) FINAL RULE.—Not later than 12 months after
23 the date of enactment of this Act, the Secretary shall issue
24 a final rule pursuant to the rulemaking conducted under
25 this section.

1 (e) PENALTIES.—The Secretary may assess a civil
2 penalty in accordance with section 46301 of title 49,
3 United States Code, to any air carrier or foreign air car-
4 rier who fails to meet the requirements established under
5 the final rule under subsection (d).

6 **SEC. 722. TRAINING STANDARDS FOR STOWAGE OF WHEEL-**
7 **CHAIRS AND SCOOTERS.**

8 (a) RULEMAKING.—Not later than 6 months after
9 the date of enactment of this Act, the Secretary of Trans-
10 portation shall issue a notice of proposed rulemaking to
11 develop minimum training standards related to stowage of
12 wheelchairs and scooters used by passengers with disabil-
13 ities on aircraft.

14 (b) REQUIREMENTS.—The training standards devel-
15 oped under subsection (a) shall require, at a minimum,
16 that personnel and contractors of air carriers and foreign
17 air carriers who stow wheelchairs and scooters on air-
18 craft—

19 (1) complete refresher training within 18
20 months and be recertified on the job within 18
21 months by a superior in order to remain qualified
22 for handling and stowing wheelchairs and scooters;
23 and

24 (2) be able to successfully demonstrate the each
25 of following skills in hands-on training sessions be-

1 fore being allowed to handle or stow a wheelchair or
2 scooter:

3 (A) How to properly handle and configure,
4 at a minimum on a common design for power
5 and manual wheelchairs and scooters for stow-
6 age on each aircraft type operated by the air
7 carrier or foreign air carrier.

8 (B) How to properly review any wheelchair
9 or scooter information provided by the pas-
10 senger or the wheelchair or scooter manufac-
11 turer.

12 (C) How to properly load, secure, and un-
13 load wheelchairs and scooters, including how to
14 use any specialized equipment for loading or
15 unloading, on each aircraft type operated by the
16 air carrier or foreign air carrier.

17 (c) CONSIDERATIONS.—In conducting the rulemaking
18 under subsection (a), the Secretary shall consider, at a
19 minimum whether to require air carriers and foreign air
20 carriers to partner with wheelchair or scooter manufactur-
21 ers, national disability and disabled veterans organizations
22 representing individuals who use wheelchairs and scooters,
23 and aircraft manufacturers, in developing training.

24 (d) FINAL RULE.—Not later than 12 months after
25 the date of enactment of this Act, the Secretary shall issue

1 a final rule pursuant to the rulemaking conducted under
2 this section.

3 (e) PENALTIES.—The Secretary may assess a civil
4 penalty in accordance with section 46301 of title 49,
5 United States Code, to any air carrier or foreign air car-
6 rier who fails to meet the requirements established under
7 the final rule under subsection (d).

8 **SEC. 723. INVESTIGATION OF COMPLAINTS.**

9 Section 41705(c) of title 49, United States Code, is
10 amended by striking paragraph (1), and inserting the fol-
11 lowing:

12 “(1) IN GENERAL.—The Secretary shall—

13 “(A) not later than 120 days after the re-
14 ceipt of any complaint of a violation of this sec-
15 tion or a regulation prescribed under this sec-
16 tion, investigate such complaint; and

17 “(B) provide, in writing, to the individual
18 that filed the complaint and the air carrier or
19 foreign air carrier alleged to have violated this
20 section or a regulation prescribed under this
21 section, the determination of the Secretary with
22 respect to—

23 “(i) whether the air carrier or foreign
24 air carrier violated this section or a regula-
25 tion prescribed under this section;

1 “(ii) the facts underlying the com-
2 plaint; and

3 “(iii) any action the Secretary is tak-
4 ing in response to the complaint.”.

5 **SEC. 724. STANDARDS.**

6 (a) AIRCRAFT ACCESS STANDARDS.—

7 (1) STANDARDS.—

8 (A) ADVANCE NOTICE OF PROPOSED RULE-
9 MAKING.—Not later than 1 year after the date
10 of enactment of this Act, the Secretary of
11 Transportation shall issue an advanced notice
12 of proposed rulemaking regarding standards to
13 ensure that the aircraft boarding and deplaning
14 process is accessible, in terms of design for,
15 transportation of, and communication with, in-
16 dividuals with disabilities, including individuals
17 who use wheelchairs.

18 (B) NOTICE OF PROPOSED RULE-
19 MAKING.—Not later than 1 year after the date
20 on which the advanced notice of proposed rule-
21 making under subparagraph (A) is completed,
22 the Secretary shall issue a notice of proposed
23 rulemaking regarding standards addressed in
24 subparagraph (A).

1 (C) FINAL RULE.—Not later than 1 year
2 after the date on which the notice of proposed
3 rulemaking under subparagraph (B) is com-
4 pleted, the Secretary shall issue a final rule.

5 (2) COVERED AIRPORT, EQUIPMENT, AND FEA-
6 TURES.—The standards prescribed under paragraph
7 (1)(A) shall address, at a minimum—

8 (A) boarding and deplaning equipment;

9 (B) improved procedures to ensure the pri-
10 ority cabin stowage for manual assistive devices
11 pursuant to section 382.67 of title 14, Code of
12 Federal Regulations; and

13 (C) improved cargo hold storage to prevent
14 damage to assistive devices.

15 (3) CONSULTATION.—For purposes of the rule-
16 making under this subsection, the Secretary shall
17 consult with the Access Board and any other rel-
18 evant department or agency to determine appro-
19 priate accessibility standards.

20 (b) IN-FLIGHT ENTERTAINMENT RULEMAKING.—

21 Not later than 1 year after the date of the enactment of
22 this Act, the Secretary shall issue a notice of proposed
23 rulemaking in accordance with the November 22, 2016,
24 resolution of the Department of Transportation ACCESS
25 Committee and the consensus recommendation set forth

1 in the Term Sheet Reflecting Agreement of the Access
2 Committee Regarding In-Flight Entertainment.

3 (c) NEGOTIATED RULEMAKING ON IN-CABIN WHEEL-
4 CHAIR RESTRAINT SYSTEMS AND ENPLANING AND
5 DEPLANING STANDARDS.—

6 (1) TIMING.—

7 (A) IN GENERAL.—Not later than 1 year
8 after completion of the report required by sec-
9 tion 712(d)(3), and if such report finds eco-
10 nomic and financial feasibility of air carriers
11 and foreign air carriers implementing seating
12 arrangements that accommodate individuals
13 with disabilities using wheelchairs (including
14 power wheelchairs, manual wheelchairs, and
15 scooters) in the main cabin during flight, the
16 Secretary shall conduct a negotiated rulemaking
17 on new type certificated aircraft standards for
18 seating arrangements that accommodate such
19 individuals in the main cabin during flight or
20 an accessible route to a minimum of 2 aircraft
21 passenger seats for passengers to access from
22 personal assistive devices of such individuals.

23 (B) REQUIREMENT.—The negotiated rule-
24 making under subparagraph (A) shall include
25 participation of representatives of—

- 1 (i) air carriers;
- 2 (ii) aircraft manufacturers;
- 3 (iii) national disability organizations;
- 4 (iv) aviation safety experts; and
- 5 (v) mobility aid manufacturers.

6 (2) NOTICE OF PROPOSED RULEMAKING.—Not
7 later than 1 year after the completion of the nego-
8 tiated rulemaking required under paragraph (1), the
9 Secretary shall issue a notice of proposed rule-
10 making regarding the standards described in para-
11 graph (1).

12 (3) FINAL RULE.—Not later than 1 year after
13 the date on which the notice of proposed rulemaking
14 under paragraph (2) is completed, the Secretary
15 shall issue a final rule regarding the standards de-
16 scribed in paragraph (1).

17 (4) CONSIDERATIONS.—In the negotiated rule-
18 making and rulemaking required under this sub-
19 section, the Secretary shall consider—

20 (A) a reasonable period for the design, cer-
21 tification, and construction of aircraft that meet
22 the requirements;

23 (B) the safety of all persons on-board the
24 aircraft, including necessary wheelchair stand-
25 ards and wheelchair compliance with Federal

1 Aviation Administration crashworthiness and
2 safety performance criteria; and

3 (C) the costs of design, installation, equi-
4 page, and aircraft capacity impacts, including
5 partial fleet equipage and fare impacts.

6 (d) VISUAL AND TACTILELY ACCESSIBLE AN-
7 NOUNCEMENTS.—The Advisory Committee established
8 under section 439(g) of the FAA Reauthorization Act of
9 2018 (49 U.S.C. 41705 note) shall examine technical solu-
10 tions and the feasibility of visually and tactilely accessible
11 announcements on-board aircraft.

12 (e) AIRPORT FACILITIES.—Not later than 2 years
13 after the date of enactment of this Act, the Secretary
14 shall, in direct consultation with the Access Board, pre-
15 scribe regulations setting forth minimum standards under
16 section 41705 of title 49, United States Code, that ensure
17 all gates (including counters), ticketing areas, and cus-
18 tomer service desks covered under such section at airports
19 are accessible to and usable by all individuals with disabil-
20 ities, including through the provision of visually and
21 tactilely accessible announcements and full and equal ac-
22 cess to aural communications.

23 (f) DEFINITIONS.—In this section:

1 (1) ACCESS BOARD.—The term “Access board”
2 means the Architectural and Transportation Bar-
3 riers Compliance Board.

4 (2) AIR CARRIER.—The term “air carrier” has
5 the meaning given such term in section 40102 of
6 title 49, United States Code.

7 (3) INDIVIDUAL WITH A DISABILITY.—The term
8 “individual with a disability” has the meaning given
9 such term in section 382.3 of title 14, Code of Fed-
10 eral Regulations.

11 (4) FOREIGN AIR CARRIER.—The term “foreign
12 air carrier” has the meaning given such term in sec-
13 tion 40102 of title 49, United States Code.

14 **SEC. 725. SEATING ACCOMMODATIONS FOR QUALIFIED IN-**
15 **DIVIDUALS WITH DISABILITIES.**

16 (a) IN GENERAL.—

17 (1) ADVANCED NOTICE OF PROPOSED RULE-
18 MAKING.—Not later than 180 days after the date of
19 enactment of this section, the Secretary of Trans-
20 portation shall issue an advanced notice of proposed
21 rulemaking regarding seating accommodations for
22 any qualified individual with a disability.

23 (2) NOTICE OF PROPOSED RULEMAKING.—Not
24 later than 2 years after the date on which the ad-
25 vanced notice of proposed rulemaking under para-

1 graph (1) is completed, the Secretary shall issue a
2 notice of proposed rulemaking regarding seating ac-
3 commodations for any qualified individual with a
4 disability.

5 (b) CONSIDERATIONS.—In carrying out the advanced
6 notice of proposed rulemaking required in subsection
7 (a)(1), the Secretary shall consider the following:

8 (1) The scope and anticipated number of quali-
9 fied individuals with a disability who—

10 (A) may need to be seated with a com-
11 panion to receive assistance during a flight; or

12 (B) should be afforded bulkhead seats or
13 other seating considerations.

14 (2) The types of disabilities that may need seat-
15 ing accommodations.

16 (3) Whether such qualified individuals with a
17 disability are unable to obtain, or have difficulty ob-
18 taining, such a seat.

19 (4) The scope and anticipated number of indi-
20 viduals assisting a qualified individual with a dis-
21 ability who should be afforded an adjoining seat pur-
22 suant to section 382.81 of title 14, Code of Federal
23 Regulations.

1 (5) Any notification given to qualified individ-
2 uals with a disability regarding available seating ac-
3 commodations.

4 (6) Any method that is adequate to identify
5 fraudulent claims for seating accommodations.

6 (7) Any other information determined appro-
7 priate by the Secretary.

8 (c) ACCREDITED SERVICE ANIMAL TRAINING PRO-
9 GRAMS AND AUTHORIZED REGISTRARS.—Not later than
10 6 months after the date of enactment of this section, the
11 Secretary shall publish on the website of the Department
12 of Transportation and maintain a list of—

13 (1) accredited programs that train service ani-
14 mals; and

15 (2) authorized registrars that evaluate service
16 animals.

17 (d) REPORT TO CONGRESS ON SERVICE ANIMAL RE-
18 QUESTS.—Not later than 1 year after the date of enact-
19 ment of this section, and annually thereafter, the Sec-
20 retary shall submit to the Committee on Transportation
21 and Infrastructure of the House of Representatives and
22 the Committee on Commerce, Science, and Transportation
23 of the Senate a report on requests for air travel with serv-
24 ice animals, including—

1 (1) during the reporting period, how many re-
2 quests to board an aircraft with a service animal
3 were made; and

4 (2) the number and percentage of such re-
5 quests, categorized by type of request, that were re-
6 ported by air carriers or foreign air carriers as—

7 (A) granted;

8 (B) denied; or

9 (C) fraudulent.

10 (e) TRAINING.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of this section, the Sec-
13 retary shall, in consultation with the Air Carrier Ac-
14 cess Act Advisory Committee, issue guidance regard-
15 ing improvements to training for airline personnel
16 (including contractors) in recognizing when a quali-
17 fied individual with a disability is traveling with a
18 service animal.

19 (2) REQUIREMENTS.—The guidance issued
20 under paragraph (1) shall—

21 (A) take into account respectful engage-
22 ment with and assistance for individuals with a
23 wide range of visible and non-visible disabilities;

24 (B) provide information on—

1 (i) service animal behavior and wheth-
2 er the service animal is appropriately har-
3 nessed, leashed, or otherwise tethered; and

4 (ii) the various types of service ani-
5 mals, such as guide dogs, hearing or signal
6 dogs, psychiatric service dogs, sensory or
7 social signal dogs, and seizure response
8 dogs; and

9 (C) outline the rights and responsibilities
10 of the handler of the service animal.

11 (f) DEFINITIONS.—In this section, the following defi-
12 nitions apply:

13 (1) AIR CARRIER.—The term “air carrier” has
14 the meaning given that term in section 40102 of
15 title 49, United States Code.

16 (2) FOREIGN AIR CARRIER.—The term “foreign
17 air carrier” has the meaning given that term in sec-
18 tion 40102 of title 49, United States Code.

19 (3) QUALIFIED INDIVIDUAL WITH A DIS-
20 ABILITY.—The term “qualified individual with a dis-
21 ability” has the meaning given that term in section
22 382.3 of title 14, Code of Federal Regulations.

23 (4) SERVICE ANIMAL.—The term “service ani-
24 mal” has the meaning given that term in section
25 382.3 of title 14, Code of Federal Regulations.

1 **SEC. 726. PROVISION OF DRINKING WATER TO PAS-**
2 **SENGERS.**

3 The Administrator of the Federal Aviation Adminis-
4 tration shall issue such regulations as are necessary to re-
5 quire air carriers and foreign air carriers to provide com-
6 plementary drinking water to passengers on all domestic
7 and international flights with a scheduled duration of 1
8 hour or more.

9 **SEC. 727. GAO REPORT ON MASS FLIGHT CANCELLATION**
10 **EVENT.**

11 (a) **REPORT REQUIRED.**—Not later than 1 year after
12 the date of enactment of this Act, the Comptroller General
13 of the United States shall submit to the Committee on
14 Transportation and Infrastructure of the House of Rep-
15 resentatives and the Committee on Commerce, Science,
16 and Transportation of the Senate a report on the actions
17 of the Department of Transportation during the period be-
18 ginning 2 weeks before July 4th, 2023, and ending two
19 weeks after July 4th, 2023, that resulted in substantial
20 flight cancellations during such period.

21 (b) **EXAMINATION.**—In developing the report under
22 subsection (a), the Comptroller general shall examine—

23 (1) all actions the Secretary of Transportation
24 and the Administrator of the Federal Aviation Ad-
25 ministration took to mitigate flight disruptions and
26 flight cancellations during such period; and

1 (2) any actions not taken by the Secretary or
2 the Administrator that may have mitigated flight
3 disruptions and cancellations during such period.

4 **Subtitle B—Air Traffic**

5 **SEC. 741. TRANSFERS OF AIR TRAFFIC SYSTEMS ACQUIRED** 6 **WITH AIP.**

7 Section 44502(e) of title 49, United States Code, is
8 amended—

9 (1) in paragraph (1) by inserting “in a non-
10 contiguous State” after “An airport”;

11 (2) in paragraph (3)—

12 (A) in subparagraph (B) by striking “or”
13 at the end;

14 (B) in subparagraph (C) by striking the
15 period at the end and inserting “; or”; and

16 (C) by adding at the end the following:

17 “(D) a Medium Intensity Approach Light-
18 ing System with Runway Alignment Indicator
19 Lights.”; and

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

21 “(4) EXCEPTION.—The requirement under
22 paragraph (1) that an eligible air traffic system or
23 equipment be purchased in part using a Government
24 airport aid program, airport development aid pro-
25 gram, or airport improvement project grant shall not

1 apply if the system or equipment is installed at an
2 airport that is categorized as a basic or local general
3 aviation airport under the most recently published
4 national plan of integrated airport systems under
5 section 47103.”.

6 **SEC. 742. NEXTGEN PROGRAMS.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, and periodically thereafter
9 as the Administrator of the Federal Aviation Administra-
10 tion determines appropriate, the Administrator shall con-
11 vene Administration officials to evaluate and expedite the
12 implementation of NextGen programs and capabilities.

13 (b) NEXTGEN PROGRAM PRIORITIZATION.—In allo-
14 cating amounts appropriated pursuant to section 48101(a)
15 of title 49, United States Code, the Secretary of Transpor-
16 tation shall give priority to the following activities:

- 17 (1) Performance-based navigation.
- 18 (2) Data communications.
- 19 (3) Terminal flight data manager.
- 20 (4) Aeronautical information management.

21 (c) PERFORMANCE-BASED NAVIGATION.—

22 (1) IN GENERAL.—Not later than 3 years after
23 the date of enactment of this Act, the Administrator
24 shall fully implement performance-based navigation
25 procedures for all terminal and enroute routes, in-

1 including approach and departure procedures for cov-
2 ered airports.

3 (2) SPECIFIC PROCEDURES.—Pursuant to para-
4 graph (1), the Administrator shall prioritize the fol-
5 lowing performance-based navigation procedures:

6 (A) Trajectory-based operations.

7 (B) Optimized profile descents.

8 (C) Multiple airport route separation.

9 (D) Established on required navigation
10 performance.

11 (E) Converging runway display aids.

12 (3) PERFORMANCE-BASED NAVIGATION BASE-
13 LINE EQUIPAGE REQUIREMENTS.—In carrying out
14 paragraph (1), the Administrator shall issue such
15 regulations as may be required, and publish applica-
16 ble advisory circulars, to establish the equipage base-
17 line appropriate for aircraft to safely use perform-
18 ance-based navigation procedures.

19 (d) DATA COMMUNICATIONS.—

20 (1) IN GENERAL.—Not later than 2 years after
21 the date of enactment of this Act, the Administrator
22 shall fully implement the use of data communica-
23 tions.

24 (2) SPECIFIC CAPABILITIES.—In carrying out
25 subsection (a) and this subsection, the Administrator

1 shall prioritize the following data communications
2 capabilities:

3 (A) Ground-to-ground message exchange
4 for surface aircraft operations and runway safe-
5 ty at airports.

6 (B) Automated message generation and re-
7 ceipt.

8 (C) Message routing and transmission.

9 (D) Direct communications with aircraft
10 avionics.

11 (E) Implementation of data communica-
12 tions at all Air Route Traffic Control Centers.

13 (F) The Future Air Navigation System.

14 (e) TERMINAL FLIGHT DATA MANAGER.—

15 (1) IN GENERAL.—Not later than 4 years after
16 the date of enactment of this Act, the Administrator
17 shall replace the traffic flow management system
18 with the flow data management system at covered
19 airports.

20 (2) ELECTRONIC FLIGHT STRIPS.—In carrying
21 out paragraph (1), the Administrator shall imple-
22 ment electronic flight strips, at a minimum, at the
23 air traffic control towers of covered airports and all
24 terminal radar approach control and air route traffic
25 control centers.

1 (f) AERONAUTICAL INFORMATION MANAGEMENT
2 SYSTEMS.—

3 (1) IN GENERAL.—Not later than 3 years after
4 the date of enactment of this Act, the Administrator
5 shall fully modernize the aeronautical information
6 management systems of the Federal Aviation Ad-
7 ministration to improve the functionality, useability,
8 durability, and reliability of such systems used in the
9 national airspace system.

10 (2) REQUIREMENTS.—In carrying out para-
11 graph (1), the Administrator shall—

12 (A) improve the distribution of critical
13 safety information to pilots, air traffic control,
14 and other relevant aviation stakeholders;

15 (B) fully develop and implement the Enter-
16 prise Information Display System; and

17 (C) notwithstanding a centralized aero-
18 nautical information management system, re-
19 structure the back-up systems of aeronautical
20 information management systems to be inde-
21 pendent and self-sufficient from one another.

22 (g) EFFECT OF FAILURE TO MEET DEADLINE.—

23 (1) NOTIFICATION OF CONGRESS.—If the Ad-
24 ministrator determines that the Administration has
25 not or will not meet a deadline established under

1 subsection (a), (c), (d), or (e), the Administrator
2 shall, not later than 30 days after such determina-
3 tion, notify the Committee on Transportation and
4 Infrastructure of the House of Representatives and
5 the Committee on Commerce, Science, and Trans-
6 portation of the Senate about the failure to meet the
7 target deadlines.

8 (2) CONTENTS OF NOTIFICATION.—A notifica-
9 tion under paragraph (1) shall be accompanied by
10 the following:

11 (A) An explanation as to why the agency
12 will not or did not meet the target deadlines de-
13 scribed in such paragraph.

14 (B) A description of the actions the Ad-
15 ministration plans to take to meet the target
16 deadlines described in such paragraph.

17 (3) BRIEFING.—If the Administrator is re-
18 quired to provide notice under paragraph (1), the
19 Administrator shall provide the Committee on
20 Transportation and Infrastructure of the House of
21 Representatives and the Committee on Commerce,
22 Science, and Transportation of the Senate bi-
23 monthly, in-person briefings as to the progress made
24 by the Administration regarding implementation
25 under the respective subsection for which the target

1 deadline will not or was not met until such time as
2 the Administrator has completed the required work
3 under such subsection.

4 (h) NEXTGEN ADVISORY COMMITTEE CONSULTA-
5 TION.—

6 (1) IN GENERAL.—The Administrator shall con-
7 sult and task the NextGen Advisory Committee with
8 providing recommendations on ways to expedite,
9 prioritize, and fully implement NextGen programs to
10 realize the operational benefits of such programs.

11 (2) CONSIDERATIONS.—In providing rec-
12 ommendations under paragraph (1), the NextGen
13 Advisory Committee shall consider—

14 (A) air traffic throughput of the national
15 airspace system;

16 (B) daily operational performance, includ-
17 ing delays and cancellations; and

18 (C) the potential need for performance-
19 based operational metrics related to NextGen
20 programs.

21 (i) SUNSET OF NEXTGEN BRAND.—

22 (1) IN GENERAL.— Not later than 3 years after
23 the date of enactment of this Act, the Administrator
24 shall terminate the use of the term “Next Genera-
25 tion Air Transportation System” or “NextGen” to

1 describe any air traffic control modernization pro-
2 gram of the Administration.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 subsection shall be construed to—

5 (A) terminate any program of the Admin-
6 istration, including a program that has pre-
7 viously been represented as being a component
8 of the Next Generation Air Transportation Sys-
9 tem or NextGen in budgetary submission or
10 document of the Administration; or

11 (B) prohibit the Administrator from main-
12 taining materials that relate to or reference
13 programs that have previously been represented
14 as being a component of the Next Generation
15 Air Transportation System or NextGen.

16 (j) COVERED AIRPORTS DEFINED.—In this section,
17 the term “covered airports” means the 40 airports in the
18 United States with the highest number of annual aircraft
19 operations, as of the date of enactment of this Act.

20 **SEC. 743. AIRSPACE ACCESS.**

21 (a) COALESCING AIRSPACE.—

22 (1) REVIEW OF NATIONAL AIRSPACE SYSTEM.—
23 Not later than 3 years after the date of enactment
24 of this Act, the Administrator of the Federal Avia-
25 tion Administration, in coordination with the Sec-

1 retary of Defense, shall conduct a comprehensive re-
2 view of the airspace of the national airspace system,
3 including special use airspace.

4 (2) STREAMLINING AND EXPEDITING ACCESS.—

5 In carrying out paragraph (1), the Administrator
6 shall identify methods to streamline, expedite, and
7 provide greater flexibility of access to certain cat-
8 egories of airspace for users of the national airspace
9 system who may not regularly have access to such
10 airspace.

11 (b) REPORT.—

12 (1) IN GENERAL.—Not later than 3 months
13 after the completion of review the under subsection
14 (a), the Administrator shall submit to the Com-
15 mittee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Sen-
18 ate a report describing the findings of such review
19 and any recommendations and proposed actions to
20 improve access to airspace of the national airspace
21 system for the users of such system.

22 (2) CONTENTS.—In the report submitted under
23 paragraph (1), the Administrator shall include, at a
24 minimum, the following:

1 (A) An identification of current challenges
2 and barriers faced by airspace users in access-
3 ing certain categories of airspace, including spe-
4 cial use airspace.

5 (B) An evaluation of existing procedures,
6 regulations, and requirements that may impede
7 or delay access to certain categories of airspace
8 for certain users of the national airspace sys-
9 tem.

10 (C) Recommendations for streamlining and
11 expediting the airspace access process, including
12 potential regulatory changes, technological ad-
13 vancements, and enhanced coordination among
14 relevant stakeholders and Federal agencies.

15 (D) A proposal for implementing a flexible
16 framework that allows for temporary access to
17 certain categories of airspace, including special
18 use airspace, by users of the national airspace
19 system who do not have regular access to such
20 airspace.

21 (E) An assessment of the impact airspace
22 access improvements may have on safety, effi-
23 ciency, and economic opportunities for airspace
24 users, including—

25 (i) military operators;

1 (ii) commercial operators; and

2 (iii) general aviation operators.

3 (3) IMPLEMENTATION AND FOLLOW-UP.—

4 (A) ACTION PLAN.—Based on the findings,
5 recommendations, and proposals submitted in
6 the report under this subsection, the Adminis-
7 trator shall develop an action plan for imple-
8 menting any recommendations and proposals
9 necessary to improve airspace access.

10 (B) COORDINATION AND COLLABORA-
11 TION.—In developing the action plan under
12 subparagraph (A), the Administrator shall co-
13 ordinate with relevant stakeholders, including
14 airspace users and the Secretary of Defense, to
15 ensure—

16 (i) effective implementation of the ac-
17 tion plan; and

18 (ii) ongoing collaboration in address-
19 ing airspace access challenges.

20 (C) PROGRESS REPORTS.—The Adminis-
21 trator shall provide to the Committee on Trans-
22 portation and Infrastructure of the House of
23 Representatives and the Committee on Com-
24 merce, Science, and Transportation of the Sen-
25 ate periodic progress reports in the form of

1 briefings on the implementation of the action
2 plan developed under this paragraph, including
3 updates on the adoption of streamlined proce-
4 dures, technological enhancements, and any
5 regulatory changes necessary to improve air-
6 space access and flexibility.

7 **SEC. 744. AIRSPACE TRANSITION COMPLETION.**

8 (a) **IN GENERAL.**—Not later than 180 days after the
9 date of enactment of this Act, the Administrator of the
10 Federal Aviation Administration shall ensure that respon-
11 sibility for the Newark, New Jersey radar sector is moved
12 to the Philadelphia terminal radar approach control facil-
13 ity.

14 (b) **STAFFING.**—In carrying out subsection (a), the
15 Administrator may not—

16 (1) require the temporary or permanent move-
17 ment of any personnel from the New York terminal
18 radar approach control facility to the Philadelphia
19 terminal radar approach control facility, but may so-
20 licit such personnel to volunteer to temporarily or
21 permanently facilitate the move required under sub-
22 section (a); or

23 (2) reduce the target staffing level of the New
24 York terminal radar approach control facility.

1 (c) CONGRESSIONAL BRIEFINGS.—Not later than
2 180 days after the date of enactment of this Act and every
3 60 days thereafter, the Administrator and the head of the
4 collective bargaining unit representing air traffic control-
5 lers shall brief the Committee on Transportation and In-
6 frastructure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate on the status of the move required under sub-
9 section (a) until such time as the Newark, New Jersey
10 radar sector is under the full responsibility of the Philadel-
11 phia terminal radar approach control facility.

12 **SEC. 745. FAA CONTRACT TOWERS.**

13 (a) OPERATIONAL READINESS INSPECTIONS.—Not
14 later than 180 days after the date of enactment of this
15 Act, the Administrator of the Federal Aviation Adminis-
16 tration shall update applicable regulations, standards, and
17 guidance on operational readiness inspections related to
18 the Federal Aviation Administration Contract Tower pro-
19 gram to provide airport sponsors acting in good faith with
20 7 years to complete such inspections after receiving a ben-
21 efit-to-cost ratio of air traffic control services for an air-
22 port.

23 (b) FCT CONTROLLER AIRSPACE AWARENESS.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this Act, the Administrator

1 shall authorize the use of advanced technology at
2 Federal Aviation Administration contract towers to
3 enhance air traffic controller situational awareness.

4 (2) EQUIPMENT STANDARDS.—In carrying out
5 paragraph (1), the Administrator shall establish
6 standards and criteria identical to such standards
7 and criteria applicable to Federal Aviation Adminis-
8 tration air traffic controllers for the use of advanced
9 technology in air traffic control towers.

10 (3) RECURRENCE TRAINING.—In carrying out
11 this subsection, the Administrator, in coordination
12 with Federal Aviation Administration contract tower
13 contractors, shall establish an appropriate training
14 program to periodically train air traffic controllers
15 employed by such contractors to ensure proper inte-
16 gration and use of advanced technologies at Federal
17 Aviation Administration contract towers.

18 (c) LIABILITY INSURANCE.—Not later than 2 years
19 after the date of enactment of this Act, the Secretary of
20 Transportation, in consultation with industry experts in-
21 cluding Federal Aviation Administration contract tower
22 contractors and aviation insurance providers, shall—

23 (1) assess existing liability limits for contract
24 tower contractors established by the Secretary; and

1 (2) determine whether such limits should be up-
2 dated.

3 **SEC. 746. FAA CONTRACT TOWER WORKFORCE AUDIT.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of enactment of this Act, the inspector general of the
6 Department of Transportation shall initiate an audit of
7 the workforce needs of the Federal Aviation Administra-
8 tion Contract Tower Program.

9 (b) CONTENTS.—In conducting the audit required
10 under subsection (a), the inspector general shall, at a min-
11 imum—

12 (1) review the assumptions and methodologies
13 used in assessing the source of Federal Aviation Ad-
14 ministration contract towers staffing to determine
15 the adequacy of staffing levels at such towers;

16 (2) determine whether there is a need to estab-
17 lish an air traffic controller training program to
18 allow Federal Aviation Administration contract
19 tower contractors to conduct—

20 (A) initial training of air traffic controllers
21 employed by such contractors; or

22 (B) on-the-job training of such controllers;

23 (3) assess whether establishing pathways to
24 allow Federal Aviation Administration contract
25 tower contractors to use the air traffic technical

1 training academy of the Federal Aviation Adminis-
2 tration, or other means such as higher educational
3 institutions, to provide initial technical training for
4 air traffic controllers employed by such contractors
5 could help address the workforce needs of the FAA
6 contract tower program; and

7 (4) consult with the exclusive bargaining rep-
8 resentative of the air traffic controllers certified
9 under section 7111 of title 5, United States Code.

10 (c) REPORT.—Not later than 90 days after the com-
11 pletion of the audit under subsection (a), the inspector
12 general shall submit to the Committee on Transportation
13 and Infrastructure of the House of Representatives and
14 the Committee on Commerce, Science, and Transportation
15 of the Senate a report on the findings of such audit and
16 any recommendations as a result of such audit.

17 **SEC. 747. AVIATION INFRASTRUCTURE SUSTAINMENT.**

18 (a) IN GENERAL.—Not later than 2 years after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration shall develop perform-
21 ance metrics with which the Administrator can assess the
22 operation of safety-critical communication, navigation,
23 and surveillance aviation infrastructure within the na-
24 tional airspace system.

1 (b) PERFORMANCE METRICS NECESSARY TO REMAIN
2 IN SERVICE.—

3 (1) IN GENERAL.—After developing the per-
4 formance metrics under subsection (a), the Adminis-
5 trator shall carry out an assessment to determine
6 which applicable aviation infrastructure are to re-
7 main in operational service.

8 (2) CONSIDERATIONS.—In making an assess-
9 ment under paragraph (1), the Administrator shall
10 take into consideration the following:

11 (A) The expected lifespan of such aviation
12 infrastructure.

13 (B) The number and type of mechanical
14 failures of such aviation infrastructure.

15 (C) The average annual costs of maintain-
16 ing such aviation infrastructure over a 5-year
17 timespan and whether such costs exceed the
18 amount to replace such aviation infrastructure.

19 (D) The availability of replacement parts
20 or labor capable of maintaining such aviation
21 infrastructure.

22 (E) Any other factors the Administrator
23 determines are necessary.

24 (c) PUBLICATION.—The Administrator shall make
25 the performance metrics established under subsection (b)

1 available to the public through the website of the Adminis-
2 tration, or other appropriate methods of publication, and
3 shall ensure that any information made available to the
4 public under this subsection is made available in a manner
5 that—

6 (1) does not provide identifying information re-
7 garding an individual or entity;

8 (2) prevents inappropriate disclosure of propri-
9 etary information; and

10 (3) does not disclose information that may pose
11 a cybersecurity risk.

12 **SEC. 748. AIR TRAFFIC CONTROL TOWER SAFETY.**

13 In designing, adopting a design, or constructing an
14 air traffic control tower based on a previously adopted de-
15 sign, the Administrator of the Federal Aviation Adminis-
16 tration shall ensure that the safety of the national airspace
17 system, the safety of employees of the Administration, the
18 operational reliability of air traffic control towers, and the
19 costs of such towers are the primary consideration in such
20 design, adoption, or construction.

21 **SEC. 749. AIR TRAFFIC SERVICES DATA REPORTS.**

22 Section 45303(g)(2)(A) of title 49, United States
23 Code, is amended by striking “8 years” and inserting “14
24 years”.

1 **SEC. 750. CONSIDERATION OF SMALL HUB CONTROL TOW-**
2 **ERS.**

3 In selecting projects for the replacement of federally
4 owned air traffic control towers from funds made available
5 pursuant to title VIII of division J of the Infrastructure
6 Investment and Jobs Act (Public Law 117–58) under the
7 heading “Federal Aviation Administration—Facilities and
8 Equipment”, the Administrator of the Federal Aviation
9 Administration shall consider selecting projects at small
10 hub commercial service airports with control towers that
11 are at least 50 years old.

12 **SEC. 751. AIR TRAFFIC CONTROL TOWER REPLACEMENT**
13 **PROCESS REPORT.**

14 (a) **REPORT REQUIRED.**—Not later than 120 days
15 after the date of enactment of this Act, the Administrator
16 of the Federal Aviation Administration shall submit to
17 Congress a report on the process by which air traffic con-
18 trol tower facilities are chosen for replacement.

19 (b) **CONTENTS.**—The report required under sub-
20 section (a) shall contain—

21 (1) the process by which air traffic control
22 tower facilities are chosen for replacement, including
23 which divisions of the Administration control or are
24 involved in the replacement decision making process;

1 (2) the criteria the Administrator uses to deter-
2 mine which air traffic control tower facilities to re-
3 place, including—

4 (A) the relative importance of each such
5 criteria;

6 (B) why the Administrator uses each such
7 criteria; and

8 (C) the reasons for the relative importance
9 of each such criteria;

10 (3) what types of investigation the Adminis-
11 trator carries out to determine if an air traffic con-
12 trol tower facility should be replaced;

13 (4) a timeline of the replacement process for an
14 individual air traffic control tower facility replace-
15 ment;

16 (5) the list of facilities established under sub-
17 section (c), including the reason for selecting each
18 such facility; and

19 (6) any other information the Administrator
20 considers relevant.

21 (c) LIST OF REPLACED AIR TRAFFIC CONTROL
22 TOWER FACILITIES.—The Administrator shall establish,
23 maintain, and publish on the website of the Federal Avia-
24 tion Administration a list of the following:

1 (1) All air traffic control tower facilities re-
2 placed within the previous 10-year period.

3 (2) Any such facilities in the process of being
4 replaced.

5 **SEC. 752. FAA CONTRACT TOWER PILOT PROGRAM.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Administrator of the
8 Federal Aviation Administration shall establish a pilot
9 program to convert up to 3 high-activity contract towers
10 under the Federal Aviation Administration Contract
11 Tower Program under section 47124 of title 49, United
12 States Code, to visual flight rule towers staffed by the Ad-
13 ministration.

14 (b) PRIORITY.—In selecting facilities to participate in
15 the pilot program under subsection (a), the Administrator
16 shall give priority to towers that—

17 (1) had over 200,000 in annual tower oper-
18 ations in calendar year 2022 or a small hub airport
19 with more than 900,000 passenger enplanements in
20 calendar year 2021;

21 (2) have controls towers that are either owned
22 by the Administration or are constructed to Admin-
23 istration standards; and

1 (3) operate within a complex air space, includ-
2 ing space used by air carriers, for general aviation,
3 and by military aircraft.

4 (c) CONTROLLER RETENTION.—The Administrator
5 shall appoint to the position of air traffic controller all
6 air traffic controllers employed as a Federal contract
7 tower operator and assigned to the air traffic control tower
8 pilot program as of the date of enactment of this Act so
9 long as such operator—

10 (1) meets the qualifications contained in section
11 44506(f)(1)(A) of title 49, United States Code; and

12 (2) has all other pre-employment qualifications
13 required by law.

14 **SEC. 753. AGREEMENTS FOR STATE AND LOCAL OPER-**
15 **ATION OF AIRPORT FACILITIES.**

16 Section 47124(b)(3)(C) of title 49, United States
17 Code, is amended by adding at the end the following:

18 “(viii) Air traffic control towers at
19 airports with safety or operational prob-
20 lems related to the lack of an existing
21 tower.

22 “(ix) Air traffic control towers at air-
23 ports with projected commercial and mili-
24 tary increases in aircraft or flight oper-
25 ations.

1 “(x) Air traffic control towers at air-
2 ports with a variety of aircraft operations,
3 including a variety of commercial and mili-
4 tary flight operations”.

5 **Subtitle C—Small Community Air** 6 **Service**

7 **SEC. 771. ESSENTIAL AIR SERVICE REFORMS.**

8 (a) REDUCTION IN SUBSIDY CAP.—Section
9 41731(a)(1)(C) of title 49, United States Code, is amend-
10 ed to read as follows:

11 “(C) had an average subsidy per pas-
12 senger—

13 “(i) of less than \$1,000 during the
14 most recent fiscal year beginning before
15 October 1, 2026, as determined in sub-
16 paragraph (D) by the Secretary; or

17 “(ii) of \$500 or less during the most
18 recent fiscal year beginning on or after Oc-
19 tober 1, 2026; and”.

20 (b) RESTRICTION ON LENGTH OF ROUTES.—

21 (1) IN GENERAL.—Section 41732(a)(1) of title
22 49, United States Code, is amended by inserting
23 “less than 650 miles from an eligible place (unless
24 such airport or eligible place are located in a non-
25 contiguous State)” after “hub airport”.

1 (2) EXCEPTION.—The amendment made by
2 paragraph (1) shall not apply to an eligible place
3 that is served by an air carrier selected to receive es-
4 sential air service compensation under subchapter II
5 of chapter 417 of title 49, if—

6 (A) such service is in effect upon the date
7 of enactment of this Act; and

8 (B) such service is provided by the same
9 air carrier that provided service on the date of
10 enactment of this Act.

11 (3) SUNSET.—Paragraph (2) shall cease to
12 have effect after September 30, 2028.

13 (c) APPLICANT SELECTION CONSIDERATIONS.—Sec-
14 tion 41733(c)(1) of title 49, United States Code, is
15 amended—

16 (1) by striking “giving substantial weight to”
17 and inserting “including”;

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

20 (3) in subparagraph (F) by striking the period
21 at the end and inserting “; and”; and

22 (4) by adding at the end the following:

23 “(G) the total compensation proposed by the air
24 carrier for providing scheduled air service under this
25 section.”.

1 (d) COST SHARE.—

2 (1) SECTION 41737.—Section 41737(a)(1) of
3 title 49, United States Code, is amended—

4 (A) in subparagraph (D) by striking “and”
5 at the end;

6 (B) in subparagraph (E) by striking the
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(F) require that, for a contract to provide air
10 service that is entered into or renewed under this
11 subchapter after September 30, 2026, the Govern-
12 ment’s share of the compensation is 95 percent.”.

13 (2) SECTION 41731.—Section 41731 of title 49,
14 United States Code, is amended—

15 (A) in subsection (c) by inserting “and sec-
16 tion 41737(a)(1)(F)” after “subsection (a)(1)”;
17 and

18 (B) in subsection (d) by inserting “and
19 section 41737(a)(1)(F)” after “Subsection
20 (a)(1)(B)”.

21 (e) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that route structures to rural airports serve a critical
23 function to our Nation by connecting many of our military
24 installations to major regional airline hubs.

1 **SEC. 772. ESSENTIAL AIR SERVICE AUTHORIZATION.**

2 Section 41742(a)(2) of title 49, United States Code,
3 is amended by striking “\$155,000,000 for fiscal year
4 2018” an all that follows through “\$172,000,000 for fiscal
5 year 2023” and inserting “\$332,000,000 for fiscal year
6 2024, \$312,000,000 for fiscal year 2025, \$300,000,000
7 for fiscal year 2026, \$265,000,000 for fiscal year 2027,
8 and \$252,000,000 for fiscal year 2028”.

9 **SEC. 773. SMALL COMMUNITY AIR SERVICE DEVELOPMENT**
10 **PROGRAM REFORM AND AUTHORIZATION.**

11 (a) SAME PROJECTS LIMIT.—Section 41743(c)(4)(B)
12 of title 49, United States Code, is amended by striking
13 “10-year” and inserting “6-year”.

14 (b) PRIORITIES.—Section 41743(c)(5) of title 49,
15 United States Code, is amended—

16 (1) by redesignating subparagraphs (B)
17 through (G) as subparagraphs (C) through (H), re-
18 spectively; and

19 (2) by adding after subparagraph (A) the fol-
20 lowing—

21 “(B) the community has demonstrated
22 support from at least 1 air carrier to provide
23 service;”.

24 (c) AUTHORIZATION.—Section 41743(e)(2) of title
25 49, United States Code, is amended by striking “2023”
26 and inserting “2028”.

1 **SEC. 774. GAO STUDY ON INCREASED COSTS OF ESSENTIAL**
2 **AIR SERVICE.**

3 (a) STUDY.—The Comptroller General of the United
4 States shall conduct a study of the change in costs of the
5 essential air service program under sections 41731
6 through 41742 of title 49, United States Code.

7 (b) CONTENTS.—In conducting the study required
8 under subsection (a), the Comptroller General shall—

9 (1) assess trends in costs of the essential air
10 service program under sections 41731 through
11 41742 of title 49, United States Code, over the 10-
12 year period ending on the date of enactment of this
13 Act;

14 (2) review potential causes for the increased
15 cost of the essential air service program, including—

16 (A) labor costs;

17 (B) fuel costs;

18 (C) aging aircraft costs;

19 (D) air carrier opportunity costs; and

20 (E) airport costs; and

21 (3) assess the effects of the COVID–19 pan-
22 demic on the costs of the essential air service pro-
23 gram under sections 41731 through 41742 of title
24 49, United States Code.

25 (c) REPORT.—Not later than 18 months after the
26 date of enactment of this Act, the Comptroller General

1 shall submit to the Committee on Transportation and In-
2 frastructure of the House of Representatives and to the
3 Committee on Commerce, Science, and Transportation of
4 the Senate a report on the results of the study conducted
5 under subsection (a).

6 **SEC. 775. RESPONSE TIME FOR APPLICATIONS TO PROVIDE**
7 **ESSENTIAL AIR SERVICE.**

8 The Secretary of Transportation shall take such ac-
9 tions as are necessary to respond with an approval or de-
10 nial of any application filed by an applicant to provide es-
11 sential air service under subchapter II of chapter 417 of
12 title 49, United States Code, to the greatest extent prac-
13 ticable no later than 6 months after receiving such appli-
14 cation.

15 **SEC. 776. GAO STUDY ON CERTAIN AIRPORT DELAYS.**

16 The Comptroller General of the United States shall
17 conduct a study on flight delays in the States of New
18 York, New Jersey, and Connecticut and the possible
19 causes of such delays.

20 **SEC. 777. REPORT ON RESTORATION OF SMALL COMMU-**
21 **NITY AIR SERVICE.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of enactment of this Act, the Secretary of the Depart-
24 ment of Transportation shall enter into the appropriate
25 arrangements with the National Academies to conduct a

1 study on the loss of commercial air service in small com-
2 munities in the United States and options to restore such
3 service.

4 (b) CONTENTS.—In conducting the study required
5 under subsection (a), that National Academies shall—

6 (1) assess the reduction of scheduled commer-
7 cial air service to small communities over a 5-year
8 period ending on the date of enactment of this Act,
9 to include small communities that have lost all
10 scheduled commercial air service;

11 (2) review economic trends that have resulted in
12 reduction or loss of scheduled commercial air service
13 to such communities;

14 (3) review the economic losses of such commu-
15 nities who have suffered a reduction or loss of sched-
16 uled commercial air service;

17 (4) identify the causes that prompted air car-
18 riers to reduce or eliminate scheduled commercial air
19 service to such communities;

20 (5) assess the impact of changing aircraft eco-
21 nomics; and

22 (6) identify recommendations that can be imple-
23 mented by such communities or Federal, State, or
24 local agencies to aid in the restoration or replace-
25 ment of scheduled commercial air service.

1 (c) CASE STUDIES.—In conducting the study re-
2 quired under subsection (a), the National Academies shall
3 assess not fewer than 7 communities that have lost com-
4 mercial air service or have had commercial air service sig-
5 nificantly reduced in the past 15 years, including—

6 (1) Williamsport Regional Airport;

7 (2) Alamogordo-White Sands Regional Airport;

8 and

9 (3) Chautauqua County Jamestown Airport.

10 (d) REPORT.—Not later than 1 year after the date
11 of enactment of this Act, the National Academies shall
12 submit to the Secretary, the Committee on Transportation
13 and Infrastructure of the House of Representatives, and
14 the Committee on Commerce, Science and Transportation
15 of the Senate a report containing—

16 (1) the results of the study described in sub-
17 section (a); and

18 (2) recommendations to Congress and commu-
19 nities on action that can be taken to improve or re-
20 store scheduled commercial service to small commu-
21 nities.

22 **TITLE VIII—MISCELLANEOUS**

23 **SEC. 801. DIGITALIZATION OF FAA PROCESSES.**

24 (a) IDENTIFICATION.—Not later than 2 years after
25 the date of enactment of this Act, the Administrator of

1 the Federal Aviation Administration shall identify and
2 catalog programs, activities, or processes that require
3 paper-based information exchange between—

- 4 (1) external entities and the Administration; or
- 5 (2) offices within the Administration.

6 (b) DIGITALIZATION.—On an ongoing basis, and as
7 appropriate, the Administrator shall transition the paper-
8 based processes identified under subsection (a) to proc-
9 esses that support secure digital information submission,
10 exchange, collaboration, and approval.

11 (c) BRIEFING.—Not later than 60 days after com-
12 pleting the required identification and catalog in sub-
13 section (a), the Administrator shall brief the Committee
14 on Transportation and Infrastructure of the House of
15 Representatives and the Committee on Commerce,
16 Science, and Transportation of the Senate on the pro-
17 grams, activities, and processes identified under sub-
18 section (a) and such programs, activities, and processes
19 that have been identified for transition under subsection
20 (b).

21 **SEC. 802. FAA TELEWORK.**

22 (a) IN GENERAL.—The Administrator of the Federal
23 Aviation Administration—

- 24 (1) may establish telework policies for employ-
25 ees that allow for the Administration to reduce the

1 office footprint and associated expenses of the Ad-
2 ministration, increase workforce retention, and pro-
3 vide flexibilities that the Administrator believes in-
4 creases efficiency and effectiveness of the Adminis-
5 tration, while requiring that any such policy—

6 (A) does not adversely impact the mission
7 of the Administration;

8 (B) does not reduce the safety and effi-
9 ciency of the national airspace system;

10 (C) for any employee that is designated as
11 an officer or executive in the Federal Aviation
12 Administration Executive System or a political
13 appointee (as such term is defined in section
14 106 of title 49, United States Code)—

15 (i) maximizes time at a duty station
16 for such employee, excluding official travel;
17 and

18 (ii) may include telework provisions as
19 determined appropriate by the Adminis-
20 trator, commensurate with official duties
21 for such employee;

22 (D) provides for on-the-job training oppor-
23 tunities for Administration personnel that are
24 not less than such opportunities available in
25 2019;

1 (E) reflects the appropriate work status of
2 employees based on the job functions of such
3 employee;

4 (F) optimizes the work status of inspec-
5 tors, investigators, and other personnel per-
6 forming safety-related functions to ensure time-
7 ly completion of safety oversight activities;

8 (G) provides for personnel, including such
9 personnel performing work related to aircraft
10 certification and flight standards, who are re-
11 sponsible for actively working with regulated
12 entities, external stakeholders, or other mem-
13 bers of the public to be—

14 (i) routinely available on a predictable
15 basis for in-person and virtual communica-
16 tions with external persons; and

17 (ii) not hindered from meeting with,
18 visiting, auditing, or inspecting facilities or
19 projects of regulated persons due to any
20 telework policy; and

21 (H) provides offices of the Administration
22 opportunities for in-person dialogue, collabora-
23 tion, and ideation for all employees;

1 (2) ensures that locality pay for an employee of
2 the Administrator accurately reflects the telework
3 status and duty station of such employee;

4 (3) may not establish a telework policy for an
5 employee of the Administration unless such em-
6 ployee will be provided with secure network capacity,
7 communications tools, necessary and secure access
8 to appropriate agency data assets and Federal
9 records, and equipment sufficient to enable such em-
10 ployee to be fully productive; and

11 (4) not later than 2 years after the date of en-
12 actment of this Act, shall evaluate and address any
13 telework policies in effect on the day before such
14 date of enactment to ensure that such policies meet
15 the requirements of paragraph (1).

16 (b) CONGRESSIONAL UPDATE.—Not later than 1
17 year after the date of enactment of this Act, and 1 year
18 thereafter, the Administrator shall brief the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Commerce, Science,
21 and Transportation of the Senate on any telework policies
22 currently in place, the implementation of such policies,
23 and the benefits of such policies.

24 (c) CONSULTATION.—If the Administrator deter-
25 mines that telework agreements must be updated to imple-

1 ment the requirements of subsection (a), the Adminis-
2 trator shall, prior to updating such agreements, consult
3 with—

4 (1) exclusive bargaining representatives of air
5 traffic controllers certified under section 7111 of
6 title 5, United States Code; and

7 (2) labor organizations certified under such sec-
8 tion as the exclusive bargaining representative of
9 airway transportation systems specialists and avia-
10 tion safety inspectors and engineers of the Federal
11 Aviation Administration.

12 **SEC. 803. REVIEW OF OFFICE SPACE.**

13 (a) FAA REVIEW.—

14 (1) INITIATION OF REVIEW.—Not later than 30
15 months after the date of enactment of this Act, the
16 Secretary of Transportation shall initiate an inven-
17 tory review of the domestic office footprint of the
18 Department of Transportation.

19 (2) COMPLETION OF REVIEW.—Not later than
20 40 months after the date of enactment of this Act,
21 the Secretary shall complete the inventory review re-
22 quired under paragraph (1).

23 (b) CONTENTS OF REVIEW.—In completing the re-
24 view under subsection (a), the Secretary shall—

1 (1) delineate the domestic office footprint into
2 units of property, as determined appropriate by the
3 Secretary;

4 (2) determine unit adequacy related to—

5 (A) the Architectural Barriers Act of 1968
6 (42 U.S.C. 4151 et seq.) and the corresponding
7 accessibility guidelines established under part
8 1191 of title 36, Code of Federal Regulations;
9 and

10 (B) the Americans with Disabilities Act of
11 1990 (42 U.S.C. 12101 et seq.);

12 (3) determine the feasible occupancy of each
13 such unit, and provide the methodology used to
14 make the determination;

15 (4) determine the number of individuals who
16 are full-time equivalent employees, other employees,
17 or contractors that have each such unit as a duty
18 station and determine how telework policies will im-
19 pact the usage of each such unit;

20 (5) calculate the amount of available, unused,
21 or underutilized space in each such unit;

22 (6) consider any lease terms for leased units
23 contained in the domestic office footprint, including
24 cost and effective dates for each such leased unit;
25 and

1 (7) based on the findings in paragraphs (2)
2 through (6), and any other metrics the Secretary de-
3 termines relevant, provide recommendations for opti-
4 mizing the use of units of property across the De-
5 partment in consultation with appropriate employee
6 labor representatives.

7 (c) REPORT.—Not later than 2 months after com-
8 pleting the review under subsection (a), the Secretary shall
9 submit to the Committee on Transportation and Infra-
10 structure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a final report that proposes opportunities to opti-
13 mize the domestic office footprint of the Administration
14 (and associated costs). In compiling such final report, the
15 Secretary shall describe opportunities for—

16 (1) consolidation of offices within a reasonable
17 distance from one another;

18 (2) the collocation of regional or satellite offices
19 of separate modes of the Department, including the
20 cost benefits of shared amenities; and

21 (3) the use of coworking spaces instead of per-
22 manent offices.

23 (d) DEFINITION OF DOMESTIC OFFICE FOOT-
24 PRINT.—In this section, the term “domestic office foot-
25 print” means buildings, offices, facilities, and other real

1 property rented, owned, or occupied by the Administration
2 or Department—

3 (1) in which employees report for permanent or
4 temporary duty that are not being used for active
5 operations of the air traffic control system; and

6 (2) which are located within the United States.

7 **SEC. 804. AIRCRAFT WEIGHT REDUCTION TASK FORCE.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Administrator of the
10 Federal Aviation Administration shall establish a task
11 force to identify ways to safely reduce covered aircraft
12 weight for purposes of reducing fuel burn.

13 (b) COMPOSITION.—The task force established under
14 subsection (a) shall consist of not more than 20 individ-
15 uals and shall include representatives of—

16 (1) the Federal Aviation Administration;

17 (2) other Federal agencies as the Administrator
18 determines appropriate;

19 (3) air carriers;

20 (4) certified labor organizations representing
21 flight attendants at air carriers operating under part
22 121 of title 14, Code of Federal Regulations;

23 (5) certified labor organizations representing
24 aircraft maintenance technicians;

1 (6) certified labor organizations representing
2 other aviation workers, as appropriate; and

3 (7) aerospace manufacturers.

4 (c) REVIEW.—The task force established under sub-
5 section (a) shall review and evaluate—

6 (1) regulations, requirements, advisory circu-
7 lars, orders, or other such directives of the Adminis-
8 tration related to covered aircraft or covered aircraft
9 operations that may inhibit certification of new ma-
10 terials, manufacturing processes, components, or
11 technologies that could reduce aircraft weight or in-
12 crease fuel efficiency without decreasing safety;

13 (2) aspects of covered aircraft design that are
14 outdated or underutilized on the date of enactment
15 of this Act that may unnecessarily increase covered
16 aircraft weight or reduce aircraft fuel efficiency that
17 are not necessary for the safe operation of such air-
18 craft;

19 (3) novel technologies and manufacturing proc-
20 esses, including the use of advanced materials, that
21 can safely be used in the construction or modifica-
22 tion of covered aircraft, including a component or
23 the interior of such aircraft, to reduce weight or im-
24 prove fuel efficiency; and

1 (4) nonproprietary methods that air carriers
2 have used to safely decrease covered aircraft weight
3 or improve fuel efficiency.

4 (d) REPORT.—

5 (1) TASK FORCE REPORT.—

6 (A) IN GENERAL.—Not later than 3 years
7 after the establishment of the task force under
8 subsection (a), the task force shall submit a re-
9 port on the findings and results of the review
10 and evaluation conducted under subsection (c)
11 to the Administrator.

12 (B) RECOMMENDATIONS.—In submitting
13 the report required under subparagraph (A),
14 the task force shall include recommendations—

15 (i) on actions the Administrator may
16 take to updated regulations, processes, ad-
17 visory circulars, orders, or other such di-
18 rections of the Administration to enable
19 the certification of new materials, compo-
20 nents, manufacturing processes, or tech-
21 nologies that may allow for the safe reduc-
22 tion of covered aircraft weight or the im-
23 provement of fuel efficiency; and

24 (ii) on best practices for air carriers
25 and aerospace manufacturers to certify

1 such materials, components, manufac-
2 turing processes, or technologies.

3 (C) APPROXIMATION OF BENEFITS.—For
4 each recommendation made under subpara-
5 graph (B), the task force shall approximate the
6 fuel savings that could be expected if such rec-
7 ommendation was adopted.

8 (D) SUBMISSION TO CONGRESS.—Not later
9 than 3 days after receipt of the report required
10 under subparagraph (A), the Administrator
11 shall submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Rep-
13 resentatives and the Committee on Commerce,
14 Science, and Transportation of the Senate the
15 report and recommendations.

16 (2) FAA REPORT.—Not later than 120 days
17 after submission of the report under paragraph (1),
18 the Administrator shall submit to the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives and the Committee on Commerce,
21 Science, and Transportation of the Senate a re-
22 port—

23 (A) describing the recommendations of the
24 task force with which the Administrator fully
25 concurs, partially concurs, or does not concur;

1 (B) detailing, for the recommendations
2 with which the Administrator fully or partially
3 concurs—

4 (i) a timeline for implementing such
5 recommendations; and

6 (ii) possible benefits of using new ma-
7 terials, manufacturing processes, compo-
8 nents, or technologies, including fuel sav-
9 ings, increased capacity, or other benefits
10 as determined reasonable by the task force;
11 and

12 (C) explaining, for the recommendations
13 with which the Administrator does not concur,
14 the reason for which the Administrator will not
15 implement such recommendations.

16 (e) SUNSET.—

17 (1) IN GENERAL.—The task force established
18 under subsection (a) shall terminate upon submis-
19 sion of the report required under subsection
20 (d)(1)(A).

21 (2) EXCEPTION.—The Administrator may
22 choose to extend such task force after the submis-
23 sion of the report required under subsection
24 (d)(1)(A), if the Administrator determines that such
25 an extension would be in the public interest.

1 (f) DEFINITION.—In this section:

2 (1) AIR CARRIER.—The term “air carrier”
3 means an air carrier (as such term is defined in sec-
4 tion 40102 of title 49, United States Code) that
5 holds a certificate issued under part 121 of title 14,
6 Code of Federal Regulations.

7 (2) AIRCRAFT WEIGHT.—The term “aircraft
8 weight” means the gross weight of a covered aircraft
9 in operation.

10 (3) COVERED AIRCRAFT.—The term “covered
11 aircraft” means an aircraft that is operated by an
12 air carrier that is operating pursuant to a certificate
13 issued under part 121 of title 14, Code of Federal
14 Regulations.

15 **SEC. 805. AUDIT OF TECHNICAL WRITING RESOURCES AND**
16 **CAPABILITIES.**

17 (a) AUDIT BY INSPECTOR GENERAL.—Not later than
18 90 days after the date of enactment of this Act, the inspec-
19 tor general of the Department of Transportation shall ini-
20 tiate an audit of the technical writing resources and capa-
21 bilities of the Federal Aviation Administration as such re-
22 sources and capabilities relate to producing rulemaking,
23 policy, and guidance, to—

24 (1) determine if such resources and capabilities
25 are adequate; and

1 (2) make recommendations for improvement of
2 such resources and capabilities.

3 (b) REVIEW.—In conducting the review required
4 under subsection (a), the inspector general shall evaluate
5 the technical writing resources and capabilities of the Ad-
6 ministration in each line of business of the Administration,
7 the Office of Policy, International Affairs, and Environ-
8 ment, and the Office of the Chief Counsel, including by
9 reviewing—

10 (1) the process and resources required to
11 produce initial drafts of rulemaking, policy, and
12 guidance documents;

13 (2) the quality of such initial drafts;

14 (3) the amount of edits that are required
15 throughout the production of rulemaking, policy, and
16 guidance documents;

17 (4) writing support and education tools pro-
18 vided to engineers, managers, and other technical
19 staff of the Administration involved in writing or ed-
20 iting such documents; and

21 (5) whether—

22 (A) the Administration has and adheres to
23 best practices for the drafting of rulemaking,
24 policy, and guidance documents; and

25 (B) such best practices are—

1 (i) easily accessible and understand-
2 able by employees of the Administration;
3 and

4 (ii) reflect modern writing conven-
5 tions.

6 (c) RECOMMENDATIONS.—In making the rec-
7 ommendations required under subsection (a)(2), the in-
8 spector general shall make recommendations to the Ad-
9 ministrator of the Federal Aviation Administration on how
10 to improve the quality of written rulemaking, policy, and
11 guidance documents and the speed at which such docu-
12 ments can be produced, internally reviewed, and approved.

13 (d) DECONFLICTING SCOPE.—The inspector general
14 shall ensure that the audit required under subsection (a)
15 does not duplicate the evaluation required under section
16 125, except to the extent that duplication is necessary to
17 fully evaluate the technical writing resources and capabili-
18 ties of the Administration.

19 (e) REPORT.—Not later than 1 year after the inspec-
20 tor general initiates the audit under subsection (a), the
21 inspector general shall submit to the Committee on Trans-
22 portation and Infrastructure of the House of Representa-
23 tives and the Committee on Commerce, Science, and
24 Transportation of the Senate a report on the results of
25 the audit, including findings and recommendations.

1 **SEC. 806. FAA PARTICIPATION IN INDUSTRY STANDARDS**
2 **ORGANIZATIONS.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Aviation Administration shall ensure the participation of
5 employees of the Administration in the activities of recog-
6 nized industry standards organizations to advance the
7 adoption, reference, and acceptance rate of standards and
8 means of compliance developed by such organizations by
9 the Administrator.

10 (b) PARTICIPATION.—An employee directed by the
11 Administrator to participate in a working group, task
12 group, committee, or similar body of a recognized industry
13 standards organization shall—

14 (1) actively participate in the discussions and
15 work of such organization;

16 (2) accurately represent the position of the Ad-
17 ministration on the subject matter of such discus-
18 sions and work;

19 (3) contribute to the development of work prod-
20 ucts of such organization, unless determined to be
21 inappropriate by such organization;

22 (4) make reasonable efforts to identify and
23 make any concerns of the Administration relating to
24 such work products known to such organization, in-
25 cluding through providing formal comments, as may

1 be allowed for under the procedures of such organi-
2 zation;

3 (5) provide regular updates to other Adminis-
4 tration employees and management on the progress
5 of such work products; and

6 (6) seek advice and input from other Adminis-
7 tration employees and management, as needed.

8 (c) INVITATIONS.—

9 (1) IN GENERAL.—The Administrator may ac-
10 cept an invitation to participate in and contribute to
11 the work of a recognized industry standards organi-
12 zation as described in subsection (b).

13 (2) DECLINATION OF INVITATION.—If the Ad-
14 ministrator declines an invitation described in para-
15 graph (1), the Administrator shall provide—

16 (A) the recognized industry standards or-
17 ganization a written response to the invitation
18 that articulates the reasons for declining the in-
19 vitation; and

20 (B) a copy of such written response to the
21 Committee on Transportation and Infrastruc-
22 ture of the House of Representatives and the
23 Committee on Commerce, Science, and Trans-
24 portation of the Senate not later than 5 days

1 after providing the response to such organiza-
2 tion under subparagraph (A).

3 (d) **RECOGNIZED INDUSTRY STANDARDS ORGANIZA-**
4 **TION DEFINED.**—In this section, the term “recognized in-
5 dustry standards organization” means a domestic or inter-
6 national organization that—

7 (1) uses agreed upon procedures to develop
8 aviation-related industry standards or means of com-
9 pliance, particularly standards or means of compli-
10 ance that satisfy Administration requirements or
11 guidance;

12 (2) is comprised of members of the public, in-
13 cluding subject matter experts, industry representa-
14 tives, academics and researchers, and government
15 employees; and

16 (3) has had at least one standard or means of
17 compliance accepted by the Administrator or ref-
18 erenced in guidance material or a regulation issued
19 by the Federal Aviation Administration after the
20 date of enactment of the Vision 100—Century of
21 Aviation Reauthorization Act (Public Law 108–176).

22 **SEC. 807. SENSE OF CONGRESS ON USE OF VOLUNTARY**
23 **CONSENSUS STANDARDS.**

24 It is the sense of Congress that the Administrator
25 of the Federal Aviation Administration should make every

1 effort to abide by the policies set forth in the Office of
2 Management and Budget Circular A–119, titled “Federal
3 Participation in the Development and Use of Voluntary
4 Consensus Standards and Conformity Assessment Activi-
5 ties”.

6 **SEC. 808. REQUIRED DESIGNATION.**

7 The Administrator of the Federal Aviation Adminis-
8 tration shall designate any aviation rulemaking committee
9 convened under this Act pursuant to section 106(p)(5) of
10 title 49, United States Code.

11 **SEC. 809. SENSITIVE SECURITY INFORMATION.**

12 (a) IN GENERAL.—Chapter 401 of title 49, United
13 States Code, is amended by inserting after section 40118
14 the following:

15 **“§ 40119. Sensitive security information**

16 “(a) IN GENERAL.—Notwithstanding section 552 of
17 title 5, the Secretary of Transportation shall issue regula-
18 tions prohibiting the disclosure of information obtained or
19 developed in the process of ensuring security under this
20 title if the Secretary determines that disclosing the infor-
21 mation would—

22 “(1) be an unwarranted invasion of personal
23 privacy;

24 “(2) reveal a trade secret or privileged or con-
25 fidential commercial or financial information; or

1 “(3) be detrimental to transportation safety.

2 “(b) WITHHELD INFORMATION.—In carrying out
3 subsection (a), the Secretary shall ensure that the prohibi-
4 tions described in such subsection do not apply to any in-
5 formation provided to a committee of Congress authorized
6 to have such information, including the Committee on
7 Transportation and Infrastructure and the Committee on
8 Science, Space, and Technology of the House of Rep-
9 resentatives and the Committee on Commerce, Science,
10 and Transportation of the Senate.

11 “(c) RULE OF CONSTRUCTION.—Nothing in sub-
12 section (a) shall be construed to authorize the designation
13 of information as sensitive security information (as de-
14 fined in section 15.5 of title 49, Code of Federal Regula-
15 tions) to—

16 “(1) conceal—

17 “(A) a violation of law;

18 “(B) inefficiency; or

19 “(C) an administrative error;

20 “(2) prevent embarrassment to a person, orga-
21 nization, or governmental agency;

22 “(3) restrain competition; or

23 “(4) prevent or delay the release of information
24 that does not require protection in the interest of
25 transportation security, including basic scientific re-

1 search information not clearly related to transpor-
2 tation security.

3 “(d) NONDISCLOSURE.—Section 552a of title 5 shall
4 not apply to disclosures that the Administrator of the Fed-
5 eral Aviation Administration may make from the systems
6 of records of the Administration to any Federal law en-
7 forcement, intelligence, protective service, immigration, or
8 national security official in order to assist the official re-
9 ceiving the information in the performance of official du-
10 ties.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 401 of title 49, United States Code, is amended by
13 striking the item related to section 40119 and inserting
14 the following:

“40119. Sensitive security information.”.

15 **SEC. 810. PRESERVING OPEN SKIES WHILE ENSURING FAIR**
16 **SKIES.**

17 (a) ADDITION OF LABOR STANDARDS.—Section
18 40101 of title 49, United States Code, is amended—

19 (1) in subsection (a) by adding at the end the
20 following:

21 “(17) preventing the undermining of labor
22 standards.”; and

23 (2) in subsection (e) by adding at the end the
24 following:

1 “(11) preventing the undermining of labor
2 standards.”.

3 (b) UPDATE TO FOREIGN AIR CARRIER PERMITS.—
4 Section 41302(2)(B) of title 49, United States Code, is
5 amended by striking “the foreign air transportation” and
6 inserting “after considering the totality of the cir-
7 cumstances, including the matters described in section
8 40101(a), the foreign air transportation”.

9 (c) SAVINGS CLAUSE.—Nothing in this section, or
10 the amendments made by this section, shall be construed
11 to affect the validity of a foreign air carrier permit held,
12 or air transport agreement in place, on the date of enact-
13 ment of this Act.

14 **SEC. 811. COMMERCIAL PREFERENCE.**

15 Section 40110(d) of title 49, United States Code, is
16 further amended—

17 (1) in paragraph (1) by striking “and imple-
18 ment” and inserting “, implement, and periodically
19 update”;

20 (2) in paragraph (2) by striking “the new ac-
21 quisition management system developed and imple-
22 mented” and inserting “the acquisition management
23 system developed, implemented, and periodically up-
24 dated” each place it appears;

25 (3) in paragraph (3)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “new”; and

4 (ii) by striking “and implemented”
5 and inserting “, implemented, and periodi-
6 cally updated”; and

7 (B) in subparagraph (B) by striking
8 “Within” and all that follows through “the Ad-
9 ministrator” and inserting “The Adminis-
10 trator”;

11 (4) by redesignating paragraph (4) as para-
12 graph (5); and

13 (5) by inserting after paragraph (3) the fol-
14 lowing:

15 “(4) COMMERCIAL PRODUCTS AND SERVICES.—
16 In implementing and updating the acquisition man-
17 agement system pursuant to paragraph (1), the Ad-
18 ministrator shall, whenever possible—

19 “(A) describe the requirements with re-
20 spect to a solicitation for the procurement of
21 supplies or services in terms of—

22 “(i) functions to be performed;

23 “(ii) performance required; or

24 “(iii) essential physical and system
25 characteristics;

1 “(B) ensure that commercial services or
2 commercial products may be procured to fulfill
3 such solicitation, or to the extent that commer-
4 cial products suitable to meet the needs of the
5 Administration are not available, ensure that
6 nondevelopmental items other than commercial
7 products may be procured to fulfill such solici-
8 tation;

9 “(C) provide offerors of commercial serv-
10 ices, commercial products, and nondevelop-
11 mental items other than commercial products
12 an opportunity to compete in any solicitation
13 for the procurement of supplies or services;

14 “(D) revise the procurement policies, prac-
15 tices, and procedures of the Administration to
16 reduce any impediments to the acquisition of
17 commercial products and commercial services;

18 “(E) ensure that any procurement of new
19 equipment takes into account the life cycle, reli-
20 ability, performance, service support, and costs
21 to guarantee the acquisition of equipment that
22 is of high quality and reliability resulting in
23 greater performance and cost-related benefits
24 for airports; and

25 “(F) ensure that procurement officials—

1 “(i) acquire commercial services, com-
2 mercial products, or nondevelopmental
3 items other than commercial products to
4 meet the needs of the Administration;

5 “(ii) in a solicitation for the procure-
6 ment of supplies or services, state the spec-
7 ifications for such supplies or services in
8 terms that enable and encourage bidders
9 and offerors to supply commercial services
10 or commercial products, or to the extent
11 that commercial products suitable to meet
12 the needs of the Administration are not
13 available, to supply nondevelopmental
14 items other than commercial products;

15 “(iii) require that prime contractors
16 and subcontractors at all levels under con-
17 tracts with the Administration incorporate
18 commercial services, commercial products,
19 or nondevelopmental items other than com-
20 mercial products as components of items
21 supplied to the Administration;

22 “(iv) modify procurement require-
23 ments in appropriate circumstances to en-
24 sure that such requirements can be met by
25 commercial services or commercial prod-

1 ucts, or to the extent that commercial
2 products suitable to meet the needs of the
3 Administration are not available, non-
4 developmental items other than commercial
5 products; and

6 “(v) require training of appropriate
7 personnel in the acquisition of commercial
8 products and commercial services.”.

9 **SEC. 812. CONSIDERATION OF THIRD-PARTY SERVICES.**

10 (a) PLANS AND POLICY.—Section 44501 of title 49,
11 United States Code, is amended—

12 (1) in subsection (a) by striking “development
13 and location of air navigation facilities” and insert-
14 ing “development of air navigation facilities and
15 services”; and

16 (2) in subsection (b)—

17 (A) by striking “and development” and in-
18 serting “procurement, and development” each
19 place it appears;

20 (B) by striking “facilities and equipment”
21 and inserting “facilities, services, and equip-
22 ment”;

23 (C) by striking “first and 2d years” and
24 inserting “first and second years”;

1 (D) by striking “subclauses (A) and (B) of
2 this clause” and inserting “subparagraphs (A)
3 and (B)”;

4 (E) by striking “the 3d, 4th, and 5th” and
5 inserting “the third, fourth, and fifth”;

6 (F) by striking “systems and facilities”
7 and inserting “systems, services, and facilities”;
8 and

9 (G) by striking “growth of aviation” and
10 inserting “growth of the aerospace industry”.

11 (b) SYSTEMS, PROCEDURES, FACILITIES, AND DE-
12 VICES.—Section 44505 of title 49, United States Code,
13 is amended—

14 (1) in subsection (a)—

15 (A) by striking “develop, alter” and insert-
16 ing “develop when necessary, alter”; and

17 (B) by striking “and devices” and insert-
18 ing “services, and devices” each place it ap-
19 pears; and

20 (2) in subsection (b) by striking “develop dy-
21 namic simulation models” and inserting “develop or
22 procure dynamic simulation models and tools” each
23 place it appears.

1 **SEC. 813. CERTIFICATES OF AUTHORIZATION OR WAIVER.**

2 (a) IN GENERAL.—Notwithstanding any other provi-
3 sion of law, the Secretary of Transportation, acting
4 through the Administrator of the Federal Aviation Admin-
5 istration, may issue a certificate of authorization or waiver
6 to a person to operate an aircraft within an area covered
7 by a temporary flight restriction under such conditions as
8 the Administrator may prescribe, except for airspace that
9 is subject to a permanent, continuous flight restriction,
10 unless the authorization or waiver is issued to the entity
11 for which the flight restriction was created.

12 (b) SPECIAL CONSIDERATIONS.—If a temporary
13 flight restriction is related to a sporting event and issued
14 pursuant to section 541 of division F of the Consolidated
15 Appropriations Act, 2004 (49 U.S.C. 40103 note), the
16 conditions prescribed by the Administrator under sub-
17 section (a) shall include the following:

18 (1) A minimum distance from the center of the
19 temporary flight restriction, which shall not be
20 greater than 0.75 nautical miles, unless the Admin-
21 istrator determines, on a case by case basis, that
22 such mileage is insufficient to maintain public safe-
23 ty.

24 (2) The person may not operate an aircraft (ex-
25 cept for a purpose described under section 521 of di-
26 vision F of the Consolidated Appropriations Act,

1 2004 (49 U.S.C. 40103 note)) for a purpose that
2 the Secretary determines is directly related to the
3 event for which the temporary flight restriction is
4 active.

5 (c) REQUIRED COORDINATION.—

6 (1) IN GENERAL.—On an annual basis, the Ad-
7 ministrator shall convene a meeting with representa-
8 tives of Administration-approved air shows, the gen-
9 eral aviation community, stadiums and other large
10 outdoor events and venues or organizations that run
11 such events, the Department of Homeland Security,
12 and the Department of Justice—

13 (A) to identify scheduling conflicts between
14 Administration-approved air shows and large
15 outdoor events and venues where—

16 (i) flight restrictions will be imposed
17 pursuant to section 521 of division F of
18 the Consolidated Appropriations Act, 2004
19 (49 U.S.C. 40103 note); or

20 (ii) any other restriction will be im-
21 posed pursuant to Federal Aviation Ad-
22 ministration Flight Data Center Notice to
23 Airmen 4/3621 (or any successor notice to
24 airmen); and

1 (B) in instances where a scheduling con-
2 flict between events is identified or is found to
3 be likely to occur, develop appropriate oper-
4 ational and communication procedures to en-
5 sure for the safety and security of both events,
6 pursuant to the authority prescribed in sub-
7 section (a).

8 (2) SCHEDULING CONFLICT.—If the Adminis-
9 trator or any other stakeholder party to the required
10 annual coordination required in paragraph (1) iden-
11 tifies a scheduling conflict outside of the annual
12 meeting at any point prior to the scheduling conflict,
13 the Administrator shall work with impacted stake-
14 holders to develop appropriate operational and com-
15 munication procedures to ensure for the safety and
16 security of both events, pursuant to the authority
17 prescribed in subsection (a).

18 (3) NOTICE.—Prior to issuing a certificate of
19 authorization or waiver pursuant to subsection (a),
20 the Administrator shall give appropriate due notice
21 to impacted stakeholders and develop appropriate
22 operational and communication procedures to ensure
23 for the safety and security of all impacted events,
24 pursuant to the authority prescribed in subsection
25 (a).

1 (d) BRIEFING.—Not later than 18 months after the
2 date of enactment of this Act, the Secretary shall brief
3 the Committee on Transportation and Infrastructure of
4 the House of Representatives and the Committee on Com-
5 merce, Science, and Transportation of the Senate on the
6 implementation of this section, including the number and
7 nature of certificates of authorization or waiver that have
8 been issued under subsection (a) subject to restrictions
9 under subsection (b).

10 (e) OPERATIONAL PURPOSES.—Section
11 521(a)(2)(B)(ii) of division F of the Consolidated Appro-
12 priations Act, 2004 (49 U.S.C. 40103 note) is amended
13 by inserting “(or attendees approved by)” after “guests”.

14 **SEC. 814. WING-IN-GROUND-EFFECT CRAFT.**

15 (a) MEMORANDUM OF UNDERSTANDING.—

16 (1) IN GENERAL.—Not later than 24 months
17 after the date of enactment of this Act, the Adminis-
18 trator of the Federal Aviation Administration and
19 the Commandant of the Coast Guard shall execute
20 a memorandum of understanding governing the spe-
21 cific roles, delineations of responsibilities, resources,
22 and commitments of the Federal Aviation Adminis-
23 tration and the Coast Guard, respectively, pertaining
24 to wing-in-ground-effect craft that are—

1 (A) only capable of operating either in
2 water or in ground effect over water; and

3 (B) operated exclusively over waters sub-
4 ject to the jurisdiction of the United States.

5 (2) CONTENTS.—The memorandum of under-
6 standing described in paragraph (1) shall—

7 (A) cover the processes the Federal Avia-
8 tion Administration and the United States
9 Coast Guard will follow to promote communica-
10 tions, efficiency, and nonduplication of effort in
11 carrying out such memorandum of under-
12 standing;

13 (B) account for the special rule in accord-
14 ance with subsection (b); and

15 (C) provide procedures for, at a minimum,
16 the following:

17 (i) Approval of wing-in-ground-effect
18 craft designs.

19 (ii) Operations of wing-in-ground-ef-
20 fect craft.

21 (iii) Pilotage of wing-in-ground-effect
22 craft.

23 (iv) Inspections of wing-in-ground-ef-
24 fect craft.

1 (v) Maintenance of wing-in-ground-ef-
2 fect craft.

3 (b) SPECIAL RULE PROHIBITING SECRETARY FROM
4 REGULATING CERTAIN WIG CRAFT OPERATORS AS AIR
5 CARRIERS.—Notwithstanding any other provision of law
6 or regulation, the Secretary of Transportation may not
7 regulate an operator of a wing-in-ground-effect craft as
8 an air carrier (as such term is defined in section 40102(a)
9 of title 49, United States Code).

10 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed to—

12 (1) limit the authority of the Secretary or the
13 Administrator to regulate aircraft that are not wing-
14 in-ground-effect craft, including aircraft that are—

15 (A) capable of the operations described in
16 subsection (d); and

17 (B) capable of sustained flight out of
18 ground effect;

19 (2) confer upon the Commandant the authority
20 to determine the impact of any civil aircraft oper-
21 ation on the safety or efficiency of the National Air-
22 space System; or

23 (3) confer upon the Administrator the authority
24 to issue a certificate of documentation, with or with-
25 out a registry, fishery or coastwise endorsement, for,

1 or inspect any vessel as that term is defined in sec-
2 tion 115 of title 46, United States Code.

3 (d) WING-IN-GROUND-EFFECT CRAFT DEFINED.—In
4 this section, the term “wing-in-ground-effect craft” means
5 a craft that is capable of operating completely above the
6 surface of the water on a dynamic air cushion created by
7 aerodynamic lift due to the ground effect between the craft
8 and the surface of the water.

9 **SEC. 815. QUASQUICENTENNIAL OF AVIATION.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) December 17, 2028, is the 125th anniver-
12 sary of the first successful manned, free, controlled,
13 and sustained flight by an aircraft.

14 (2) The first flight by Orville and Wilbur
15 Wright in Kitty Hawk, North Carolina, is a defining
16 moment in the history of the United States and the
17 world.

18 (3) The Wright brothers’ achievement is a tes-
19 tament to their ingenuity, perseverance, and commit-
20 ment to innovation, which has inspired generations
21 of aviators and scientists alike.

22 (4) The advent of aviation and the air transpor-
23 tation industry has fundamentally transformed the
24 United States and the world for the better.

1 (5) The 125th anniversary of the Wright brothers' first flight is worthy of recognition and celebration to honor their legacy and to inspire a new generation of Americans as aviation reaches an inflection point of innovation and change.

2 (b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the heads of other appropriate Federal agencies should facilitate and participate in local, national, and international observances and activities that commemorate and celebrate the 125th anniversary of powered flight.

3 **SEC. 816. FEDERAL CONTRACT TOWER WAGE DETERMINATIONS AND POSITIONS.**

4 The Secretary of Transportation shall request that the Secretary of Labor—

5 (1) review and update, as necessary, including to account for cost-of-living adjustments, the basis for the wage determination for air traffic controllers who are employed at air traffic control towers operated under the Contract Tower Program established under section 47124 of title 49, United States Code;

6 (2) create a new wage determination category or occupation code for managers of air traffic con-

1 trollers who are employed at air traffic control tow-
2 ers in the Contract Tower Program; and

3 (3) consult with the Administrator of the Fed-
4 eral Aviation Administration in carrying out the re-
5 quirements of paragraphs (1) and (2).

6 **SEC. 817. INTERNAL PROCESS IMPROVEMENTS REVIEW.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the inspector general of the
9 Department of Transportation shall review the coordina-
10 tion and approval processes of non-regulatory materials
11 produced by the Federal Aviation Administration to im-
12 prove the timeliness, transparency, development, and
13 issuance of such materials.

14 (b) CONTENTS OF REVIEW.—In conducting the re-
15 view under subsection (a), the inspector general shall—

16 (1) provide recommendations for improving
17 processes and eliminating nonvalue-added reviews of
18 non-regulatory materials within the Federal Aviation
19 Administration and Department of Transportation,
20 in consideration of the authority of the Adminis-
21 trator under section 106 of title 49, United States
22 Code, and other applicable laws;

23 (2) consider, with respect to each office within
24 the Federal Aviation Administration and the Depart-

1 ment of Transportation that reviews non-regulatory
2 materials—

3 (A) the timeline assigned to each such of-
4 fice to complete the review of such materials;

5 (B) the actual time spent for such review;
6 and

7 (C) opportunities to reduce the actual time
8 spent for such review;

9 (3) describe any organizational changes and ad-
10 ditional resources that the Administration needs, if
11 necessary, to reduce delays in the development and
12 publication of proposed non-regulatory materials;

13 (4) consider to what extent reporting mecha-
14 nisms and templates could be used to provide the
15 public with more consistent information on the de-
16 velopment status of non-regulatory materials;

17 (5) consider changes to the application of rules
18 governing ex parte communications by the Adminis-
19 trator to provide flexibility for employees of the Ad-
20 ministration to discuss non-regulatory materials with
21 aviation stakeholders and foreign aviation authorities
22 to promote United States aviation leadership;

23 (6) recommend methods by which the Adminis-
24 tration can incorporate standards set by recognized
25 industry standards organizations, as such term is

1 defined in section 806, into non-regulatory materials
2 to keep pace with rapid changes in aerospace tech-
3 nology and processes; and

4 (7) evaluate the processes and best practices
5 other civil aviation authorities and other Federal de-
6 partments and agencies use to produce non-regu-
7 latory materials, particularly the processes of enti-
8 ties that produce such materials in an expedited
9 fashion to respond to safety risks, incidents, or new
10 technology adoption.

11 (c) CONSULTATION.—In conducting the review under
12 subsection (a), the inspector general may, as appropriate,
13 consult with industry stakeholders, academia, and other
14 individuals with relevant background or expertise in im-
15 proving the efficiency of Federal non-regulatory material
16 production.

17 (d) REPORT.—Not later than 1 year after the inspec-
18 tor general initiates the review under subsection (a), the
19 inspector general shall submit to the Administrator a re-
20 port on such review.

21 (e) ACTION PLAN.—

22 (1) IN GENERAL.—The Administrator shall de-
23 velop an action plan to implement the recommenda-
24 tions contained in the report submitted under sub-
25 section (d).

1 terms, conditions, reservations, restrictions, and obliga-
2 tions contained in the Quitclaim Deed and permit the
3 State of Arizona to deposit all proceeds of the disposition
4 of Buckeye 940 in the appropriate fund for the benefit
5 of the beneficiaries of the Arizona State Land Trust.

6 (b) DEFINITIONS.—In this section:

7 (1) BUCKEYE 940.—The term “Buckeye 940”
8 means all of section 12, T.1 N., R.3 W. and all of
9 adjoining fractional section 7, T.1 N., R.2 W., Gila
10 and Salt River Meridian, Arizona, which property
11 was the subject of the Quitclaim Deed between the
12 United States and the State of Arizona, dated July
13 11, 1949, and which is currently owned by the State
14 of Arizona and held in trust for the beneficiaries of
15 the Arizona State Land Trust.

16 (2) QUITCLAIM DEED.—The term “Quitclaim
17 Deed” means the Quitclaim Deed between the
18 United States and the State of Arizona, dated July
19 11, 1949.

20 (3) SECRETARY.—The term “Secretary” means
21 the Secretary of Transportation.

22 (c) RELEASE OF ANY AND ALL INTEREST IN BUCK-
23 EYE 940.—

24 (1) IN GENERAL.—Notwithstanding any other
25 provision of law, the United States, acting through

1 the Secretary, shall issue to the State of Arizona a
2 Deed of Release to release all terms, conditions, res-
3 ervations, restrictions, and obligations contained in
4 the Quitclaim Deed, including any and all rever-
5 sionary interest of the United States in Buckeye
6 940.

7 (2) TERMS AND CONDITIONS.—The Deed of
8 Release described in paragraph (1) shall be subject
9 to such additional terms and conditions, consistent
10 with such paragraph, as the Secretary considers ap-
11 propriate to protect the interests of the United
12 States.

13 (3) NO RESTRICTION ON USE OF PROCEEDS.—
14 Notwithstanding any other provision of law, the
15 State of Arizona may dispose of Buckeye 940 and
16 any proceeds thereof, including proceeds already col-
17 lected by the State and held in a suspense account,
18 without regard to any restriction imposed by the
19 Quitclaim Deed or by section 155.7 of title 14, Code
20 of Federal Regulations.

21 (4) MINERAL RESERVATION.—The Deed of Re-
22 lease described in paragraph (1) shall include the re-
23 lease of all interests of the United States to the min-
24 eral rights on Buckeye 940 included in the Quit-
25 claim Deed.

1 **SEC. 820. FEDERAL AVIATION ADMINISTRATION INFORMA-**
2 **TION TECHNOLOGY SYSTEM INTEGRITY.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall initiate a review to
6 identify and address aging information technology systems
7 within the Administration.

8 (b) CONTENTS.—The review required under sub-
9 section (a) shall—

10 (1) identify and inventory critical software and
11 hardware systems of the Administration;

12 (2) assess the vulnerabilities of such systems to
13 degradation, errors (including human errors), and
14 malicious attacks (including cyber attacks); and

15 (3) identify upgrades to, or replacements for,
16 such systems that are necessary to mitigate such
17 vulnerabilities.

18 (c) MITIGATION.—The Administrator shall take such
19 action as may be necessary to mitigate the vulnerabilities
20 identified under the review conducted under subsection
21 (a).

22 (d) LEVERAGING EXTERNAL EXPERTISE.—To the
23 maximum extent practicable, the actions carried out pur-
24 suant to this section shall—

1 (1) be consistent with the acquisition manage-
2 ment system established and updated pursuant to
3 section 40110(d) of title 49, United States Code;

4 (2) incorporate input from industry, academia,
5 or other external experts on information technology;
6 and

7 (3) identify technologies in existence or in de-
8 velopment that, with or without adaptation, are ex-
9 pected to be suitable to meet the technical informa-
10 tion technology needs of the Administration.

11 (e) REPORT.—Not later than 2 years after the date
12 of enactment of this Act, the Administrator shall submit
13 to the Committee on Transportation and Infrastructure
14 of the House of Representatives and the Committee on
15 Commerce, Science, and Transportation of the Senate a
16 report detailing the results of the review required under
17 subsection (a).

18 (f) INSPECTOR GENERAL REVIEW.—

19 (1) IN GENERAL.—After the Administrator
20 completes the review under subsection (a), the in-
21 spector general of the Department of Transportation
22 shall conduct an audit of the integrity of the infor-
23 mation technology systems of the Administration
24 and assess the efforts of the Administration to ad-

1 dress the Administration's aging information tech-
2 nology systems.

3 (2) REPORT.—The inspector general shall sub-
4 mit to the Committee on Transportation and Infra-
5 structure of the House of Representatives and the
6 Committee on Commerce, Science, and Transpor-
7 tation of the Senate a report on the results of the
8 audit carried out under this subsection.

9 **SEC. 821. BRIEFING ON RADIO COMMUNICATIONS COV-**
10 **ERAGE AROUND MOUNTAINOUS TERRAIN.**

11 (a) BRIEFING REQUIREMENT.—Not later than 180
12 days after the date of enactment of this Act, the Adminis-
13 trator of the Federal Aviation Administration shall provide
14 to the Committee on Transportation and Infrastructure
15 of the House of Representatives and the Committee on
16 Commerce, Science, and Transportation of the Senate a
17 briefing on the radio communications coverage within the
18 airspace surrounding the Mena Intermountain Municipal
19 Airport in Mena, Arkansas.

20 (b) BRIEFING CONTENTS.—The briefing required
21 under subsection (a) shall include the following:

22 (1) The radio communications coverage within
23 the airspace surrounding the Mena Intermountain
24 Municipal Airport with the applicable Air Route
25 Traffic Control Center.

1 (2) The altitudes at which radio communica-
2 tions capabilities are lost within such airspace.

3 (3) Recommendations on changes that may in-
4 crease radio communications coverage below 4,000
5 feet above ground level within such airspace.

6 **SEC. 822. STUDY ON CONGESTED AIRSPACE.**

7 (a) STUDY.—Not later than 180 days after the date
8 of enactment of this Act, the Comptroller General of the
9 United States shall initiate a study on the efficiency and
10 efficacy of scheduled commercial air service transiting con-
11 gested airspace.

12 (b) CONTENTS.—In carrying out the study required
13 under subsection (a), the Comptroller General shall exam-
14 ine—

15 (1) various regions of congested airspace and
16 the differing factors of such regions;

17 (2) commercial air service;

18 (3) military flight activity;

19 (4) emergency response activity;

20 (5) commercial space launch and reentry activi-
21 ties;

22 (6) weather; and

23 (7) air traffic controller staffing.

24 (c) REPORT.—Not later than 18 months after the
25 date of enactment of this Act, the Comptroller General

1 shall submit to the Committee on Transportation and In-
2 frastructure of the House of Representatives and the Com-
3 mittee on Commerce, Science, and Transportation of the
4 Senate a report on the results of the study and rec-
5 ommendations to reduce the impacts to scheduled air serv-
6 ice transiting congested airspace.

7 **SEC. 823. ADMINISTRATIVE SERVICES FRANCHISE FUND.**

8 Title I of the Department of Transportation and Re-
9 lated Agencies Appropriations Act, 1997 (49 U.S.C.
10 40113 note) is amended under the heading “Administra-
11 tive Services Franchise Fund” by striking “shall be paid
12 in advance” and inserting “may be reimbursed after per-
13 formance or paid in advance”.

14 **SEC. 824. USE OF BIOGRAPHICAL ASSESSMENTS.**

15 Section 44506(f)(2)(A) of title 49, United States
16 Code, is amended by striking “paragraph (1)(B)(ii)” and
17 inserting “paragraph (1)(B)”.

18 **SEC. 825. WHISTLEBLOWER PROTECTION ENFORCEMENT.**

19 Section 42121(b)(5) of title 49, United States Code,
20 is amended to read as follows:

21 “(5) ENFORCEMENT OF ORDER.—Whenever
22 any person has failed to comply with an order issued
23 under paragraph (3), the Secretary of Labor and the
24 Administrator of the Federal Aviation Administra-

1 tion shall consult with each other to determine the
2 most appropriate action to be taken, in which—

3 “(A) the Secretary of Labor may file a
4 civil action in the United States district court
5 for the district in which the violation was found
6 to occur to enforce such order, for which, in ac-
7 tions brought under this paragraph, the district
8 courts shall have jurisdiction to grant all appro-
9 priate relief including, injunctive relief and com-
10 pensatory damages; and

11 “(B) the Administrator of the Federal
12 Aviation Administration may assess a civil pen-
13 alty pursuant to section 46301.”.

14 **SEC. 826. FINAL RULEMAKING ON CERTAIN MANUFAC-**
15 **TURING STANDARDS.**

16 Not later than December 16, 2023, the Administrator
17 of the Federal Aviation Administration shall issue a final
18 rule for the notice of proposed rulemaking titled “Airplane
19 Fuel Efficiency Certification” and published June 15,
20 2022 (RIN 2120–AL54).

21 **SEC. 827. REMOTE DISPATCH.**

22 (a) IN GENERAL.—Section 44711(a) of title 49,
23 United States Code, is amended—

24 (1) in paragraph (9) by striking “or” at the
25 end;

1 (2) in paragraph (10) by striking the period
2 and inserting “; or”; and

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

4 “(11) work as an aircraft dispatcher outside of
5 a physical location designated as a dispatching cen-
6 ter or flight following center of an air carrier, except
7 as provided under section 44747.”.

8 (b) AIRCRAFT DISPATCHING.—Chapter 447 of title
9 49, United States Code, is further amended by adding at
10 the end the following:

11 “**§ 44747. Aircraft dispatching**

12 “(a) AIRCRAFT DISPATCHING CERTIFICATE.—No
13 person may serve as an aircraft dispatcher for an air car-
14 rier unless that person holds the appropriate aircraft dis-
15 patcher certificate issued by the Administrator of the Fed-
16 eral Aviation Administration.

17 “(b) PROOF OF CERTIFICATE.—Upon the request of
18 the Administrator or an authorized representative of the
19 National Transportation Safety Board, or other appro-
20 priate Federal agency, a person who holds such a certifi-
21 cate, and is performing dispatching shall present the cer-
22 tificate for inspection.

23 “(c) DISPATCH CENTERS AND FLIGHT FOLLOWING
24 CENTERS.—

1 “(1) ESTABLISHMENT.—Air carriers shall es-
2 tablish and maintain sufficient dispatch centers and
3 flight following centers necessary to maintain oper-
4 ational control of each flight at all times.

5 “(2) REQUIREMENTS.—Air carrier dispatch
6 centers and flight following centers shall—

7 “(A) have a sufficient number of aircraft
8 dispatchers at dispatch centers and flight fol-
9 lowing centers to ensure proper operational con-
10 trol of each flight at all times;

11 “(B) have the equipment necessary and in
12 good repair to maintain proper operational con-
13 trol of each flight at all times; and

14 “(C) include appropriate physical and cy-
15 bersecurity protections, as determined by the
16 Administrator.

17 “(3) LOCATION LIMITATION.—No air carrier
18 may dispatch aircraft from any location other than
19 the designated dispatch centers or flight following
20 centers of such air carrier.

21 “(d) EMERGENCY AUTHORITY FOR REMOTE DIS-
22 PATCHING.—Notwithstanding subsection (c), an air car-
23 rier may dispatch aircraft from locations other than from
24 designated dispatch centers or flight following centers for
25 a limited period of time in the event of an emergency or

1 other event that renders a center inoperable. An air carrier
2 may not dispatch aircraft under the emergency authority
3 under this subsection for longer than 30 consecutive days
4 without the approval of the Administrator.”.

5 (c) CLERICAL AMENDMENT.—The analysis for chap-
6 ter 447 of title 49, United States Code, is further amend-
7 ed by adding at the end the following:

“44747. Aircraft dispatching.”.

8 **SEC. 828. EMPLOYEE ASSAULT PREVENTION AND RE-**
9 **SPONSE PLANS AMENDMENT.**

10 Section 551 of the FAA Reauthorization Act of 2018
11 (49 U.S.C. 44903 note) is amended—

12 (1) in subsection (a)—

13 (A) by striking “Not later than 90 days
14 after the date of enactment of this Act,” and
15 inserting “The Administrator shall require”;
16 and

17 (B) by striking “shall submit to the Ad-
18 ministrator” and inserting “to submit”; and

19 (2) in subsection (c) by striking “A part 121
20 air carrier shall” and inserting “The Administrator
21 shall require a part 121 air carrier to”.

22 **SEC. 829. CREW MEMBER SELF-DEFENSE TRAINING.**

23 Section 44918(b) of title 49, United States Code, is
24 amended—

1 (1) in paragraph (4) by striking “Neither” and
2 inserting “Except as provided in paragraph (8), nei-
3 ther”; and

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

5 “(8) AIR CARRIER ACCOMMODATION.—An air
6 carrier with a crew member participating in the
7 training program under this subsection shall provide
8 a process through which each such crew member
9 may obtain reasonable accommodations.”.

10 **SEC. 830. FORMAL SEXUAL ASSAULT AND HARASSMENT**
11 **POLICIES ON AIR CARRIERS AND FOREIGN**
12 **AIR CARRIERS.**

13 (a) IN GENERAL.—Chapter 417 of title 49, United
14 States Code, is further amended by adding at the end the
15 following:

16 **“§ 41729. Formal sexual assault and harassment poli-**
17 **cies**

18 “(a) REQUIREMENT.—Not later than 180 days after
19 the date of enactment of this section, each air carrier and
20 foreign air carrier transporting passengers for compensa-
21 tion shall issue, in consultation with labor unions rep-
22 resenting personnel of the air carrier or foreign air carrier,
23 a formal policy with respect to transportation sexual as-
24 sault or harassment incidents.

1 “(b) CONTENTS.—The policy required under sub-
2 section (a) shall include—

3 “(1) a statement indicating that no transpor-
4 tation sexual assault or harassment incident is ac-
5 ceptable under any circumstance;

6 “(2) procedures that facilitate the reporting of
7 a transportation sexual assault or harassment inci-
8 dent, including—

9 “(A) appropriate public outreach activities;
10 and

11 “(B) confidential phone and internet-based
12 opportunities for reporting;

13 “(3) procedures that personnel should follow
14 upon the reporting of a transportation sexual assault
15 or harassment incident, including actions to protect
16 affected individuals from continued sexual assault or
17 harassment and to notify law enforcement when ap-
18 propriate;

19 “(4) procedures that may limit or prohibit, to
20 the extent practicable, future travel with the air car-
21 rier or foreign air carrier by any passenger who
22 causes a transportation sexual assault or harassment
23 incident; and

1 “(5) training that is required for all appropriate
2 personnel with respect to the policy required under
3 subsection (a), including—

4 “(A) specific training for personnel who
5 may receive reports of transportation sexual as-
6 sault or harassment incidents; and

7 “(B) recognizing and responding to poten-
8 tial human trafficking victims, in the same
9 manner as required under section 44734(a)(4).

10 “(c) PASSENGER INFORMATION.—An air carrier or
11 foreign air carrier described in subsection (a) shall promi-
12 nently display, on the internet website of the air carrier
13 or foreign air carrier and through the use of appropriate
14 signage, a written statement that informs passengers and
15 personnel of the procedure for reporting a transportation
16 sexual assault or harassment incident.

17 “(d) STANDARD OF CARE.—Compliance with the re-
18 quirements of this section, and any policy issued there-
19 under, shall not determine whether the air carrier or for-
20 eign air carrier described in subsection (a) has acted with
21 any requisite standard of care.

22 “(e) DEFINITIONS.—In this section:

23 “(1) PERSONNEL.—The term ‘personnel’ means
24 an employee or contractor of an air carrier or for-
25 eign air carrier.

1 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
2 sault’ means the occurrence of an act that con-
3 stitutes any nonconsensual sexual act proscribed by
4 Federal, tribal, or State law, including when the vic-
5 tim lacks capacity to consent.

6 “(3) TRANSPORTATION SEXUAL ASSAULT OR
7 HARASSMENT INCIDENT.—The term ‘transportation
8 sexual assault or harassment incident’ means the oc-
9 currence, or reasonably suspected occurrence, of an
10 act that—

11 “(A) constitutes sexual assault or sexual
12 harassment; and

13 “(B) is committed—

14 “(i) by a passenger or member of per-
15 sonnel of an air carrier or foreign air car-
16 rier against another passenger or member
17 of personnel of an air carrier or foreign air
18 carrier; and

19 “(ii) within an aircraft or in an area
20 in which passengers are entering or exiting
21 an aircraft.”.

22 (b) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 417 of title 49, United States Code, is further amend-
24 ed by adding at the end the following:

“41729. Formal sexual assault and harassment policies.”.

1 **SEC. 831. INTERFERENCE WITH SECURITY SCREENING**
2 **PERSONNEL.**

3 Section 46503 of title 49, United States Code, is
4 amended—

5 (1) by striking “An individual” and inserting
6 the following:

7 “(a) IN GENERAL.—An individual”; and

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

9 “(b) AIRPORT AND AIR CARRIER EMPLOYEES.—For
10 purposes of this section, an airport or air carrier employee
11 who has security duties within the airport includes an air-
12 port or air carrier employee performing ticketing, check-
13 in, baggage claim, or boarding functions.”.

14 **SEC. 832. MECHANISMS TO REDUCE HELICOPTER NOISE.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Comptroller General
17 of the United States shall initiate a study to examine ways
18 in which a State, territorial, or local government may miti-
19 gate the negative impacts of commercial helicopter noise.

20 (b) CONSIDERATIONS.—In conducting the study
21 under subsection (a), the Comptroller General shall con-
22 sider—

23 (1) the varying degree of commercial helicopter
24 operations in different communities; and

25 (2) actions that State, and local governments
26 have taken, and authorities such governments have

1 used, to reduce the impact of commercial helicopter
2 noise and the success of such actions.

3 (c) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, the Comptroller General shall
5 provide to the Administrator of the Federal Aviation Ad-
6 ministration, the Committee on Transportation and Infra-
7 structure of the House of Representatives, and the Com-
8 mittee on Commerce, Science, and Transportation of the
9 Senate a report on the findings of the study conducted
10 under subsection (a).

11 **SEC. 833. TECHNICAL CORRECTIONS.**

12 (a) TITLE 49 ANALYSIS.—The analysis for title 49,
13 United States Code, is amended by striking the item relat-
14 ing to subtitle IX and inserting the following:

“IX. MULTIMODAL FREIGHT TRANSPORTATION..... 70101”.

15 (b) SUBTITLE I ANALYSIS.—The analysis for subtitle
16 I of title 49, United States Code, is amended by striking
17 the item relating to chapter 7.

18 (c) SUBTITLE VII ANALYSIS.—The analysis for sub-
19 title VII of title 49, United States Code, is amended by
20 striking the item relating to chapter 448 and inserting the
21 following:

“448. Unmanned Aircraft Systems..... 44801”.

22 (d) AUTHORITY TO EXEMPT.—Section 40109(b) of
23 title 49, United States Code, is amended by striking “sec-

1 tions 40103(b)(1) and (2) of this title” and inserting
2 “paragraphs (1) and (2) of section 40103(b)”.

3 (e) GENERAL PROCUREMENT AUTHORITY.—Section
4 40110(d)(3) of title 49, United States Code, is further
5 amended—

6 (1) in subparagraph (B) by inserting “, as in
7 effect on October 9, 1996” after “Policy Act”;

8 (2) in subparagraph (C) by striking “the Office
9 of Federal Procurement Policy Act” and inserting
10 “division B of subtitle I of title 41”; and

11 (3) in subparagraph (D) by striking “section
12 27(e)(3)(A)(iv) of the Office of Federal Procurement
13 Policy Act” and inserting “section 2105(c)(1)(D) of
14 title 41”.

15 (f) GOVERNMENT-FINANCED AIR TRANSPORTATION.—Section 40118(g)(1) of title 49, United States
16 Code, is amended by striking “detection and reporting of
17 potential human trafficking (as described in paragraphs
18 (9) and (10))” and inserting “detection and reporting of
19 potential severe forms of trafficking in persons and sex
20 trafficking (as such terms are defined in paragraphs (11)
21 and (12))”.

22 (g) FAA AUTHORITY TO CONDUCT CRIMINAL HISTORY
23 RECORD CHECKS.—Section 40130(a)(1)(A) of title
24

1 49, United States Code, is amended by striking “(42
2 U.S.C. 14616)” and inserting “(34 U.S.C. 40316)”.

3 (h) SUBMISSIONS OF PLANS.—Section 41313(c)(16)
4 of title 49, United States Code, is amended by striking
5 “will consult” and inserting “the foreign air carrier shall
6 consult”.

7 (i) PLANS AND POLICY.—Section 44501(c) of title
8 49, United States Code, is amended—

9 (1) in paragraph (2)(B)(i), by striking
10 “40119,”; and

11 (2) in paragraph (3) by striking “Subject to
12 section 40119(b) of this title and regulations pre-
13 scribed under section 40119(b),” and inserting
14 “Subject to section 44912(d)(2) and regulations pre-
15 scribed under such section,”.

16 (j) USE AND LIMITATION OF AMOUNTS.—Section
17 44508 of title 49, United States Code, is amended by
18 striking “40119,” each place it appears.

19 (k) STRUCTURES INTERFERING WITH AIR COM-
20 MERCE OR NATIONAL SECURITY.—Section 44718(h) of
21 title 49, United States Code, is amended to read as fol-
22 lows:

23 “(h) DEFINITIONS.—In this section, the terms ‘ad-
24 verse impact on military operations and readiness’ and
25 ‘unacceptable risk to the national security of the United

1 States' have the meaning given those terms in section
2 183a(h) of title 10.”.

3 (l) METEOROLOGICAL SERVICES.—Section
4 44720(b)(2) of title 49, United States Code, is amended—

5 (1) by striking “the Administrator to persons”
6 and inserting “the Administrator, to persons”; and

7 (2) by striking “the Administrator and to” and
8 inserting “the Administrator, and to”.

9 (m) AERONAUTICAL CHARTS.—Section 44721(c)(1)
10 of title 49, United States Code, is amended by striking
11 “1947,” and inserting “1947”.

12 (n) FLIGHT ATTENDANT CERTIFICATION.—Section
13 44728(c) of title 49, United States Code, is amended by
14 striking “Regulation,” and inserting “Regulations,”.

15 (o) MANUAL SURCHARGE.—The analysis for chapter
16 453 of title 49, United States Code, is amended by adding
17 at the end the following:

“45306. Manual surcharge.”.

18 (p) SCHEDULE OF FEES.—Section 45301(a) of title
19 49, United States Code, is amended by striking “The Ad-
20 ministrator shall establish” and inserting “The Adminis-
21 trator of the Federal Aviation Administration shall estab-
22 lish”.

23 (q) JUDICIAL REVIEW.—Section 46110(a) of title 49,
24 United States Code, is amended by striking “subsection

1 (l) or (s) of section 114” and inserting “subsection (l) or
2 (r) of section 114”.

3 (r) CIVIL PENALTIES.—Section 46301(a) of title 49,
4 United States Code, is amended—

5 (1) in the heading for paragraph (6), by strik-
6 ing “FAILURE TO COLLECT AIRPORT SECURITY
7 BADGES” and inserting “FAILURE TO COLLECT AIR-
8 PORT SECURITY BADGES”; and

9 (2) in paragraph (7), by striking “PENALTIES
10 RELATING TO HARM TO PASSENGERS WITH DISABIL-
11 ITIES” in the paragraph heading and inserting
12 “PENALTIES RELATING TO HARM TO PASSENGERS
13 WITH DISABILITIES”.

14 (s) PAYMENTS UNDER PROJECT GRANT AGREE-
15 MENTS.—Section 47111(e) of title 49, United States
16 Code, is amended by striking “fee” and inserting
17 “charge”.

18 (t) AGREEMENTS FOR STATE AND LOCAL OPER-
19 ATION OF AIRPORT FACILITIES.—Section
20 47124(b)(1)(B)(ii) of title 49, United States Code, is
21 amended by striking the second period at the end.

22 (u) USE OF FUNDS FOR REPAIRS FOR RUNWAY
23 SAFETY REPAIRS.—Section 47144(b)(4) of title 49,
24 United States Code, is amended by striking “(42 U.S.C.
25 4121 et seq.)” and inserting “(42 U.S.C. 5121 et seq.)”.

1 (v) METROPOLITAN WASHINGTON AIRPORTS AU-
2 THORITY.—Section 49106 of title 49, United States Code,
3 is amended—

4 (1) in subsection (a)(1)(B) by striking “and
5 section 49108 of this title”; and

6 (2) in subsection (c)(6)(C) by inserting “the”
7 before “jurisdiction”.

8 (w) SEPARABILITY AND EFFECT OF JUDICIAL
9 ORDER.—Section 49112(b) of title 49, United States
10 Code, is amended—

11 (1) by striking paragraph (1); and

12 (2) by striking “(2) Any action” and inserting
13 “Any action”.

14 **SEC. 834. TRANSPORTATION OF ORGANS.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of enactment of this Act, the Secretary of Transpor-
17 tation, in consultation with the Administrator of the Fed-
18 eral Aviation Administration, shall convene a working
19 group (in this section referred to as the “working group”)
20 to assist in developing best practices for transportation of
21 an organ in the cabin of an aircraft operating under part
22 121 of title 14, Code of Federal Regulations, and to iden-
23 tify regulations that hinder such transportation, if applica-
24 ble.

1 (b) COMPOSITION.—The working group shall be com-
2 prised of representatives from the following:

3 (1) Air carriers operating under part 121 of
4 title 14, Code of Federal Regulations.

5 (2) Organ procurement organizations.

6 (3) Organ transplant hospitals.

7 (4) Flight attendants.

8 (5) Other relevant Federal agencies involved in
9 organ transportation or air travel.

10 (c) CONSIDERATIONS.—In establishing the best prac-
11 tices described in subsection (a), the working group shall
12 consider—

13 (1) a safe, standardized process for acceptance,
14 handling, management, and transportation of an
15 organ in the cabin of such aircraft; and

16 (2) protocols to ensure the safe and timely
17 transport of an organ in the cabin of such aircraft,
18 including through connecting flights.

19 (d) RECOMMENDATIONS.—Not later than 1 year
20 after the convening of the working group, such working
21 group shall submit to the Secretary a report containing
22 recommendations for the best practices described in sub-
23 section (a).

24 (e) DEFINITION OF ORGAN.—In this section, the
25 term “organ”—

1 (1) has the meaning given such term in section
2 121.2 of title 42, Code of Federal Regulations; and
3 (2) includes organ-related tissue.

4 **SEC. 835. REPORT ON APPLICATION APPROVAL TIMING.**

5 Not later than 120 days after the date of enactment
6 of this Act, the Administrator of the Federal Aviation Ad-
7 ministration shall submit to the Committee on Transpor-
8 tation and Infrastructure of the House of Representatives
9 and the Committee on Commerce, Science, and Transpor-
10 tation of the Senate a report detailing the amount of time
11 the application approval process takes for agricultural air-
12 craft operations under part 137 of title 14, Code of Fed-
13 eral Regulations.

14 **SEC. 836. STUDY ON AIR CARGO OPERATIONS.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of enactment of this Act, the Comptroller General
17 of the United States shall initiate a study on the economic
18 sustainability of air cargo operations.

19 (b) CONTENTS.—In conducting the study required
20 under subsection (a), the Comptroller General shall ad-
21 dress the following:

22 (1) Airport and cargo development strategies,
23 including the pursuit of new air carriers and plans
24 for physical expansion.

1 (2) Key historical statistics for passenger, cargo
2 volumes, including freight, express, and mail cargo,
3 and operations, including statistics distinguishing
4 between passenger and freight operations.

5 (3) A description of air cargo facilities, includ-
6 ing the age and condition of such facilities and the
7 square footage and configuration of the landside and
8 airside infrastructure of such facilities, and cargo
9 buildings.

10 (4) The projected square footage deficit of the
11 cargo facilities and infrastructure described in para-
12 graph (3).

13 (5) The projected requirements and square
14 footage deficit for air cargo support facilities.

15 (6) The general physical and operating issues
16 and constraints associated with air cargo operations.

17 (7) A description of delays in truck bays associ-
18 ated with the infrastructure and critical landside
19 issues, including truck maneuvering and queuing
20 and parking for employees and customers.

21 (8) The estimated cost of developing new cargo
22 facilities and infrastructure, including the identifica-
23 tion of percentages for development with a return on
24 investment and without a return on investment.

1 (9) The projected leasing costs to tenants per
2 square foot with and without Federal funding of the
3 non-return on investment allocation.

4 (10) A description of customs and general staff-
5 ing issues associated with air cargo operations and
6 the impacts of such issues on service.

7 (11) An assessment of the impact, cost, and es-
8 timated cost savings of using modern comprehensive
9 communications and technology systems in air cargo
10 operations.

11 (12) A description of the impact of Federal reg-
12 ulations and local enforcement of interdiction and
13 facilitation policies on throughput.

14 (c) REPORT.—The Comptroller General shall submit
15 to the Committee on Transportation and Infrastructure
16 of the House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Senate the
18 results of the study carried out under this section.

19 **SEC. 837. NEXT GENERATION RADIO ALTIMETERS.**

20 (a) IN GENERAL.—Not later than 60 days after the
21 date of enactment of this Act, the Administrator of the
22 Federal Aviation Administration, in coordination with in-
23 dustry and other relevant government stakeholders, shall
24 carry out an accelerated program to assist with the devel-
25 opment, testing, and certification of the standards and

1 technology necessary to ensure industry and the Adminis-
2 tration can certify, produce and meet the installation re-
3 quirements for next generation radio altimeters across all
4 necessary aircraft by January 1, 2028.

5 (b) GRANT PROGRAM.—The Administrator may
6 award grants for the purposes of research and develop-
7 ment, testing, and other activities necessary to ensure that
8 next generation radio altimeter technology is developed,
9 tested, certified, and installed on necessary aircraft by
10 2028, including through public-private partnership grants
11 (which shall include protections for necessary intellectual
12 property with respect to any private sector entity testing,
13 certifying, or producing next generation radio altimeters
14 under the program carried out under this section) with
15 industry to ensure the accelerated production and installa-
16 tion by January 1, 2028.

17 (c) REVIEW AND REPORT.—Not later than 180 days
18 after the enactment of this Act, the Administrator shall
19 submit to the Committee on Transportation and Infra-
20 structure of the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate a report on the steps the Administrator has taken
23 as of the date on which such report is submitted and any
24 actions the Administrator plans to take, including as part
25 of the program carried out under this section, to ensure

1 that next generation radio altimeter technology is devel-
2 oped, tested, certified, and installed by 2028.

3 **SEC. 838. SENSE OF CONGRESS REGARDING SAFETY AND**
4 **SECURITY OF AVIATION INFRASTRUCTURE.**

5 It is the sense of Congress that aviation provides es-
6 sential services critical to the United States economy and
7 that it is important to ensure the safety and security of
8 aviation infrastructure and protect such infrastructure
9 from unlawful breaches with appropriate legal safeguards.

10 **SEC. 839. RESTRICTED CATEGORY AIRCRAFT MAINTENANCE AND OPERATIONS.**
11

12 Notwithstanding any other provision of law, the Ad-
13 ministrator of the Federal Aviation Administration shall
14 have sole jurisdiction over the maintenance and operations
15 of aircraft owned by civilian operators and type-certifi-
16 cated in the restricted category under section 21.25 of title
17 14, Code of Federal Regulations.

18 **SEC. 840. REPORT ON TELEWORK.**

19 Not later than 120 days after the date of the enact-
20 ment of this Act, the Secretary of Transportation shall
21 submit to the Committee on Transportation and Infra-
22 structure of the House of Representatives, the Committee
23 on Commerce, Science, and Transportation of the Senate,
24 and the Committees on Appropriations of the Senate and
25 the House of Representatives, and make publicly available

1 on a website of the Administration, a detailed report on
2 any direct and indirect costs and inefficiencies associated
3 with COVID-era telework policies at the Federal Aviation
4 Administration.

5 **SEC. 841. CREWMEMBER PUMPING GUIDANCE.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Administrator of the
8 Federal Aviation Administration shall issue guidance to
9 part 121 air carriers relating to the expression of milk
10 by crewmembers on an aircraft during noncritical phases
11 of flight, consistent with the performance of the crew-
12 member’s duties aboard the aircraft. The guidance shall
13 be equally applicable to any lactating crewmember. In de-
14 veloping the guidance, the Administrator shall—

15 (1) consider multiple methods of expressing
16 breast milk that could be used by crewmembers, in-
17 cluding the use of wearable lactation technology; and

18 (2) ensure the guidance will not require an air
19 carrier or foreign air carrier to incur significant ex-
20 pense, such as through—

21 (A) the addition of an extra crewmember
22 in response to providing a break;

23 (B) removal or retrofitting of seats on the
24 aircraft; or

1 (C) modification or retrofitting of an air-
2 craft.

3 (b) DEFINITIONS.—In this section:

4 (1) CREWMEMBER.—The term “crewmember”
5 has the meaning given such term in section 1.1 of
6 title 14, Code of Federal Regulations.

7 (2) CRITICAL PHASES OF FLIGHT.—The term
8 “critical phases of flight” has the meaning given
9 such term in section 121.542 of title 14, Code of
10 Federal Regulations.

11 (3) PART 121.—The term “part 121” means
12 part 121 of title 14, Code of Federal Regulations.

13 (c) AVIATION SAFETY.—Nothing in this section shall
14 limit the authority of the Administrator relating to avia-
15 tion safety under subtitle VII of title 49, United States
16 Code.

17 **SEC. 842. AIRCRAFT INTERCHANGE AGREEMENT LIMITA-**
18 **TIONS.**

19 (a) STUDY.—Not later than 90 days after the date
20 of enactment of this Act, the Administrator of Federal
21 Aviation Administration shall conduct a study of foreign
22 interchange agreements.

23 (b) CONTENTS.—In carrying out the study required
24 under subsection (a), the Administrator shall address the
25 following:

1 (1) Methods for updating regulations under
2 part 121.569 of title 14, Code of Federal Regula-
3 tions, for foreign interchange agreements.

4 (2) Time limits for foreign aircraft interchange
5 agreements.

6 (3) Minimum breaks between foreign aircraft
7 interchange agreements.

8 (4) Limits for no more than 1 foreign aircraft
9 interchange agreement between 2 airlines.

10 (5) Limits for no more than 2 foreign aircraft
11 on the interchange agreement.

12 **SEC. 843. FEDERAL AVIATION ADMINISTRATION ACADEMY**
13 **AND FACILITY EXPANSION PLAN.**

14 (a) PLAN.—

15 (1) IN GENERAL.—No later than 90 days after
16 the date of enactment of this section, the Adminis-
17 trator of the Federal Aviation Administration shall
18 initiate the development of a plan to expand overall
19 Federal Aviation Administration capacity relating to
20 facilities, instruction, equipment, and training re-
21 sources to grow the number of developmental air
22 traffic controllers enrolled per fiscal year and sup-
23 port increases in FAA air controller staffing to ad-
24 vance the safety of the national airspace system.

1 (2) CONSIDERATIONS.—In developing the plan
2 under paragraph (1), the Administrator shall con-
3 sider—

4 (A) the resources needed to support an in-
5 crease in the total number of developmental air
6 traffic controllers enrolled at the FAA Acad-
7 emy;

8 (B) the resources needed to lessen FAA
9 Academy attrition per fiscal year;

10 (C) how to modernize the education and
11 training of developmental air traffic controllers,
12 including through the use of new techniques
13 and technologies to support instruction;

14 (D) the equipment needed to support ex-
15 panded instruction, including air traffic control
16 simulation systems, virtual reality, and other
17 virtual training platforms;

18 (E) projected staffing needs associated
19 with FAA Academy expansion and the oper-
20 ation of education platforms, including the
21 number of on-the-job instructors needed to edu-
22 cate and train additional developmental air traf-
23 fic controllers;

24 (F) the costs of expanding Federal Avia-
25 tion Administration capacity at the existing air

1 traffic control academy (as described in para-
2 graph (1)(A));

3 (G) soliciting input from, and coordinating
4 with, relevant stakeholders as appropriate, in-
5 cluding the exclusive bargaining representative
6 of air traffic control specialists of the Federal
7 Aviation Administration certified under section
8 7111 of title 5, United States Code; and

9 (H) other logistical and financial consider-
10 ations as determined by appropriate the Admin-
11 istrator.

12 (b) REPORT.—Not later than 1 year after the date
13 of enactment of this Act, the Administrator shall submit
14 to the Committee on Transportation and Infrastructure
15 of the House of Representatives and the Committee on
16 Commerce, Science, and Transportation of the Senate the
17 plan developed under subsection (a).

18 (c) BRIEFING.—Not later than 180 days after the
19 submission of the plan under subsection (b), the Adminis-
20 trator shall brief the Committee on Transportation and
21 Infrastructure of the House of Representatives and the
22 Committee on Commerce, Science, and Transportation of
23 the Senate on the plan, including the implementation of
24 the plan.

1 **SEC. 844. LIMITATIONS FOR CERTAIN CARGO AIRCRAFT.**

2 (a) IN GENERAL.—The standards adopted by the Ad-
3 ministrator of the Environmental Protection Agency in
4 part 1030 of title 40, Code of Federal Regulations, and
5 the requirements finalized by the Administrator of the
6 Federal Aviation Administration from the notice of pro-
7 posed rulemaking titled “Airplane Fuel Efficiency Certifi-
8 cation”, and published on June 15, 2022 (RIN2120-
9 AL54) in part 38 of title 14, Code of Federal Regulations,
10 shall not apply to any covered airplane before the date
11 that is 5 years after January 1, 2028.

12 (b) OPERATIONAL LIMITATION.—The Administrator
13 of the Federal Aviation Administration shall limit the op-
14 eration of any covered airplane to domestic use or inter-
15 national operations, consistent with relevant international
16 agreements and standards, that—

17 (1) does not meet the standards and require-
18 ments described in subsection (a); and

19 (2) received an original certificate of airworthi-
20 ness issued by the Administrator of the Federal
21 Aviation Administration on or after January 1,
22 2028.

23 (c) DEFINITIONS.—In this section:

24 (1) COVERED AIRPLANE.—The term “covered
25 airplane” means an airplane that—

1 (A) is a subsonic jet that is a purpose-built
2 freighter;

3 (B) has a maximum takeoff mass greater
4 than 180,000 kilograms but not greater than
5 240,000 kilograms; and

6 (C) has a type design certificated prior to
7 January 1, 2023.

8 (2) PURPOSE-BUILT FREIGHTER.—The term
9 “purpose-built freighter” means any airplane that—

10 (A) was configured to carry cargo rather
11 than passengers prior to receiving an original
12 certificate of airworthiness; and

13 (B) is configured to carry cargo rather
14 than passengers.

15 **SEC. 845. COPYRIGHT PROTECTION FOR ORIGINAL DE-**
16 **SIGNS OF AIRCRAFT FLOATS.**

17 (a) IN GENERAL.—The Administrator of the Federal
18 Aviation Administration shall, as appropriate, coordinate
19 with the Register of Copyrights to help, to the extent fea-
20 sible, aircraft float manufacturers receive design protec-
21 tions provided under section 1301 of title 17, United
22 States Code.

23 (b) AIRCRAFT FLOAT DEFINED.—In this section, the
24 term “aircraft float” means a device suitable for use on
25 an airplane that meets the standards set forth in the tech-

1 nical standard order related to Twin Seaplane Floats
2 issued by the Federal Aviation Administration on July 31,
3 2018 (TSO-C27a), or any successor standard.

4 **SEC. 846. DELIVERY OF CLEARANCE TO PILOTS VIA INTER-**
5 **NET PROTOCOL.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of enactment of this Act, the Administrator of the
8 Federal Aviation Administration shall conduct testing and
9 an evaluation to determine the feasibility of the use, in
10 air traffic control towers, technology for delivering clear-
11 ances via internet protocol to enable mobile device access
12 for general aviation and on-demand Part 135 air carriers
13 at airports that do not have Towered Data Link Services.

14 (b) AIRPORT SELECTION.—The Administrator shall
15 designate five airports for participation in the initial air-
16 port pilot program after consultation with the exclusive
17 representatives of air traffic controllers certified under
18 section 7111 of title 5, United States Code, airport spon-
19 sors, aircraft and avionics manufacturers, MITRE, and
20 aircraft operators and the designation should include air-
21 ports of different size and complexity.

22 (c) PROGRAM OBJECTIVE.—The program shall ad-
23 dress and include safety, security, and operational require-
24 ments for mobile clearance delivery at airports and heli-
25 ports across the United States.

1 (d) DEFINITIONS.—In this section:

2 (1) MOBILE CLEARANCE DELIVERY.—The term
3 “mobile clearance delivery” means providing access
4 to departure clearance and clearance cancellation via
5 Internet Protocol via applications to pilots while air-
6 craft are on the ground where traditional data link
7 installations are not feasible or possible.

8 (2) PART 135.—The term “Part 135” means
9 part 135 of title 14, Code of Federal Regulations.

10 (3) TOWER DATA LINK SERVICES.—The term
11 “tower data link services” means communications
12 between controllers and pilots using controller-pilot
13 data link communications.

14 (4) SUITABLE AIRPORT.—The term “suitable
15 airport” shall include towered airports, non-towered
16 airports, and heliports.

17 (e) REPORT.—Not later than 1 year after the date
18 on which the mobile clearance delivery program becoming
19 operational, the Administrator shall submit to the Com-
20 mittee on Transportation and Infrastructure of the House
21 of Representatives and the Committee on Commerce,
22 Science, and Transportation of the Senate a report on the
23 safety, security, and operational performance of the mobile
24 clearance services at airports pursuant to this section and
25 recommendations on how best to improve the program.

1 **SEC. 847. REPORT ON INDO-PACIFIC AIRPORTS.**

2 The Administrator of the Federal Aviation Adminis-
3 tration, in consultation with the Secretary of State, shall
4 submit to Congress a report on airports of strategic impor-
5 tance in the Indo-Pacific region that includes each of the
6 following:

7 (1) An identification of airports and air routes
8 critical to national security, defense operations,
9 emergency response, and continuity of government
10 activities.

11 (2) An assessment of the economic impact and
12 contribution of airports and air routes to national
13 and regional economies.

14 (3) An evaluation of the connectivity and acces-
15 sibility of airports and air routes, including their im-
16 portance in supporting domestic and international
17 travel, trade, and tourism.

18 (4) An analysis of infrastructure and techno-
19 logical requirements necessary to maintain and en-
20 hance the strategic importance of identified airports
21 and air routes.

22 (5) An identification of potential vulnerabilities,
23 risks, and challenges faced by airports and air
24 routes of strategic importance, including cybersecu-
25 rity threats and physical infrastructure
26 vulnerabilities.

1 (6) Any recommendations for improving the se-
2 curity, resilience, and efficiency of the identified air-
3 ports and air routes, including potential infrastruc-
4 ture investments and policy changes.

5 **SEC. 848. GAO STUDY ON THE IMPLEMENTATION OF**
6 **GRANTS AT AIRPORTS.**

7 The Comptroller General of the United States shall
8 conduct a study on the implementation of grants provided
9 to airports located in the Freely Associated States under
10 section 47115(i) of title 49, United States Code.

11 **SEC. 849. MINORITY AND DISADVANTAGED BUSINESS PAR-**
12 **TICIPATION.**

13 Section 157(b)(2) of the FAA Reauthorization Act of
14 2018 (49 U.S.C. 47113 note) is amended by adding at
15 the end the following:

16 “(D) PUBLISHING DATA.—The Secretary
17 of Transportation shall report on a publicly ac-
18 cessible website the uniform report of DBE
19 awards—commitments and payments specified
20 in part 26 of title 49, Code of Federal Regula-
21 tions, and the uniform report of ACDBE Par-
22 ticipation for non-car rental and car rental con-
23 cessions, for each airport sponsor beginning
24 with fiscal year 2024.”.

1 **SEC. 850. STRUCTURES INTERFERING WITH AIR COM-**
2 **MERCE OR NATIONAL SECURITY.**

3 Section 44718 of title 49, United States Code, is
4 amended—

5 (1) in subsection (a) by inserting “on a publicly
6 available website” after “public notice”;

7 (2) by redesignating subsection (h) as sub-
8 section (i);

9 (3) in subsection (i) (as so redesignated) by
10 adding at the end the following:

11 “(3) ENERGY PROJECT.—The term ‘energy
12 project’ has the meaning given such term in section
13 183a(h) of title 10.

14 “(4) FOREIGN PRINCIPAL; AGENT OF A FOR-
15 EIGN PRINCIPAL.—The terms ‘foreign principal’ and
16 ‘agent of a foreign principal’ have the meaning given
17 such terms in section 1 of the Foreign Agents Reg-
18 istration Act of 1938 (22 U.S.C. 611).”;

19 (4) by inserting after subsection (g) the fol-
20 lowing:

21 “(h) SPECIAL RULE FOR ENERGY PROJECTS.—

22 “(1) IN GENERAL.—Any person who is required
23 to submit an application for an energy project under
24 this section shall include in such application a disclo-
25 sure of any relationship such person has with a for-

1 eign principal or with an agent of a foreign prin-
2 cipal.

3 “(2) INACCURATE DISCLOSURE OF RELATION-
4 SHIP WITH FOREIGN PRINCIPAL.—

5 “(A) IN GENERAL.—The Secretary of
6 Transportation, in consultation with the Attor-
7 ney General of the United States and the head
8 of any other relevant Federal agency, shall es-
9 tablish a process to evaluate the accuracy of a
10 disclosure made under paragraph (1) and deter-
11 mine whether a person has violated such para-
12 graph.

13 “(B) INITIAL PENALTY FOR INACCURATE
14 DISCLOSURE.—If the Secretary determines that
15 a person has knowingly violated paragraph (1),
16 such person shall be prohibited from submitting
17 an application for an energy project under this
18 section during the period beginning on the date
19 on which the Secretary made the determination
20 under subparagraph (A) and ending on the date
21 that is 2 years after such determination.

22 “(C) PENALTIES FOR SUBSEQUENT INAC-
23 CURATE DISCLOSURES.—If the Secretary deter-
24 mines that a person knowingly violates para-
25 graph (1) after an initial violation under sub-

1 paragraph (B), such person shall be perma-
2 nently prohibited from submitting an applica-
3 tion for an energy project under this section.”.

4 **SEC. 851. EFFECT OF AIRLINE MERGERS FOR CONSUMERS.**

5 (a) IN GENERAL.—The Comptroller General of the
6 United States shall submit a report to Congress on the
7 effect of airline mergers for consumers, including pas-
8 senger fares (including add-on fees), the number of routes,
9 the number of nonstop routes eliminated, and the number
10 of flight delays and cancellations.

11 (b) REPORT.—Not later than 180 days after the date
12 of the enactment of this Act, the Comptroller General shall
13 submit a report on the results of the study conducted
14 under subsection (a) to the following congressional com-
15 mittees:

16 (1) the Committee on Transportation and In-
17 frastructure and the Committee on the Judiciary of
18 the House of Representatives; and

19 (2) the Committee on Commerce, Science, and
20 Transportation and the Committee on the Judiciary
21 of the Senate.

22 **SEC. 852. TASK FORCE ON HUMAN FACTORS IN AVIATION**
23 **SAFETY.**

24 (a) IN GENERAL.—Not later than 6 months after the
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall convene a task force
2 on human factors in aviation safety (in this section re-
3 ferred to as the “Task Force”).

4 (b) COMPOSITION.—The Task Force shall consist of
5 members appointed by the Administrator and having ex-
6 pertise in an operational or academic discipline that is rel-
7 evant to the analysis of human errors in aviation. The
8 number of members shall be determined by the Adminis-
9 trator to ensure sufficient representation of relevant oper-
10 ational and academic disciplines.

11 (c) DURATION.—

12 (1) IN GENERAL.—Members of the Task Force
13 shall be appointed for the length of the existence of
14 the Task Force.

15 (2) LENGTH OF EXISTENCE.—

16 (A) IN GENERAL.—The Task Force shall
17 have an initial length of existence of 2 years.

18 (B) OPTION.—The Administrator may ex-
19 ercise an option to lengthen the duration of the
20 existence of the Task Force for a period of 2
21 years.

22 (d) DISCIPLINES.—For purposes of subsection (b),
23 disciplines may include air carrier operations, line pilot ex-
24 pertise, air traffic control, technical operations, aero-
25 nautical information, aircraft maintenance and mechanics

1 psychology, linguistics, human-machine integration, gen-
2 eral aviation operations, and organizational behavior and
3 culture.

4 (e) EXPERTISE.—

5 (1) IN GENERAL.—No less than half of the
6 members shall have expertise in aviation.

7 (2) ADDITIONAL EXPERTISE.—The Task Force
8 shall include members with expertise on human fac-
9 tors but whose experience and training are not in
10 aviation specifically and who have not previously
11 been engaged in work related to the Federal Avia-
12 tion Administration or the aviation industry. The
13 Task Force shall also include pilot labor organiza-
14 tion, certificated mechanic labor organizations, and
15 at least one member from an air traffic controller
16 labor organization.

17 (f) FEDERAL AVIATION ADMINISTRATION MEM-
18 BERS.—

19 (1) IN GENERAL.—Not more than 4 members
20 may be employees of the Federal Aviation Adminis-
21 tration and National Transportation Safety Board,
22 excluding representatives of the labor representatives
23 of employees of the air traffic control system. Not
24 more than 2 members may be employees of the Na-
25 tional Transportation Safety Board. The Federal

1 Aviation Administration and the National Transpor-
2 tation Safety Board members shall be non-voting.

3 (2) FEDERAL AVIATION ADMINISTRATION EM-
4 PLOYEES.—Any member who is an Federal Aviation
5 Administration employee shall have expertise in safe-
6 ty.

7 (g) DUTIES.—In coordination with the Research, En-
8 gineering, and Development Advisory Committee estab-
9 lished under section 44508 of title 49, United States Code,
10 the Task Force shall—

11 (1) not later than the date on which the Task
12 Force is no longer in existence, produce a written re-
13 port that—

14 (A) to the greatest extent possible, identi-
15 fies the most significant human factors and the
16 relative contribution of such factors to aviation
17 safety risk;

18 (B) identifies new research priorities for
19 research in human factors in aviation safety;

20 (C) reviews existing products by other
21 working groups related to human factors in
22 aviation safety including the Commercial Avia-
23 tion Safety Team (CAST)'s work pertaining to
24 flight crew responses to abnormal events;

1 (D) provides recommendations on potential
2 revisions to any Federal Aviation Administra-
3 tion regulations and guidance pertaining to the
4 certification of aircraft under part 25 of title
5 14, Code of Federal Regulations, including sec-
6 tions related to presumed pilot response times
7 and assumptions about the reliability of pilot
8 performance during unexpected, stressful
9 events;

10 (E) reviews rules, regulations, or standards
11 regarding flight crew rest and fatigue, as well
12 as maintenance personnel rest and fatigue, that
13 are used by a sample of international air car-
14 riers, including those deemed to be more strin-
15 gent and less stringent than the current stand-
16 ards pertaining to United States air carriers,
17 and identify risks to the National Airspace Sys-
18 tem from any such variation in standards
19 across countries;

20 (F) reviews pilot training requirements and
21 recommend any revisions necessary to ensure
22 adequate understanding of automated systems
23 on aircraft;

1 (G) reviews approach and landing mis-
2 alignment and make any recommendations for
3 improving these events;

4 (H) identifies ways to enhance instrument
5 landing system maintenance schedules; deter-
6 mines how a real-time smart system should be
7 developed that informs the Air Traffic Control
8 System, Airlines, and Airports about any
9 changes in the state of runway and taxiway
10 lights; and identifies how this system could be
11 connected to the Federal Aviation Administra-
12 tion's maintenance system;

13 (I) analyzes, with respect to human errors
14 related to aviation safety of part 121 air car-
15 riers—

16 (i) fatigue and distraction during crit-
17 ical phases of work among pilots or other
18 aviation personnel;

19 (ii) tasks and workload;

20 (iii) organizational culture;

21 (iv) communication among personnel;

22 (v) adherence to safety procedures;

23 (vi) mental state of personnel; and

1 (vii) any other relevant factors that
2 are the cause or potential cause of human
3 error related to aviation safety;

4 (J) includes a tabulation of the number of
5 accidents, incidents, or aviation safety database
6 entries received in which an item identified
7 under subparagraph (I) was a cause or poten-
8 tial cause of human error related to aviation
9 safety; and

10 (K) includes a list of causes or potential
11 causes of human error related to aviation safety
12 about which the Administrator believes addi-
13 tional information is needed; and

14 (2) if the Secretary exercises the option de-
15 scribed in subsection (c)(2)(B), not later than the
16 date that is 2 years after the date of establishment
17 of the Task Force, produce an interim report con-
18 taining the information described in paragraph (1).

19 (h) **METHODOLOGY.**—To complete the report under
20 subparagraphs (I) through (K) of subsection (g)(1), the
21 Task Force shall consult with the National Transportation
22 Safety Board and use all available data compiled and anal-
23 ysis conducted on safety incidents and irregularities col-
24 lected during the relevant fiscal year from the following:

25 (1) Flight Operations Quality Assurance.

1 (2) Aviation Safety Action Program.

2 (3) Aviation Safety Information Analysis and
3 Sharing.

4 (4) The Aviation Safety Reporting System.

5 (5) Aviation safety recommendations and inves-
6 tigation findings of the National Transportation
7 Safety Board.

8 (6) Other relevant programs or sources.

9 (i) APPLICABLE LAW.—Section 1013 of title 5,
10 United States Code, shall not apply to the Task Force.

11 **SEC. 853. SENSE OF CONGRESS ENCOURAGING THE FAA TO**

12 **WELCOME THE USE OF UNMANNED AERIAL**

13 **VEHICLES.**

14 It is the sense of Congress that Congress encourages
15 the Federal Aviation Administration to welcome the use
16 of unmanned aerial vehicles, such as drones, to bolster and
17 augment traditional manual inspection, survey, and main-
18 tenance operations, including operations that relate to
19 electric transmission infrastructure, water quality and the
20 presence of harmful algal blooms, transportation infra-
21 structure, national parks, and telecommunications infra-
22 structure.

23 **SEC. 854. EVALUATION OF EMERGENCY RESPONSE PLANS.**

24 (a) IN GENERAL.—The Comptroller General of the
25 United States shall, in consultation with industry stake-

1 holders and the owners or operators of airports certified
2 by the Administrator of the Federal Aviation Administra-
3 tion, conduct an evaluation of a representative sample of
4 the emergency plans in place at such airports.

5 (b) CONTENTS.—In conducting the evaluation under
6 subsection (a), the Comptroller General shall assess, with
7 respect to such airports, the following:

8 (1) Electricity supply on normal operating pro-
9 cedures.

10 (2) Resiliency plans for maintaining appropriate
11 electricity supply to continue airport operations in
12 the case a natural disaster disrupts the airport's pri-
13 mary power source.

14 (3) Backup electricity plans in the event a nat-
15 ural disaster disrupts, partially or completely, the
16 airport's primary power source.

17 (4) A comparison of previous versions of the
18 airport's emergency response plans and how current
19 and future airport emergency response plans may be
20 similar or different than the emergency response
21 plans of the past.

22 (5) The overall impact of an airport losing its
23 primary power source on communities surrounding
24 the airport and any public health and safety risks
25 that may result.

1 (c) SUBMISSION.—Not later than 1 year after the
2 date of enactment of this Act, the Comptroller General
3 shall submit to the Committee on Transportation and In-
4 frastructure of the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transportation of the
6 Senate a report containing the results of the evaluation
7 conducted under subsection (a).

8 **SEC. 855. STUDY ON AIR CARGO OPERATIONS IN PUERTO**
9 **RICO.**

10 (a) IN GENERAL.—No later than 180 days after the
11 date of enactment of this Act, the Comptroller General
12 of the United States shall conduct a study on air cargo
13 operations in Puerto Rico.

14 (b) CONTENTS.—In conducting the study required
15 under subsection (a), the Comptroller General shall ad-
16 dress the following:

17 (1) The economic impact of waivers authorized
18 by the Secretary of the Department of Transpor-
19 tation related to air cargo operations in Puerto Rico.

20 (2) Recommendations for security measures
21 that may be necessary to support increased air cargo
22 operations in Puerto Rico.

23 (3) Potential need for additional staff to safely
24 accommodate additional air cargo operations.

1 (4) Airport infrastructure improvements that
2 may be needed in the 3 international airports lo-
3 cated in Puerto Rico to support increased air cargo
4 operations.

5 (5) Alternatives to increase private stakeholder
6 engagement and use of the 3 international airports
7 in Puerto Rico to attract increased air cargo oper-
8 ations.

9 (6) Possible national benefits of increasing air
10 cargo operations in Puerto Rico.

11 (c) REPORT.—Not later than 12 months after the
12 date of enactment of this Act, the Comptroller General
13 shall submit to the appropriate Committees of Congress
14 a report on the results of the study described in subsection
15 (a).

16 **SEC. 856. PROHIBITION ON OPERATION OF AIRCRAFT OVER**
17 **RUSSIAN AIRSPACE.**

18 (a) IN GENERAL.—Not later than 60 days after the
19 date of the enactment of this Act, the Secretary of Trans-
20 portation, in consultation with the Secretary of State and
21 other relevant Federal officials, shall—

22 (1) amend NOTAM KICZ NOTAM A0005/22-
23 Security, titled “United States of America Prohibi-
24 tion Against Certain Flights in specified areas of the
25 Moscow (UUWV), Samara (UWWW) and Rostov-Na

1 Donu (URRV) Flight Information Regions (FIR))”
2 to apply the prohibitions equally to air carriers and
3 foreign air carriers landing in or taking off from an
4 airport in the United States;

5 (2) take other actions within the authorities of
6 the Secretary to apply to foreign air carriers landing
7 in, or taking off from, an airport in the United
8 States prohibitions consistent with the prohibitions
9 in the NOTAM referred to in paragraph (1); or

10 (3) provide to the Committee on Transportation
11 and Infrastructure of the House of Representatives
12 and the Committee on Commerce, Science, and
13 Transportation of the Senate, a briefing, in a classi-
14 fied or unclassified setting, if the Secretary finds
15 that the implementation of paragraph (1) or (2) is—

16 (A) unnecessary;

17 (B) not in the public interest; or

18 (C) not consistent with the foreign policy
19 priorities of the United States.

20 (b) SUNSET.—Any prohibition implemented pursuant
21 to subsection (a) shall terminate on the date on which the
22 NOTAM referred to in subsection (a) is rescinded.

23 (c) SAVINGS CLAUSE.—Nothing in this section shall
24 be construed as putting any limitation on the authority
25 of the Secretary of Transportation to implement any pro-

1 hibition in addition or subsequent to a prohibition imple-
2 mented under subsection (a).

3 (d) DEFINITIONS.—Each of the terms used in this
4 section shall have the meanings given such terms in sec-
5 tion 40102(a) of title 49, United States Code.

6 **SEC. 857. GAO STUDY ON AVIATION WORKFORCE.**

7 (a) IN GENERAL.—The Comptroller General of the
8 United States shall conduct a study on methods related
9 to the recruitment, retention, employment, education,
10 training, and well-being of the aviation workforce specifi-
11 cally within rural communities.

12 (b) COLLABORATION.—In conducting the study
13 under subsection (a), the Comptroller General shall col-
14 laborate with industry stakeholders and rural aviation fa-
15 cilities to ascertain the best policies for increasing partici-
16 pating in the aviation workforce community from individ-
17 uals from rural communities.

18 (c) REPORT TO CONGRESS.—Not later than 120 days
19 after the date of enactment of this Act, the Comptroller
20 General shall submit the results of the study under sub-
21 section (a) to the appropriate congressional committees.

22 (d) ADMINISTRATIVE ACTIONS.—The Administrator
23 of the Federal Aviation Administration shall take such ac-
24 tions as are reasonable to implement the recommendations

1 made by the Comptroller General from the study con-
2 ducted under subsection (a).

3 **SEC. 858. ASSESSMENT BY INSPECTOR GENERAL OF THE**
4 **DEPARTMENT OF TRANSPORTATION OF**
5 **COUNTER-UAS SYSTEM OPERATIONS.**

6 (a) ASSESSMENT.—Not later than 180 days after the
7 date of the enactment of this Act, the Inspector General
8 of the Department of Transportation shall assess all ac-
9 tions taken by the Federal Aviation Administration affect-
10 ing the ability of U.S. Customs and Border Protection to
11 conduct counter-UAS system operations at the southern
12 border of the United States from January 1, 2021, to such
13 date of enactment.

14 (b) CONSIDERATIONS.—The assessment under sub-
15 section (a) shall consider the following impacts:

16 (1) Operational capabilities of U.S. Customs
17 and Border Protection in detecting and mitigating
18 unauthorized unmanned aircraft systems.

19 (2) Coordination efforts and information shar-
20 ing between the Federal Aviation Administration
21 and U.S. Customs and Border Protection regarding
22 counter-UAS system operations.

23 (3) Any other impacts or considerations the In-
24 spector General of the Department of Transpor-
25 tation determines relevant.

1 (c) REPORT.—Not later than 90 days after the com-
2 pletion of the assessment under subsection (a), the Inspec-
3 tor General of the Department of Transportation shall
4 submit to the Committee on Transportation and Infra-
5 structure of the House of Representatives and the Com-
6 mittee on Commerce, Science, and Transportation of the
7 Senate a report detailing the findings of such assessment.

8 (d) DEFINITIONS.—In this section:

9 (1) COUNTER-UAS SYSTEM.—The term
10 “counter-UAS system” has the meaning given such
11 term in section 44801 of title 49, United States
12 Code.

13 (2) UNMANNED AIRCRAFT SYSTEM.—The term
14 “unmanned aircraft system” has the meaning given
15 such term in section 44801 of title 49, United
16 States Code.

17 **SEC. 859. BRIEFING ON LIT VORTAC PROJECT.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration shall provide a briefing
21 on the Little Rock Port Authority Very High Frequency
22 Omni-Directional Radio Range Tactical Air Navigation
23 Aid Project (LIT VORTAC) to the Committee on Trans-
24 portation and Infrastructure of the House of Representa-

1 tives and the Committee on Commerce, Science, and
2 Transportation of the Senate.

3 (b) BRIEFING CONTENTS.—The briefing required
4 under subsection (a) shall include the following:

5 (1) (1) The status of the efforts by the Federal
6 Aviation Administration to relocate the LIT
7 VORTAC.

8 (2) The status of new flight planning of the re-
9 located VORTAC.

10 (3) A description of and timeline for each re-
11 maining phase of the relocation project.

12 **SEC. 860. REIMBURSEMENT FOR FINANCIAL LOSSES DUE**
13 **TO CERTAIN AIRPORT CLOSURES.**

14 (a) NOTIFICATION REQUIRED.—Not later than 30
15 days after the date on which a President takes office, the
16 Administrator of the Federal Aviation Administration
17 shall provide notification to specified aviation entities lo-
18 cated at any airports that may be expected to close at any
19 point during the term of such President due to temporary
20 flight restrictions related to any residence of the President
21 that is designated or identified to be secured by the United
22 States Secret Service.

23 (b) REIMBURSEMENT REQUIRED.—Subject to the
24 availability of appropriations, the Administrator shall pro-
25 vide financial reimbursement to specified aviation entities

1 in an amount equal to the direct and incremental financial
2 losses incurred while an airport, or portion thereof, is
3 closed solely due to the actions of the Federal Government
4 as described in subsection (a). The Administrator shall
5 provide reimbursement for such losses.

6 (c) AUDIT REQUIRED.—The Administrator may not
7 obligate or distribute reimbursement funding described in
8 subsection (b) until an audit of the financial losses in-
9 curred by a specified aviation entity is completed by the
10 Administrator. The Administrator may request that speci-
11 fied aviation entities provide documentation which the Ad-
12 ministrator determines is necessary to complete such
13 audit.

14 (d) INELIGIBLE COSTS.—In carrying out this section,
15 the Administrator shall ensure that any loss incurred as
16 a result of a violation of law, or through fault or neg-
17 ligence, of a specified aviation entity are not eligible for
18 reimbursements

19 (e) GOVERNMENT RELEASE FROM LIABILITY.—The
20 United States Government shall not be liable for claims
21 for financial losses resulting from airport closures de-
22 scribed in subsection (a).

23 (f) SPECIFIED AVIATION ENTITY DEFINED.—In this
24 section, the term “specified aviation entity” means—

- 1 (1) an airport sponsor that does not provide
- 2 gateway operations;
- 3 (2) a provider of general aviation ground sup-
- 4 port services; or
- 5 (3) an impacted aviation tenant.

6 **SEC. 861. PROHIBITION ON CERTAIN RUNWAY LENGTH RE-**
7 **QUIREMENTS.**

8 Notwithstanding any other provision of law, the Sec-
9 retary of Transportation may not require an airport to
10 shorten the length or width of the airport's runway, apron,
11 or taxiway as a condition for the receipt of federal finan-
12 cial assistance if the airport directly supports a base of
13 the United States Air Force or the Air National Guard
14 at the airport, regardless of the stationing of military air-
15 craft.

16 **SEC. 862. STUDY ON PILOT SUPPLY ISSUES.**

17 (a) IN GENERAL.—The Comptroller General of the
18 United States shall conduct a study on the shortage of
19 pilots faced by air carriers.

20 (b) CONTENTS.—In conducting the study under sub-
21 section (a), the Comptroller General shall address ways
22 to overcome challenges to the pilot workforce.

1 **SEC. 863. GAO STUDY ON FAA RESPONSIVENESS TO CON-**
2 **GRESS.**

3 (a) GAO STUDY.—The Comptroller General of the
4 United States shall conduct a study on—

- 5 (1) the level of responsiveness of the Adminis-
6 trator of the Federal Aviation Administration to a
7 request for information from a Member of Congress,
8 including a written congressional inquiry and staff-
9 ing a meeting at the request of such a Member; and
10 (2) the average timeframe responses are pro-
11 vided to the requests described in paragraph (1).

12 (b) ANNUAL BRIEFING TO CONGRESS.—Section 106
13 of title 49, United States Code, is amended by adding at
14 the end the following:

15 “(u) ANNUAL BRIEFING TO CONGRESS.—The Ad-
16 ministrator shall annually brief the Committee on Trans-
17 portation and Infrastructure of the House of Representa-
18 tives and the Committee on Commerce, Science, and
19 Transportation of the Senate on—

20 “(1) the efforts, activities, objectives, and plans
21 of the Administration; and

22 “(2) the efforts of the Administration to engage
23 with Congress and the public.”.

24 **SEC. 864. GAO STUDY ON TRANSIT ACCESS.**

25 (a) IN GENERAL.—Not later than 180 days after the
26 date of enactment of this Act, the Comptroller General

1 of the United States shall conduct a study, and make the
2 results of such study publicly accessible, on transit access
3 to airports.

4 (b) CONTENTS.—In carrying out the study under
5 subsection (a), the Comptroller General shall review public
6 transportation access to commercial service airports
7 throughout the United States, including cost, disability ac-
8 cessibility, and other potential barriers for individuals.

9 **SEC. 865. APPRENTICESHIP PROGRAM FOR PILOTS.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPRENTICE.—The term “apprentice”
12 means a student enrolled at a flight school.

13 (2) FLIGHT SCHOOL.—The term “flight school”
14 means a flight academy certified under part 141 of
15 title 14, Code of Federal Regulations.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of Transportation.

18 (b) ESTABLISHMENT.—The Secretary, in consulta-
19 tion with flight schools and other industry stakeholders,
20 shall establish an apprenticeship program with flight
21 schools to establish a pipeline of qualified and interested
22 individuals to become commercial pilots.

23 (c) SELECTION.—Under the apprenticeship program
24 established under subsection (b), each flight school partici-
25 pating in the apprenticeship program established under

1 subsection (b) may select up to 8 applicants to flight
2 school to serve as apprentices each academic year.

3 (d) CURRICULUM AND REQUIREMENTS.—

4 (1) IN GENERAL.—To graduate from an ap-
5 prenticeship program established under subsection
6 (b), an apprentice shall satisfy any relevant require-
7 ments and minimum curriculum under part 141 of
8 title 14, Code of Federal Regulations (or successor
9 regulations), including all curriculum under subpart
10 C of such part.

11 (2) MINIMUM REQUIREMENTS.—Nothing in this
12 Act prevents a flight school from imposing additional
13 requirements, such as modifying the terms of service
14 of the apprenticeship program, on an apprentice tak-
15 ing part in an apprenticeship program established
16 pursuant to this section.

17 (e) OPTIONAL PROGRAM.—A flight school may
18 choose not to participate in an apprenticeship program es-
19 tablished under this section.

20 (f) REGULATIONS.—Not later than 1 year after the
21 date of enactment of this Act, the Secretary shall issue
22 such regulations as are necessary to implement this Act.

23 (g) INCENTIVIZING RETIRED PILOTS.—The Sec-
24 retary shall take such actions as may be appropriate to
25 develop methods to incentivize pilots, including retired

1 military pilots, retiring airline pilots, and graduates of the
2 apprenticeship program established under this section, to
3 become instructors at flight schools, including through the
4 development of pathway programs for such pilots to gain
5 initial qualification or concurrent qualification as certified
6 flight instructors under part 61 of title 14, Code of Fed-
7 eral Regulations.

8 **SEC. 866. WILDFIRE SUPPRESSION.**

9 (a) IN GENERAL.—To ensure that sufficient fire-
10 fighting resources are available to suppress wildfires and
11 protect public safety and property, and notwithstanding
12 any other provision of law or agency regulation, not later
13 than 18 months after the date of enactment of this sec-
14 tion, the Administrator of the Federal Aviation Adminis-
15 tration shall promulgate an interim final rule under
16 which—

17 (1) an operation described in section
18 21.25(b)(7) of title 14, Code of Federal Regulations,
19 shall allow for the transport of firefighters to and
20 from the site of a wildfire to perform ground wildfire
21 suppression and designate the firefighters con-
22 ducting such an operation as essential crewmembers
23 on board a covered aircraft operated on a mission to
24 suppress wildfire;

1 (2) the aircraft maintenance, inspections, and
2 pilot training requirements under part 135 of such
3 title 14 may apply to such an operation, if deter-
4 mined by the Administrator to be necessary to main-
5 tain the safety of firefighters carrying out wildfire
6 suppression missions; and

7 (3) the noise standards described in part 36 of
8 such title 14 shall not apply to such an operation.

9 (b) SURPLUS MILITARY AIRCRAFT.—In promul-
10 gating any rule under subsection (a), the Administrator
11 shall not enable any aircraft of a type that has been manu-
12 factured in accordance with the requirements of and ac-
13 cepted for use by any branch of the United States Military
14 and has been later modified to be used for wildfire sup-
15 pression operations, unless such aircraft is later type-rated
16 by the Administrator.

17 (c) CONFORMING AMENDMENTS TO FAA DOCU-
18 MENTS.—In promulgating an interim final rule under sub-
19 section (a), the Administrator shall amend FAA Order
20 8110.56, Restricted Category Type Certification (dated
21 February 27, 2006), as well as any corresponding policy
22 or guidance material, to reflect the requirements of sub-
23 section (a).

24 (d) SAVINGS PROVISION.—Nothing in this section
25 shall be construed to limit the Administrator’s authority

1 to take action otherwise authorized by law to protect avia-
2 tion safety or passenger safety.

3 (e) DEFINITIONS.—In this section:

4 (1) COVERED AIRCRAFT.—The term “covered
5 aircraft” means an aircraft type-certificated in the
6 restricted category under section 21.25 of title 14,
7 Code of Federal Regulations, used for transporting
8 firefighters to and from the site of a wildfire in
9 order to perform ground wildfire suppression for the
10 purpose of extinguishing a wildfire on behalf of, or
11 pursuant to a contract with, a Federal, State, or
12 local government agency.

13 (2) FIREFIGHTERS.—The term “firefighters”
14 means a trained fire suppression professional the
15 transport of whom is necessary to accomplish a wild-
16 fire suppression operation.

17 **SEC. 867. AIR STATISTIC REPORTS.**

18 Not later than 60 days after the date of the enact-
19 ment of this Act, the Secretary of Transportation shall
20 ensure that the Bureau of Transportation Statistics re-
21 vises and maintains Technical Reporting Directive No. 31
22 (14 CFR Part 234) to provide that the following events
23 are not included within the air carrier codes specified in
24 such Directive:

1 (1) Aircraft cleaning necessitated by such inci-
2 dents as the death of a passenger, excessive bleed-
3 ing, service animal (SVAN) soiling, and extensive
4 debris left by customers.

5 (2) Aircraft damage caused by extreme weather,
6 bird strike, foreign object debris (FOD), sabotage,
7 and other similar causes.

8 (3) Awaiting the arrival of connecting pas-
9 sengers or crew due to weather or local or National
10 Airspace System logistics.

11 (4) Awaiting the results of an unexpected alco-
12 hol test of a crewmember caused by the suspicion or
13 accusation of a customer.

14 (5) Awaiting gate space due to congestion not
15 within the carrier's control, including the utilization
16 of common gates or uncontrollable gate returns re-
17 sulting from constraints of the National Airspace
18 System.

19 (6) A baggage or cargo loading delay caused by
20 an outage of a bag system not controlled by a car-
21 rier, including wind affecting ramp conditions, late
22 connecting bags resulting from an air traffic con-
23 troller delay, airport infrastructure failure, and simi-
24 lar causes.

1 (7) Cabin servicing or catering delays due to
2 weather or wind.

3 (8) Vendor computer outages, cybersecurity at-
4 tacks (provided that the carrier is in compliance
5 with applicable cybersecurity regulations), or issues
6 related to the use of airport-supplied communica-
7 tions equipment (such as common-use gates and ter-
8 minals, power outage, and lighting).

9 (9) Availability of crew related to hours flown,
10 rest periods, and on-duty times not caused by a car-
11 rier, including a delay of a crew replacement or re-
12 serve necessitated by a non-controllable event, and
13 pilot or flight attendant rest related to weather, air
14 traffic controller, or local logistics.

15 (10) An unscheduled engineering or safety in-
16 spection.

17 (11) Public health issues.

18 (12) Fueling delays related to weather or air-
19 port fueling infrastructure issues, including the inop-
20 erability of a fuel farm or unusable fuel which does
21 not meet specified requirements at delivery to an
22 airport due to contamination in the supply chain.

23 (13) Government systems that are inoperable or
24 otherwise unable to receive forms which have been
25 properly completed by an air carrier.

1 (14) Overheated brakes resulting from a safety
2 incident, including those resulting from emergency
3 procedures.

4 (15) Mail from the U.S. Postal Service that was
5 delayed in arrival.

6 (16) Unscheduled maintenance, including air-
7 worthiness issues manifesting outside a scheduled
8 maintenance program and that cannot be deferred
9 or must be addressed before flight.

10 (17) A medical emergency.

11 (18) Positive passenger bag match flags that
12 require removal of a bag in order to ensure security.

13 (19) The removal of an unruly passenger.

14 (20) Ramp service from a third-party con-
15 tractor, including servicing of potable water, lavatory
16 servicing, and shortage of third-party ramp equip-
17 ment.

18 (21) Snow removal or aircraft de-icing due to
19 the occurrence of extreme weather despite adequate
20 carrier resources, or the removal of snow on ramps.

21 (22) An airport closure due to such factors as
22 the presence of volcanic ash, wind or wind shear.

1 **SEC. 868. SENSE OF CONGRESS ON FAA ENGAGEMENT AND**
2 **COLLABORATION WITH HBCUS AND MSIS.**

3 It is the sense of Congress that the Federal Aviation
4 Administration should continue to partner with histori-
5 cally Black colleges and universities and minority-serving
6 institutions to promote awareness of career opportunities
7 and develop curriculum related to aerospace, aviation and
8 air traffic control.

9 **SEC. 869. REPORT ON IMPLEMENTATION OF RECOMMENDA-**
10 **TIONS OF FEDERAL AVIATION ADMINISTRA-**
11 **TION YOUTH ACCESS TO AMERICAN JOBS IN**
12 **AVIATION TASK FORCE.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary of Transportation, acting
15 through the Administrator of the Federal Aviation Admin-
16 istration, shall submit to Congress a report on the imple-
17 mentation of the following recommendations of the Fed-
18 eral Aviation Administration Youth Access to American
19 Jobs in Aviation Task Force established under section 602
20 of the FAA Reauthorization Act of 2018 (Public Law
21 115–254):

22 (1) The recommendation to improve informa-
23 tion access about careers in aviation and aerospace.

24 (2) The recommendation to collaboration across
25 regions of the Federal Aviation Administration on
26 outreach and workforce development programs.

1 (3) The recommendation to increase opportuni-
2 ties for mentoring, pre-apprenticeships, and appren-
3 ticeships in aviation.

4 **SEC. 870. IMPLEMENTATION OF DYNAMIC SCHEDULING**
5 **AND MANAGEMENT OF CERTAIN AIRSPACE.**

6 (a) IN GENERAL.—In carrying out the pilot program
7 established under section 1093 of Public Law 117-263 (49
8 U.S.C. 40103 note), the Administrator of the Federal
9 Aviation Administration, in coordination with the Sec-
10 retary of Defense, shall—

11 (1) evaluate the impact on the operation of the
12 national airspace system of process improvements in
13 how the Department of Defense shares real-time up-
14 dates on the status of special activity airspace and
15 special use airspace for activities described in para-
16 graph (1) of section 1093 of Public Law 117-263
17 (49 U.S.C. 40103, note); and

18 (2) ensure that such improvements make the
19 Federal Aviation Administration able to use such
20 status changes to effectively grant access to special
21 activity airspace and special use airspace to civil op-
22 erators in the national airspace system.

23 (b) DEVELOPMENT, TEST AND ASSESSMENT OF DY-
24 Namic AIRSPACE TOOLS AND SYSTEMS.—

1 (1) TESTS.—Under the pilot program referred
2 to in subsection (a), and to complete the evaluations
3 prescribed above, the Administrator and Secretary
4 shall jointly test software and services that automate
5 the means by which the Department of Defense
6 shares changes in the status of special activity air-
7 space and special use airspace established by the
8 Federal Aviation Administration for use by civil op-
9 erators in the national airspace system.

10 (2) AUTOMATION.—The Secretary and the Ad-
11 ministrator shall ensure that the processes referred
12 to in paragraph (1)(B) of section 1093 of Public
13 Law 117-263 (49 U.S.C. 40103, note) are auto-
14 mated, adhere to advanced data protection protocols,
15 and use tools and systems developed for this purpose
16 that are in use by the Federal Aviation Administra-
17 tion and by civil operators in the national airspace
18 system.

19 (c) REPORT.—Not more than 365 days following the
20 date of enactment of this section, the Secretary and the
21 Administrator shall jointly submit a report to Congress
22 on the impact of dynamic scheduling and management of
23 special activity airspace and special use airspace, with spe-
24 cific information on—

25 (1) impact on military training and readiness;

1 (2) impact on workload and accuracy of sharing
2 status changes on airspace with the Federal Aviation
3 Administration; and

4 (3) impact on the operation of the national air-
5 space system including reductions in miles flown.

6 (d) REQUIREMENTS.—The capabilities referred to in
7 subsection (a) shall not interfere with—

8 (1) the public’s right of transit consistent with
9 national security;

10 (2) the use of airspace necessary to ensure the
11 safety of aircraft within the national airspace sys-
12 tem; or

13 (3) the use of airspace necessary to ensure the
14 efficient use of the national airspace system.

15 **SEC. 871. PROHIBITION ON PROCUREMENT OF FOREIGN-**
16 **MADE UNMANNED AIRCRAFT SYSTEMS.**

17 (a) IN GENERAL.—The Secretary of Transportation
18 is prohibited from entering into a contract or awarding
19 a grant for the procurement of a small unmanned aircraft
20 system manufactured or assembled by a covered foreign
21 entity.

22 (b) EXEMPTION.—

23 (1) IN GENERAL.—The Secretary is exempt
24 from any restrictions under subsection (a) if the pro-

1 curement is for the purposes of testing, evaluation,
2 analysis, or training related to—

3 (A) counter-unmanned aircraft systems, in-
4 cluding activities conducted under the Federal
5 Aviation Administration’s Alliance for System
6 Safety of UAS through Research Excellence
7 Center of Excellence or by the UAS test sites
8 under section 44803 of title 49, United States
9 Code; or

10 (B) the safe, secure, or efficient operation
11 of the National Airspace System or mainte-
12 nance of public safety.

13 (2) NATIONAL TRANSPORTATION SAFETY
14 BOARD EXEMPTION.—The National Transportation
15 Safety Board, in consultation with the Secretary of
16 Homeland Security, is exempt from any restrictions
17 under subsection (a) if the procurement is necessary
18 for the sole purpose of conducting safety investiga-
19 tions.

20 (c) WAIVER.—The Secretary of Transportation (or
21 the Secretary’s designee) may waive any restrictions under
22 subsection (a) on a case by case basis by certifying in writ-
23 ing not later than 15 days after exercising such waiver
24 to the Committee on Commerce, Science, and Transpor-
25 tation of the Senate and the Committee on Transportation

1 and Infrastructure of the House of Representatives that
2 the procurement is required in the national interest of the
3 United States.

4 (d) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Beginning on the date of en-
6 actment of this Act, the Secretary may not award a
7 new grant for the procurement of an unmanned air-
8 craft system manufactured by a covered foreign enti-
9 ty.

10 (2) EXISTING GRANT.—This section shall not
11 apply to grants awarded before the date of enact-
12 ment of this Act.

13 (e) DEFINITIONS.—In this section:

14 (1) COVERED FOREIGN ENTITY.—The term
15 “covered foreign entity” means an entity—

16 (A) included on the Consolidated Screening
17 List or Entity List as designated by the Sec-
18 retary of Commerce;

19 (B) domiciled in the People’s Republic of
20 China or the Russian Federation;

21 (C) subject to influence or control by the
22 government of the People’s Republic of China
23 or by the Russian Federation; or

1 (D) that is a subsidiary or affiliate of an
2 entity described in subparagraphs (A) through
3 (C).

4 (2) SMALL UNMANNED AIRCRAFT; UNMANNED
5 AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The
6 terms “small unmanned aircraft”, “unmanned air-
7 craft”, and “unmanned aircraft system” have the
8 meanings given such terms in section 44801 of title
9 49, United States Code.

10 **SEC. 872. BANNING MUNICIPAL AIRPORT.**

11 (a) IN GENERAL.—Not later than 90 days after the
12 date of enactment of this Act, the Comptroller General
13 of the United States shall initiate a study on the Banning
14 Municipal Airport to identify—

15 (1) aviation traffic at the Airport in each of the
16 last 10 years, and estimated future traffic each year
17 in the next 10 years;

18 (2) associated annual revenues and costs in
19 each year to service aviation traffic during the last
20 10 years, and to continue to service it for another
21 10 years;

22 (3) use of the facility for fighting wildfires and
23 the degree of its utility to the local County fire de-
24 partment or other emergency first responders;

1 (4) status of the Airport’s current infrastruc-
2 ture and planned improvements, if any, and during
3 the next 5 years and their associated costs;

4 (5) perspectives of and impact on the Morongo
5 Band of Indians resulting from operation of the air-
6 port near tribal lands; and

7 (6) Federal funds that would be required to
8 modernize the Airport’s infrastructure to assure no
9 annual operating financial losses for the next 10
10 years.

11 (b) REPORT TO CONGRESS.—Not later than 1 year
12 after the date of enactment of this Act, the Comptroller
13 General shall submit to the appropriate committees of
14 Congress a report on the results of the study.

15 **SEC. 873. FEASIBILITY STUDY OF HARDENING SATELLITES**
16 **THAT CONTRIBUTE TO UNITED STATES**
17 **AEROSPACE NAVIGATION.**

18 The Administrator of the Federal Aviation Adminis-
19 tration shall conduct a feasibility study to determine the
20 cost to harden satellites that contribute to United States
21 aerospace navigation.

22 **SEC. 874. STUDY AND REPORT ON EFFECTS OF UNMANNED**
23 **FREE BALLOONS ON AVIATION SAFETY.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration, in coordination with the
2 heads of other relevant Federal agencies, shall submit a
3 report to the appropriate committees of Congress on the
4 effects unmanned free balloon operations, that do not emit
5 electronic or radio signals for identification purposes,
6 launched within the United States and its territories may
7 have on aviation safety.

8 (b) CONSIDERATIONS.—In carrying out this section,
9 the Administrator shall consider—

10 (1) current technology available and employed
11 to track unmanned free balloon operations described
12 under subsection (a);

13 (2) how the flights of such operations have af-
14 fected, or could affect, aviation safety;

15 (3) how such operations have contributed, or
16 could contribute, to misidentified threats to civil or
17 military aviation operations or infrastructure; and

18 (4) how such operations have impacted, or
19 could impact, national security and air traffic con-
20 trol operations.

21 (c) RECOMMENDATIONS.—The report specified under
22 subsection (a) shall contain recommendations on the fol-
23 lowing:

24 (1) The need for unmanned free balloons
25 launched within the United States and its territories

1 to be equipped with technology that may increase
2 the near real-time trackability of such balloons to
3 deconflict airspace and maintain aviation safety of
4 the national airspace system in support of Adminis-
5 tration and Department of Defense aviation oper-
6 ations.

7 (2) The feasibility and efficacy in requiring the
8 equipage and usage of such technology.

9 (d) APPROPRIATE.—In this section, the term “appro-
10 priate congressional committees” means—

11 (1) the Committee on Armed Services of the
12 House of Representatives;

13 (2) the Committee on Transportation and In-
14 frastructure of the House of Representatives;

15 (3) the Committee on Armed Services of the
16 Senate; and

17 (4) the Committee on Commerce, Science, and
18 Transportation of the Senate.

19 **SEC. 875. UPDATE TO FAA ORDER ON AIRWAY PLANNING**
20 **STANDARD.**

21 Not later than 180 days after the date of enactment
22 of this Act, the Administrator of the Federal Aviation Ad-
23 ministration shall take such actions as may be necessary
24 to update FAA Order 7031.2c, titled “Airway Planning
25 Standard Number One—Terminal Air Navigation Facilities

1 and Air Traffic Control Services”, to lower the remote
2 radar bright display scope installation requirement from
3 30,000 annual itinerant operations to 15,000 annual
4 itinerant operations.

5 **SEC. 876. SURFACE SURVEILLANCE.**

6 (a) IN GENERAL.—Not later than 180 days after en-
7 actment of this Act, the Administrator shall conduct a
8 study of surface surveillance systems that are operational
9 as of the date of enactment of this Act.

10 (b) CONTENTS.—In carrying out the study required
11 under subsection (a), the Administrator shall—

12 (1) demonstrate that any change to the configu-
13 ration of such systems or decommissioning of a sen-
14 sor from such systems provides an equivalent level of
15 safety as the current system;

16 (2) determine how a technology refresh of leg-
17 acy sensor equipment can reduce operational and
18 maintenance costs compared to current costs and ex-
19 tend the useful life and affordability of such sys-
20 tems; and,

21 (3) consider how to enhance such systems
22 through new capabilities and software tools that im-
23 prove the safety of terminal airspace and the airport
24 surface.

1 (c) CONSULTATION.—In carrying out the study under
2 subsection (a), the Administrator shall consult with rep-
3 resentatives of—

4 (1) National Transportation Safety Board;

5 (2) aviation safety experts with specific knowl-
6 edge of surface surveillance technology, including
7 multilateration and ADS-B; and,

8 (3) representatives with expertise in surface
9 safety of the exclusive bargaining representative of
10 the air traffic controllers certified under section
11 7111 of title 5, United States Code; and

12 (4) representatives of the certified bargaining
13 representative of airway transportation systems spe-
14 cialists for the Federal Aviation Administration.

15 (d) REPORT.—Upon completion of the review initi-
16 ated under subsection (a), the Administrator shall submit
17 to the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee on
19 Commerce, Science, and Transportation of the Senate a
20 report describing the findings of such review and shall
21 make all data related to the safety analysis and conclu-
22 sions developed under subsection (b) available to the pub-
23 lic on the website of the Administration in a downloadable
24 format.

1 (e) IMPLEMENTATION.—Upon submission of the re-
2 port required by subsection (d), the Administrator may
3 implement changes to surface surveillance systems based
4 on the outcome of the review in subsection (b).

5 **SEC. 877. CERTIFICATION AND REPORT BY INSPECTOR**
6 **GENERAL RELATING TO RADAR IMPACTS**
7 **AND OFFSHORE WIND DEVELOPMENT AP-**
8 **PROVAL PROCESS.**

9 (a) CERTIFICATION.—Not later than 90 days after
10 the date of the enactment of this Act, the President (or
11 a designee) shall certify in writing that—

12 (1) offshore wind projects in the North Atlantic
13 and Mid-Atlantic Planning Areas will not weaken,
14 degrade, interfere with, or nullify the performance
15 and capabilities of radar relied upon by commercial
16 aviation, military aviation, space launch vehicles, or
17 other commercial space launch activities; and

18 (2) the development of offshore wind projects in
19 the North Atlantic and Mid-Atlantic Planning Areas
20 will not degrade the capabilities of the Federal Avia-
21 tion Administration to monitor United States air-
22 space, or hinder commercial, private, or military
23 aviation activities.

24 (b) AUDIT AND REPORT BY INSPECTOR GENERAL.—

1 (1) AUDIT AND REPORT.—The Inspector Gen-
2 eral of the Department of Transportation shall audit
3 and report to Congress on the effects of offshore
4 wind industrialization related to radar, impacts to
5 commercial air and military traffic, and the suffi-
6 ciency of the review and approval process for off-
7 shore wind projects in the North Atlantic and Mid-
8 Atlantic Planning Areas. Such report shall also in-
9 clude the following:

10 (A) An investigation of the sufficiency of
11 the process for approving offshore wind
12 projects, and these projects impact on radar, in-
13 cluding the consultation process between the
14 Bureau of Ocean Energy Management, the
15 Federal Aviation Administration, and the Mili-
16 tary Aviation and Installation Assurance Siting
17 Clearinghouse, and whether concerns voiced by
18 the Federal Aviation Administration, the
19 United States Armed Forces were sufficiently
20 considered in the approval process.

21 (B) A specific study on the impact of such
22 projects on shore based radar capabilities.

23 (C) A determination whether offshore wind
24 projects will weaken, compromise, or interfere
25 with, or nullify the usage of radar utilized by

1 the Federal Aviation Administration, the
2 United States Armed Forces, and the National
3 Aeronautics and Space Administration, as well
4 as commercial space launch activities.

5 (D) An audit of the approval applications
6 by the Military Aviation and Installation Assur-
7 ance Siting Clearinghouse regarding concerns
8 voiced over the impact to radar and ability to
9 identify airborne threats, freedom to navigate
10 United States airspace, and ability to train
11 within United States airspace.

12 (E) A determination whether any offshore
13 wind projects will impact, alter, or disrupt com-
14 mercial, private, or military aviation flight
15 paths.

16 (F) A determination whether any offshore
17 wind projects will impact, compromise, inhibit,
18 or nullify the usage of radar and sonar tech-
19 nologies utilized by the armed forces and any
20 agencies carrying out space launch programs.

21 (G) A determination whether any offshore
22 wind projects will impact, compromise, or in-
23 hibit the ability of the United States Coast
24 Guard to conduct maritime safety and life-
25 saving operations.

1 (H) An assessment of how offshore wind
2 energy projects impact low-level military air-
3 space off the Atlantic Coast.

4 (I) A determination whether the mitigation
5 strategies laid out in the 2016 Report on the
6 Impact of Wind Energy Developments on Mili-
7 tary Installations are sufficient, achievable and,
8 realistic.

9 (2) SURVEY REQUIRED.—

10 (A) IN GENERAL.—The Inspector General
11 of the Department of Transportation shall con-
12 duct a survey of individuals directly responsible
13 for installations and units effected by offshore
14 wind development projects, including those cur-
15 rently underway and those proposed, with re-
16 spect to—

17 (i) mission critical capabilities related
18 to radar interference, sonar interference,
19 lifesaving operations, and training mis-
20 sions; and

21 (ii) the sufficiency of local military in-
22 stallation commander input in the approval
23 process.

24 (B) REPORT.—The Inspector General of
25 the Department of Transportation shall submit

1 to Congress a report containing the results of
2 the survey required by subparagraph (A) not
3 later than 180 days after the date of the enact-
4 ment of this Act.

5 (c) CLASSIFIED ANNEX.—The reports required under
6 subsection(b)(1) and (b)(2)(B) shall be submitted in un-
7 classified form, but may include a classified annex.

8 **TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD**
9 **AMENDMENTS ACT OF 2023**

11 **SEC. 901. SHORT TITLE.**

12 This title may be cited as the “National Transportation Safety Board Amendments Act of 2023”.

14 **SEC. 902. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 1118(a) of title 49, United States Code, is
16 amended to read as follows:

17 “(a) IN GENERAL.—There are authorized to be ap-
18 propriated for the purposes of this chapter \$142,000,000
19 for fiscal year 2024, \$145,000,000 for fiscal year 2025,
20 \$150,000,000 for fiscal year 2026, \$155,000,000 for fis-
21 cal year 2027, and \$161,000,000 for fiscal year 2028.
22 Such sums shall remain available until expended.”.

1 **SEC. 903. CLARIFICATION OF TREATMENT OF TERRI-**
2 **TORIES.**

3 Section 1101 of title 49, United States Code, is
4 amended to read as follows:

5 **“§ 1101. Definitions**

6 “(a) IN GENERAL.—In this chapter:

7 “(1) ACCIDENT.—The term ‘accident’ includes
8 damage to or destruction of vehicles in surface or air
9 transportation or pipelines, regardless of whether the
10 initiating event is accidental or otherwise.

11 “(2) STATE.—The term ‘State’ means a State
12 of the United States, the District of Columbia, Puer-
13 to Rico, the Virgin Islands, American Samoa, the
14 Northern Mariana Islands, and Guam.

15 “(b) APPLICABILITY OF OTHER DEFINITIONS.—Sec-
16 tion 2101(23) of title 46 and section 40102(a) shall apply
17 to this chapter.”.

18 **SEC. 904. ADDITIONAL WORKFORCE TRAINING.**

19 (a) TRAINING ON EMERGING TRANSPORTATION
20 TECHNOLOGIES.—Section 1113(b)(1) of title 49, United
21 States Code, is amended—

22 (1) in subparagraph (I) by striking “; and” and
23 inserting a semicolon;

24 (2) in subparagraph (J) by striking the period
25 and inserting “; and”; and

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

1 “(K) notwithstanding section 3301 of title 41,
2 acquire training on emerging transportation tech-
3 nologies.”.

4 (b) ADDITIONAL TRAINING NEEDS.—Section
5 1115(d) of title 49, United States Code, is amended by
6 inserting “and in those subjects furthering the personnel
7 and workforce development needs set forth in the strategic
8 workforce plan of the Board as required under section
9 1113(h)” after “of accident investigation”.

10 **SEC. 905. ACQUIRING MISSION-ESSENTIAL KNOWLEDGE**
11 **AND SKILLS.**

12 Section 1113(b) of title 49, United States Code, is
13 amended by adding at the end the following:

14 “(3) DIRECT HIRE AUTHORITY.—

15 “(A) IN GENERAL.—Notwithstanding section
16 3304 and sections 3309 through 3318 of title 5, the
17 Chairman may, on a determination that there is a
18 severe shortage of candidates or a critical hiring
19 need for particular positions, recruit and directly ap-
20 point into the competitive service highly qualified
21 personnel with specialized knowledge important to
22 the function of the Board.

23 “(B) LIMITATION.—The authority granted
24 under subparagraph (A) shall terminate on the date

1 that is 5 years after the date of the enactment of
2 this paragraph.

3 “(C) EXCEPTION.—The authority granted
4 under subparagraph (A) shall not apply to positions
5 in the excepted service or the Senior Executive Serv-
6 ice.

7 “(D) REQUIREMENTS.—In exercising the au-
8 thority granted under subparagraph (A), the Board
9 shall ensure that any action taken by the Board—

10 “(i) is consistent with the merit principles
11 of section 2301 of title 5; and

12 “(ii) complies with the public notice re-
13 quirements of section 3327 of title 5.”.

14 **SEC. 906. OVERTIME ANNUAL REPORT TERMINATION.**

15 Section 1113(g)(5) of title 49, United States Code,
16 is repealed.

17 **SEC. 907. STRATEGIC WORKFORCE PLAN.**

18 Section 1113 of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(h) STRATEGIC WORKFORCE PLAN.—

21 “(1) IN GENERAL.—The Board shall develop a
22 strategic workforce plan that addresses the imme-
23 diate and long-term workforce needs of the Board
24 with respect to carrying out the authorities and du-
25 ties of the Board under this chapter.

1 “(2) ALIGNING THE WORKFORCE TO STRATEGIC
2 GOALS.—In developing the strategic workforce plan
3 under paragraph (1), the Board shall take into con-
4 sideration—

5 “(A) the current state and capabilities of
6 the Board, including a high-level review of mis-
7 sion requirements, structure, workforce, and
8 performance of the Board;

9 “(B) the significant workforce trends,
10 needs, issues, and challenges with respect to the
11 Board and the transportation industry;

12 “(C) the workforce policies, strategies, per-
13 formance measures, and interventions to miti-
14 gate succession risks that guide the workforce
15 investment decisions of the Board;

16 “(D) a workforce planning strategy that
17 identifies workforce needs, including the knowl-
18 edge, skills, and abilities needed to recruit and
19 retain skilled employees at the Board;

20 “(E) a workforce management strategy
21 that is aligned with the mission, goals, and or-
22 ganizational objectives of the Board;

23 “(F) an implementation system for work-
24 force goals focused on addressing continuity of

1 leadership and knowledge sharing across the
2 Board;

3 “(G) an implementation system that ad-
4 dresses workforce competency gaps, particularly
5 in mission-critical occupations; and

6 “(H) a system for analyzing and evalu-
7 ating the performance of the Board’s workforce
8 management policies, programs, and activities.

9 “(3) PLANNING PERIOD.—The strategic work-
10 force plan developed under paragraph (1) shall ad-
11 dress a 5-year forecast period, but may include plan-
12 ning for longer periods based on information about
13 trends in the transportation sector.

14 “(4) PLAN UPDATES.—The Board shall update
15 the strategic workforce plan developed under para-
16 graph (1) not less than once every 5 years.

17 “(5) RELATIONSHIP TO STRATEGIC PLAN.—The
18 strategic workforce plan developed under paragraph
19 (1) may be developed separately from, or incor-
20 porated into, the strategic plan required under sec-
21 tion 306 of title 5.

22 “(6) AVAILABILITY.—The strategic workforce
23 plan under paragraph (1) and the strategic plan re-
24 quired under section 306 of title 5 shall be—

1 “(A) submitted to the Committee on
2 Transportation and Infrastructure of the House
3 of Representatives and the Committee on Com-
4 merce, Science, and Transportation of the Sen-
5 ate; and

6 “(B) made available to the public on a
7 website of the Board.”.

8 **SEC. 908. TRAVEL BUDGETS.**

9 (a) IN GENERAL.—Section 1113 of title 49, United
10 States Code, is further amended by adding at the end the
11 following:

12 “(i) NONACCIDENT RELATED TRAVEL BUDGET.—

13 “(1) IN GENERAL.—The Board shall establish
14 annual fiscal year budgets for non accident-related
15 travel expenditures for each Board member.

16 “(2) NOTIFICATION.—The Board shall notify
17 the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee
19 on Commerce, Science, and Transportation of the
20 Senate of any non accident-related travel budget
21 overrun for any Board member not later than 30
22 days of such overrun becoming known to the
23 Board.”.

1 (b) CONFORMING AMENDMENT.—Section 9 of the
2 National Transportation Safety Board Amendments Act
3 of 2000 (49 U.S.C. 1113 note) is repealed.

4 **SEC. 909. RETENTION OF RECORDS.**

5 Section 1113 of title 49, United States Code, is fur-
6 ther amended by adding at the end the following:

7 “(j) RETENTION OF RECORDS.—Notwithstanding
8 chapters 21, 29, 31, and 33 of title 44, the Board may
9 retain investigative records for such periods as determined
10 by the Board.”.

11 **SEC. 910. NONDISCLOSURE OF INTERVIEW RECORDINGS.**

12 (a) IN GENERAL.—Section 1114 of title 49, United
13 States Code, is amended—

14 (1) in subsection (b)—

15 (A) in the subsection heading by striking
16 “TRADE SECRETS” and inserting “CERTAIN
17 CONFIDENTIAL INFORMATION”; and

18 (B) in paragraph (1)—

19 (i) by striking “The Board” and in-
20 serting “IN GENERAL.—The Board”; and

21 (ii) by striking “information related to
22 a trade secret referred to in section 1905
23 of title 18” and inserting “confidential in-
24 formation described in section 1905 of title
25 18, including trade secrets,”; and

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

2 “(h) INTERVIEW RECORDINGS.—

3 “(1) IN GENERAL.—The Board may not pub-
4 licly disclose any part of any audio or video record-
5 ing of an interview of participants in, or witnesses
6 to, an accident or incident investigated by the
7 Board.

8 “(2) SAVINGS PROVISION.—Paragraph (1) shall
9 not be construed to apply to transcripts or sum-
10 maries of such interviews.”.

11 (b) AVIATION ENFORCEMENT.—Section 1151 of title
12 49, United States Code, is amended by adding at the end
13 the following:

14 “(d) NOTIFICATION TO CONGRESS.—If the Board or
15 Attorney General carry out such civil actions described in
16 subsection (a) or (b) of this section against an airman em-
17 ployed at the time of the accident or incident by an air
18 carrier operating under part 121 of title 14, Code of Fed-
19 eral Regulations, the Board shall immediately notify the
20 Committee on Transportation and Infrastructure of the
21 House of Representatives and the Committee on Com-
22 merce, Science, and Transportation of the Senate of such
23 civil actions, including—

24 “(1) the labor union representing the airman
25 involved, if applicable;

1 “(2) the air carrier at which the airman is em-
2 ployed;

3 “(3) the docket information of the incident or
4 accident in which the airman was involved;

5 “(4) the date of such civil actions taken by the
6 Board or Attorney General; and

7 “(5) a description of why such civil actions were
8 taken by the Board or Attorney General.

9 “(e) SUBSEQUENT NOTIFICATION TO CONGRESS.—
10 Not later than 15 days after the notification described in
11 subsection (d), the Board shall submit a report to or brief
12 the Committee on Transportation and Infrastructure of
13 the House of Representatives and the Committee on Com-
14 merce, Science, and Transportation of the Senate describ-
15 ing the status of compliance with the civil actions taken.”.

16 **SEC. 911. CLOSED UNACCEPTABLE RECOMMENDATIONS.**

17 Section 1116(c) of title 49, United States Code, is
18 amended—

19 (1) by redesignating paragraphs (3) through
20 (6) as paragraphs (4) through (7), respectively; and

21 (2) by inserting after paragraph (2) the fol-
22 lowing:

23 “(3) a list of each recommendation made by the
24 Board to the Secretary of Transportation or the
25 Commandant of the Coast Guard that was closed in

1 an unacceptable status in the preceding 12
2 months;”.

3 **SEC. 912. ESTABLISHMENT OF OFFICE OF OVERSIGHT, AC-**
4 **COUNTABILITY, AND QUALITY ASSURANCE.**

5 (a) IN GENERAL.—Subchapter II of chapter 11 of
6 title 49, United States Code, is amended by adding at the
7 end the following:

8 **“§ 1120. Office of Oversight, Accountability, and Qual-**
9 **ity Assurance**

10 “(a) ESTABLISHMENT.—Not later than 1 year after
11 the date of enactment of this section, the Board shall es-
12 tablish in the National Transportation Safety Board an
13 Office of Oversight, Accountability, and Quality Assurance
14 to provide oversight of the duties and responsibilities of
15 the Board.

16 “(b) DIRECTOR.—

17 “(1) APPOINTMENT.—The head of the Office of
18 Oversight, Accountability, and Quality Assurance
19 shall be the Director, who shall be appointed by the
20 Chairman of the Board and shall be approved by the
21 Board.

22 “(2) QUALIFICATIONS.—The Director shall
23 have demonstrated ability in investigations.

24 “(3) TERM.—The Director shall be appointed
25 for a term of 5 years.

1 “(4) VACANCIES.—Any individual approved to
2 fill a vacancy in the position of the Director occur-
3 ring before the expiration of the term for which the
4 predecessor of the individual was approved shall be
5 approved for the remainder of the term or for a new
6 term.

7 “(c) DUTIES.—The Director shall—

8 “(1) establish and ensure policies that promote
9 integrity, efficiency, and effectiveness;

10 “(2) prevent and detect waste, fraud, and abuse
11 in programs and operations;

12 “(3) provide policy direction related to the con-
13 duct, supervision, and coordination of audits and in-
14 vestigations relating to the activities of the Board;

15 “(4) identify trends and systemic issues within
16 the agency and create strategies and recommenda-
17 tions to address such issues;

18 “(5) conduct impartial information gathering
19 about complaints or concerns, and ensure the Board
20 is meeting any quality and timeliness standards; and

21 “(6) not conduct any of the duties under this
22 subsection in a manner that interferes with an ongo-
23 ing safety investigation of the Board.

24 “(d) REPORTING CRIMINAL VIOLATIONS TO DEPART-
25 MENT OF JUSTICE.—If the Director has reasonable

1 grounds to believe that there has been a violation of Fed-
2 eral criminal law, the Director shall refer the matter to
3 the Department of Justice.

4 “(e) SAVINGS CLAUSE.—Nothing in this section shall
5 be construed to interfere or give the Office jurisdiction
6 over any active investigation by the Board or the content
7 of products approved by a vote of the Board.

8 “(f) ANNUAL REPORT.—

9 “(1) IN GENERAL.—The Director shall submit
10 to the Board, the Committee on Transportation and
11 Infrastructure of the House of Representatives and
12 the Committee on Commerce, Science, and Trans-
13 portation of the Senate an annual report on the ac-
14 tivities, investigations, findings, and recommenda-
15 tions of the Director.

16 “(2) SUNSET.—This subsection shall cease to
17 have effect on October 1, 2028.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 11 of title 49, United States Code, is amended by add-
20 ing after the item relating to section 1119 the following:

“1120. Office of Oversight, Accountability, and Quality Assurance.”.

21 (c) PEER REVIEW.—Not earlier than 3 years after
22 the date of enactment of this Act and not later than 5
23 years after the date of enactment of this Act, the Director
24 of the Office of Oversight, Accountability, and Quality As-
25 surance of the National Transportation Safety Board shall

1 enter into the necessary arrangements with an inspector
2 general, or similar Federal entity, to perform a peer review
3 of the Office.

4 **SEC. 913. MISCELLANEOUS INVESTIGATIVE AUTHORITIES.**

5 (a) HIGHWAY INVESTIGATIONS.—Section
6 1131(a)(1)(B) of title 49, United States Code, is amended
7 by striking “selects in cooperation with a State” and in-
8 serting “selects, concurrent with any State investigation”.

9 (b) RAIL INVESTIGATIONS.—Section 1131(a)(1)(C)
10 of title 49, United States Code, is amended by striking
11 “accident in which there is a fatality or substantial prop-
12 erty damage, or that involves a passenger train” and in-
13 serting “accident, including a railroad grade crossing or
14 trespasser accident that the Board selects, or in which
15 there is otherwise a fatality or substantial property dam-
16 age, or that involves a passenger train”.

17 **SEC. 914. PUBLIC AVAILABILITY OF ACCIDENT REPORTS.**

18 Section 1131(e) of title 49, United States Code, is
19 amended by striking “public at reasonable cost.” and in-
20 serting the following: “public

21 (1) in printed form at reasonable cost; and

22 (2) in electronic form at no cost in a publicly
23 accessible database on a website of the Board.”.

1 **SEC. 915. ENSURING ACCOUNTABILITY FOR TIMELINESS OF**
2 **REPORTS.**

3 Section 1131 of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(f) **TIMELINESS OF REPORTS.**—If any accident re-
6 port under subsection (e) is not completed within 2 years
7 from the date of the accident, the Board shall submit to
8 the Committee on Transportation and Infrastructure of
9 the House of Representatives and the Committee on Com-
10 merce, Science, and Transportation of the Senate a report
11 identifying such accident report and the reasons for which
12 such report has not been completed. The Board shall re-
13 port progress toward completion of the accident report to
14 each such Committees every 90 days thereafter, until such
15 time as the accident report is completed.”.

16 **SEC. 916. ENSURING ACCESS TO DATA.**

17 Section 1134 of title 49, United States Code, is
18 amended by adding at the end the following:

19 “(g) **RECORDERS AND DATA.**—In investigating an
20 accident under this chapter, the Board may—

21 “(1) obtain any recorder or recorded informa-
22 tion pertinent to the accident;

23 “(2) require a manufacturer or the vendors,
24 suppliers, or affiliates of such manufacturer, to pro-
25 vide to the Board, without delay, information the
26 Board determines necessary to enable the Board to

1 read and interpret any recording device or recorded
2 information pertinent to the accident; and

3 “(3) require a manufacturer or the vendors,
4 suppliers, or affiliates of such manufacturer, to pro-
5 vide to the Board, without delay, data and other in-
6 tellectual property the Board determines necessary
7 to enable the Board to perform independent physics-
8 based simulations and analyses of the accident situa-
9 tion.”.

10 **SEC. 917. PUBLIC AVAILABILITY OF SAFETY RECOMMENDA-**
11 **TIONS.**

12 Section 1135(e) of title 49, United States Code, is
13 amended by striking “public at reasonable cost.” and in-
14 serting the following: “public—

15 “(1) in printed form at reasonable cost; and

16 “(2) in electronic form in a publicly accessible
17 database on a website of the Board at no cost.”.

18 **SEC. 918. IMPROVING DELIVERY OF FAMILY ASSISTANCE.**

19 (a) AIRCRAFT ACCIDENTS.—Section 1136 of title 49,
20 United States Code, is amended—

21 (1) in the heading by striking “**to families of**
22 **passengers involved in aircraft acci-**
23 **dents**” and inserting “**to passengers involved**
24 **in aircraft accidents and families of such**
25 **passengers**”;

1 (2) in subsection (a)—

2 (A) by inserting “within United States air-
3 space or airspace delegated to the United
4 States” after “aircraft accident”;

5 (B) by striking “National Transportation
6 Safety Board shall” and inserting “Board
7 shall”; and

8 (C) in paragraph (2)—

9 (i) by striking “emotional care and
10 support” and inserting “emotional, psycho-
11 logical, and spiritual care and support
12 services”; and

13 (ii) by striking “the families of pas-
14 sengers involved in the accident” and in-
15 serting “passengers involved in the acci-
16 dent and the families of such passengers”;

17 (3) in subsection (c)—

18 (A) in the matter preceding paragraph (1),
19 by striking “the families of passengers involved
20 in the accident” and inserting “passengers in-
21 volved in the accident and the families of such
22 passengers”;

23 (B) in paragraph (1) by striking “mental
24 health and counseling services” and inserting

1 “emotional, psychological, and spiritual care
2 and support services”;

3 (C) in paragraph (3)—

4 (i) by striking “the families who have
5 traveled to the location of the accident”
6 and inserting “passengers involved in the
7 accident and the families of such pas-
8 sengers who have traveled to the location
9 of the accident”; and

10 (ii) by inserting “passengers and” be-
11 fore “affected families”; and

12 (D) in paragraph (4), by inserting “pas-
13 sengers and” before “families”;

14 (4) by amending subsection (d) to read as fol-
15 lows:

16 “(d) PASSENGER LISTS.—

17 “(1) REQUESTS FOR PASSENGER LISTS BY THE
18 DIRECTOR OF FAMILY SERVICES.—

19 “(A) REQUESTS BY DIRECTOR OF FAMILY
20 SUPPORT SERVICES.—It shall be the responsi-
21 bility of the director of family support services
22 designated for an accident under subsection
23 (a)(1) to request, as soon as practicable, from
24 the air carrier or foreign air carrier involved in
25 the accident a passenger list, which is based on

1 the best available information at the time of the
2 request.

3 “(B) USE OF INFORMATION.—The director
4 of family support services may not release to
5 any person information on a list obtained under
6 subparagraph (A), except that the director may,
7 to the extent the director considers appropriate,
8 provide information on the list about a pas-
9 senger to—

10 “(i) the family of the passenger; or

11 “(ii) a local, State, or Federal agency
12 responsible for determining the where-
13 abouts or welfare of a passenger.

14 “(2) REQUESTS FOR PASSENGER LISTS BY DES-
15 IGNATED ORGANIZATION.—

16 “(A) REQUESTS BY DESIGNATED ORGANI-
17 ZATION.—The organization designated for an
18 accident under subsection (a)(2) may request
19 from the air carrier or foreign air carrier in-
20 volved in the accident a passenger list.

21 “(B) USE OF INFORMATION.—The des-
22 ignated organization may not release to any
23 person information on a passenger list but may
24 provide information on the list about a pas-

1 senger to the family of the passenger to the ex-
2 tent the organization considers appropriate.”;

3 (5) in subsection (g)(1) by striking “the fami-
4 lies of passengers involved in the accident” and in-
5 serting “passengers involved in the accident and the
6 families of such passengers”;

7 (6) in subsection (g)(3)—

8 (A) in the paragraph heading by striking
9 “PREVENT MENTAL HEALTH AND COUNSELING”
10 and inserting “PREVENT CERTAIN CARE AND
11 SUPPORT”;

12 (B) by striking “providing mental health
13 and counseling services” and inserting “pro-
14 viding emotional, psychological, and spiritual
15 care and support”; and

16 (C) by inserting “passengers and” before
17 “families”;

18 (7) in subsection (h)—

19 (A) by striking “National Transportation
20 Safety”; and

21 (B) by adding at the end the following:

22 “(3) PASSENGER LIST.—The term ‘passenger
23 list’ means a list based on the best available infor-
24 mation at the time of a request, of the name of each

1 passenger aboard the aircraft involved in the acci-
2 dent.”; and

3 (8) in subsection (i) by striking “the families of
4 passengers involved in an aircraft accident” and in-
5 serting “passengers involved in the aircraft accident
6 and the families of such passengers”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-
8 ter 11 of title 49, United States Code, is further amended
9 by striking the item relating to section 1136 and inserting
10 the following:

“1136. Assistance to passengers involved in aircraft accidents and families of
such passengers.”.

11 (c) RAIL ACCIDENTS.—Section 1139 of title 49,
12 United States Code, is amended—

13 (1) in the heading by striking “**to families of**
14 **passengers involved in rail passenger ac-**
15 **cidents**” and inserting “**to passengers in-**
16 **olved in rail passenger accidents and**
17 **families of such passengers**”;

18 (2) in subsection (a) by striking “National
19 Transportation Safety Board shall” and inserting
20 “Board shall”;

21 (3) in subsection (a)(2)—

22 (A) by striking “emotional care and sup-
23 port” and inserting “emotional, psychological
24 and spiritual care and support services”; and

1 (B) by striking “the families of passengers
2 involved in the accident” and inserting “pas-
3 sengers involved in the accident and the fami-
4 lies of such passengers”;

5 (4) in subsection (c)—

6 (A) in the matter preceding paragraph (1)
7 by striking “the families of passengers involved
8 in the accident” and inserting “passengers in-
9 volved in the accident and the families of such
10 passengers”;

11 (B) in paragraph (1) by striking “mental
12 health and counseling services” and inserting
13 “emotional, psychological, and spiritual care
14 and support services”;

15 (C) in paragraph (3)—

16 (i) by striking “the families who have
17 traveled to the location of the accident”
18 and inserting “passengers involved in the
19 accident and the families of such pas-
20 sengers who have traveled to the location
21 of the accident”; and

22 (ii) by inserting “passengers and” be-
23 fore “affected families”; and

24 (D) in paragraph (4), by inserting “pas-
25 sengers and” before “families”;

1 (5) by amending subsection (d) to read as fol-
2 lows:

3 “(d) PASSENGER LISTS.—

4 “(1) REQUESTS FOR PASSENGER LISTS BY THE
5 DIRECTOR OF FAMILY SERVICES.—

6 “(A) REQUESTS BY DIRECTOR OF FAMILY
7 SUPPORT SERVICES.—It shall be the responsi-
8 bility of the director of family support services
9 designated for an accident under subsection
10 (a)(1) to request, as soon as practicable, from
11 the rail passenger carrier involved in the acci-
12 dent a passenger list, which is based on the best
13 available information at the time of the request.

14 “(B) USE OF INFORMATION.—The director
15 of family support services may not release to
16 any person information on a list obtained under
17 subparagraph (A), except that the director may,
18 to the extent the director considers appropriate,
19 provide information on the list about a pas-
20 senger to—

21 “(i) the family of the passenger; or

22 “(ii) a local, State, or Federal agency
23 responsible for determining the where-
24 abouts or welfare of a passenger.

1 “(2) REQUESTS FOR PASSENGER LISTS BY DES-
2 IGNATED ORGANIZATION.—

3 “(A) REQUESTS BY DESIGNATED ORGANI-
4 ZATION.—The organization designated for an
5 accident under subsection (a)(2) may request
6 from the rail passenger carrier involved in the
7 accident a passenger list.

8 “(B) USE OF INFORMATION.—The des-
9 ignated organization may not release to any
10 person information on a passenger list but may
11 provide information on the list about a pas-
12 senger to the family of the passenger to the ex-
13 tent the organization considers appropriate.”;

14 (6) in subsection (g)(1), by striking “the fami-
15 lies of passengers involved in the accident” and in-
16 serting “passengers involved in the accident and the
17 families of such passengers”;

18 (7) in subsection (g)(3)—

19 (A) in the paragraph heading, by striking
20 “PREVENT MENTAL HEALTH AND COUNSELING”
21 and inserting “PREVENT CERTAIN CARE AND
22 SUPPORT”;

23 (B) by striking “providing mental health
24 and counseling services” and inserting “pro-

1 viding emotional, psychological, and spiritual
2 care and support”; and

3 (C) by inserting “passengers and” before
4 “families”; and

5 (8) in subsection (h)—

6 (A) by striking “National Transportation
7 Safety”; and

8 (B) by adding at the end the following:

9 “(4) PASSENGER LIST.—The term ‘passenger
10 list’ means a list based on the best available infor-
11 mation at the time of the request, of the name of
12 each passenger aboard the rail passenger carrier’s
13 train involved in the accident. A rail passenger car-
14 rier shall use reasonable efforts, with respect to its
15 unreserved trains, and passengers not holding res-
16 ervations on its other trains, to ascertain the names
17 of passengers aboard a train involved in an acci-
18 dent.”.

19 (d) PLANS TO ADDRESS NEEDS OF FAMILIES OF
20 PASSENGERS INVOLVED IN RAIL PASSENGER ACCI-
21 DENTS.—Section 24316(a) of title 49, United States
22 Code, is amended by striking “a major” and inserting
23 “any”.

24 (e) CLERICAL AMENDMENT.—The analysis for chap-
25 ter 11 of title 49, United States Code, is further amended

1 by striking the item relating to section 1139 and inserting
2 the following:

“1139. Assistance to passengers involved in rail passenger accidents and families
of such passengers.”.

3 **SEC. 919. UPDATING CIVIL PENALTY AUTHORITY.**

4 Section 1155 of title 49, United States Code, is
5 amended—

6 (1) in the heading, by striking “**Aviation**
7 **penalties**” and inserting “**Penalties**”; and

8 (2) in subsection (a), by striking “or section
9 1136(g) (related to an aircraft accident)” and in-
10 serting “section 1136(g), or 1139(g)”.

11 **SEC. 920. ELECTRONIC AVAILABILITY OF PUBLIC DOCKET**
12 **RECORDS.**

13 (a) **IN GENERAL.**—Not later than 24 months after
14 the date of enactment of this Act, the National Transpor-
15 tation Safety Board shall make all records included in the
16 public docket of an accident or incident investigation con-
17 ducted by the Board (or the public docket of a study, re-
18 port, or other product issued by the Board) electronically
19 available in a publicly accessible database on a website of
20 the Board, regardless of the date on which such public
21 docket or record was created.

22 (b) **DATABASE.**—In carrying out subsection (a), the
23 Board may utilize the multimodal accident database man-
24 agement system established pursuant to section 1108 of

1 the FAA Reauthorization Act of 2018 (49 U.S.C. 1119
2 note) or such other publicly available database as the
3 Board determines appropriate.

4 (c) BRIEFINGS.—The Board shall provide the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives and the Committee on Commerce,
7 Science, and Transportation of the Senate an annual
8 briefing on the implementation of this section until re-
9 quirements of subsection (a) are fulfilled. Such briefings
10 shall include—

11 (1) the number of public dockets that have been
12 made electronically available pursuant to this sec-
13 tion; and

14 (2) the number of public dockets that were un-
15 able to be made electronically available, including all
16 reasons for such inability.

17 (d) DEFINITIONS.—In this section, the terms “public
18 docket” and “record” have the same meanings given such
19 terms in section 801.3 of title 49, Code of Federal Regula-
20 tions, as in effect on the date of enactment of this Act.

21 **SEC. 921. DRUG-FREE WORKPLACE.**

22 Not later than 12 months after the date of enactment
23 of this Act, the National Transportation Safety Board
24 shall implement a drug testing program applicable to
25 Board employees, including employees in safety or security

1 sensitive positions, in accordance with Executive Order
2 No. 12564 (51 Fed. Reg. 32889).

3 **SEC. 922. ACCESSIBILITY IN WORKPLACE.**

4 (a) IN GENERAL.—Not later than 12 months after
5 the date of enactment of this Act, the National Transpor-
6 tation Safety Board shall conduct an assessment of the
7 headquarters and regional offices of the Board to deter-
8 mine barriers to accessibility to facilities.

9 (b) CONTENTS.—In conducting the assessment under
10 subsection (a), the Board shall consider—

11 (1) compliance with—

12 (A) the Architectural Barriers Act of 1968
13 (42 U.S.C. 4151 et seq.) and the corresponding
14 accessibility guidelines established under part
15 1191 of title 36, Code of Federal Regulations;
16 and

17 (B) the Americans with Disabilities Act of
18 1990 (42 U.S.C. 12101 et seq.); and

19 (2) the best accessibility practices that exceed
20 the requirements and recommendations of the Acts
21 and guidelines described in paragraph (1).

22 **SEC. 923. MOST WANTED LIST.**

23 (a) TERMINATION OF PUBLICATION.—Not later than
24 90 days after the date of enactment of this Act, the Chair-
25 man of the National Transportation Safety Board shall

1 terminate publication of the Most Wanted List and any
2 activities associated with production of any future Most
3 Wanted List.

4 (b) RULES OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed to prohibit the Board from—

6 (1) conducting advocacy activities unrelated to
7 the Most Wanted List that the Board had the au-
8 thority to conduct prior to the date of enactment of
9 this Act; and

10 (2) maintaining materials related to previously
11 issued Most Wanted Lists.

12 (c) MOST WANTED LIST DEFINED.—In this section,
13 the term “Most Wanted List” has the meaning given such
14 term in section 1102 of the FAA Reauthorization Act of
15 2018 (49 U.S.C. 1101 note).

16 **SEC. 924. TECHNICAL CORRECTIONS.**

17 (a) EVALUATION AND AUDIT OF NATIONAL TRANS-
18 PORTATION SAFETY BOARD.—Section 1138(a) of title 49,
19 United States Code, is amended by striking “expenditures
20 of the National Transportation Safety” and inserting “ex-
21 penditures of the”.

22 (b) ORGANIZATION AND ADMINISTRATIVE.—The
23 analysis for chapter 11 of title 49, United States Code,
24 is further amended—

1 (1) by striking the items relating to sections
2 117 and 1117; and

3 (2) by inserting after the item relating to sec-
4 tion 1116 the following:

“1117. Methodology.”.

5 (c) SURFACE TRANSPORTATION BOARD.—The anal-
6 ysis for subtitle II of title 49, United States Code, is
7 amended by inserting after the item relating to chapter
8 11 the following:

“13. Surface Transportation Board.”.

9 **SEC. 925. AIR SAFETY INVESTIGATORS.**

10 (a) REMOVAL OF FAA MEDICAL CERTIFICATE RE-
11 QUIREMENT.—Not later than 60 days after the date of
12 enactment of this Act, the Director of the Office of Per-
13 sonnel Management, in consultation with the Adminis-
14 trator of the Federal Aviation Administration and the
15 Chairman of the National Transportation Safety Board,
16 shall take such actions as may be necessary to revise the
17 eligibility requirements for the Air Safety Investigating
18 Series 1815 occupational series (and any similar occupa-
19 tional series relating to transportation accident inves-
20 tigating) to remove any requirement that an individual
21 hold a current medical certificate issued by Administrator.

22 (b) UPDATES TO OTHER REQUIREMENTS.—

23 (1) IN GENERAL.—Not later than 2 years after
24 the date of enactment of this Act, the Director, in

1 coordination with the with the Administrator and
2 Chairman, shall take such actions as may be nec-
3 essary to update and revise experiential, educational,
4 and other eligibility requirements for the Air Safety
5 Investigating Series 1815 occupational series (and
6 any similar occupational series relating to transpor-
7 tation accident investigating).

8 (2) CONSIDERATIONS.—In updating the re-
9 quirements under paragraph (1), the Director shall
10 consider—

11 (A) the direct relationship between any re-
12 quirement and the duties expected to be per-
13 formed by the position;

14 (B) changes in the skills and tools nec-
15 essary to perform transportation accident inves-
16 tigation; and

17 (C) such other considerations as the Direc-
18 tor, Administrator, or Chairman determines ap-
19 propriate.

20 **TITLE X—FREEDOM TO FLY ACT**
21 **OF 2023**

22 **SEC. 1001. SHORT TITLE.**

23 This title may be cited as the “Freedom to Fly Act
24 of 2023”.

1 **SEC. 1002. PROHIBITION ON IMPLEMENTATION OF VAC-**
2 **CINATION MANDATE.**

3 The Administrator may not implement or enforce any
4 requirement that employees of air carriers be vaccinated
5 against COVID–19.

6 **SEC. 1003. PROHIBITION ON VACCINATION REQUIREMENTS**
7 **FOR FAA CONTRACTORS.**

8 The Administrator may not require any contractor to
9 mandate that employees of such contractor obtain a
10 COVID–19 vaccine or enforce any condition regarding
11 COVID–19 vaccination status of employees of a con-
12 tractor.

13 **SEC. 1004. PROHIBITION ON VACCINE MANDATE FOR FAA**
14 **EMPLOYEES.**

15 The Administrator may not implement or enforce any
16 requirement that employees of the Administration be vac-
17 cinated against COVID–19.

18 **SEC. 1005. PROHIBITION ON VACCINE MANDATE FOR PAS-**
19 **SENGERS OF AIR CARRIERS.**

20 The Administrator may not implement or enforce any
21 requirement that passengers of air carriers be vaccinated
22 against COVID–19.

23 **SEC. 1006. PROHIBITION ON IMPLEMENTATION OF A MASK**
24 **MANDATE.**

25 The Administrator may not implement or enforce any
26 requirement that employee of air carriers wear a mask.

1 **SEC. 1007. PROHIBITION ON MASK MANDATES FOR FAA**
2 **CONTRACTORS.**

3 The Administrator may not require any contractor to
4 mandate that employees of such contractor wear a mask.

5 **SEC. 1008. PROHIBITION ON MASK MANDATE FOR FAA EM-**
6 **PLOYEES.**

7 The Administrator may not implement or enforce any
8 requirement that employees of the Administration wear a
9 mask.

10 **SEC. 1009. PROHIBITION ON MASK MANDATE FOR PAS-**
11 **SENGERS OF AIR CARRIERS.**

12 The Administrator may not implement or enforce any
13 requirement that passengers of air carriers wear a mask.

14 **SEC. 1010. DEFINITIONS.**

15 In this title:

16 (1) ADMINISTRATOR.—The term “Administra-
17 tion” means the Administrator of the Federal Avia-
18 tion Administration.

19 (2) AIR CARRIER.—The term “air carrier” has
20 the meaning given such term in section 40102 of
21 title 49, United States Code.

22 **TITLE XI—FAA RESEARCH AND**
23 **DEVELOPMENT**

24 **SEC. 1101. SHORT TITLE.**

25 This title may be cited as the “FAA Research and
26 Development Act of 2023”.

1 **SEC. 1102. DEFINITIONS.**

2 In this title:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Federal
5 Aviation Administration.

6 (2) APPROPRIATE COMMITTEES OF CON-
7 GRESS.—The term “appropriate committees of Con-
8 gress” means the Committee on Science, Space, and
9 Technology of the House of Representatives and the
10 Committee on Commerce, Science, and Transpor-
11 tation of the Senate.

12 (3) FAA.—The term “FAA” means the Fed-
13 eral Aviation Administration.

14 (4) NASA.—The term “NASA” means the Na-
15 tional Aeronautics and Space Administration.

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of Transportation.

18 **Subtitle A—Authorization of**
19 **Appropriations**

20 **SEC. 1111. AUTHORIZATION OF APPROPRIATIONS.**

21 Subsection (a) of section 48102 of title 49, United
22 States Code, is amended—

23 (1) in paragraph (14), by striking “and”;

24 (2) in paragraph (15) by striking the period at
25 the end and inserting a semicolon; and

1 (3) by adding at the end the following new
2 paragraphs:

3 “(16) \$255,130,000; for fiscal year 2024;

4 “(17) \$261,000,000 for fiscal year 2025;

5 “(18) \$267,000,000 for fiscal year 2026;

6 “(19) \$273,000,000 for fiscal year 2027; and

7 “(20) \$279,000,000 for fiscal year 2028.”.

8 **Subtitle B—FAA Research and** 9 **Development Organization**

10 **SEC. 1121. REPORT ON IMPLEMENTATION; FUNDING FOR** 11 **SAFETY RESEARCH AND DEVELOPMENT.**

12 Not later than one year after the date of the enact-
13 ment of this title, the Comptroller General of the United
14 States shall submit to the appropriate committees of Con-
15 gress a report on the allocation of funding pursuant to
16 section 48102 of title 49, United States Code, to the Sec-
17 retary of Transportation to conduct civil aviation research
18 and development and to assess the implementation of sec-
19 tion 48102(b)(2) of such title.

20 **Subtitle C—FAA Research and** 21 **Development Activities**

22 **SEC. 1131. AVIATION FUEL RESEARCH, DEVELOPMENT, AND** 23 **USAGE.**

24 (a) ROADMAP.—Not later than nine months after the
25 date of the enactment of this title, the Secretary of Trans-

1 portation shall coordinate with the Administrator of
2 NASA, the Secretary of Energy, and the Administrator
3 of the Environmental Protection Agency, and consult rel-
4 evant stakeholders, including those in industry and aca-
5 demia, to prepare and submit to the appropriate commit-
6 tees of Congress a coordinated research and development
7 roadmap to safely eliminate the use of leaded aviation fuel
8 in existing and future certified piston-engine aircraft.
9 Such roadmap shall—

10 (1) identify activities to accelerate the develop-
11 ment, testing, and certification of safe and lead-free
12 fuel for use in general aviation aircraft, including
13 requisite airport refueling infrastructure; and

14 (2) consider the feasibility of widespread use of
15 such safe and lead-free aviation fuel by not later
16 than 2028.

17 (b) PARTNERSHIP WITH PRIVATE INDUSTRY.—The
18 Administrator shall coordinate with industry and pilot op-
19 erators regarding research programs for mass production
20 and distribution of unleaded aviation gasoline for market
21 viability engine safety, and define criteria to explore incen-
22 tive programs to reduce lead emissions for communities
23 in need.

1 **SEC. 1132. CONTINUOUS LOWER ENERGY, EMISSION, AND**
2 **NOISE (CLEEN).**

3 The Administrator shall consider expanding the
4 CLEEN program under section 47511 of title 49, United
5 States Code, and broadening eligibility for the CLEEN
6 program to new entrants to the aviation system.

7 **SEC. 1133. STRATEGY ON HYDROGEN AVIATION RESEARCH**
8 **AND DEVELOPMENT.**

9 (a) IN GENERAL.—The Administrator, in consulta-
10 tion with the Administrator of NASA and the heads of
11 other relevant Federal agencies, shall lead the develop-
12 ment of a research and development strategy on the safe
13 use of hydrogen as part of a sustainable future for avia-
14 tion. Such strategy shall consider the following:

15 (1) The feasibility, opportunities, challenges,
16 and pathways toward the potential and safe uses of
17 hydrogen in aviation.

18 (2) The use of hydrogen in addition to research
19 and development efforts, including electrification,
20 operational efficiencies and other alternatives to tra-
21 ditional aviation fuel.

22 (b) TRANSMITTAL.—Not later than one year after the
23 date of the enactment of the Act, the Administrator shall
24 transmit to the appropriate committees of Congress the
25 research and development strategy required under sub-
26 section (a).

1 (c) RESEARCH AND DEVELOPMENT.—Based on the
2 results of the research and development strategy under
3 subsection (a), the Administrator, in coordination with the
4 Administrator of NASA, may conduct research and devel-
5 opment activities into the following:

6 (1) The qualification of hydrogen aviation fuel.

7 (2) The safe transition to such fuel for aircraft.

8 (3) The advancement of certification efforts for
9 such fuel.

10 (4) Risk mitigation measures for the use of
11 such fuel in aircraft systems, including propulsion
12 and storage systems.

13 **SEC. 1134. REPORT ON FUTURE ELECTRIC GRID RESIL-**
14 **IENCY.**

15 Not later than two years after the date of the enact-
16 ment of this title, the Administrator, in coordination with
17 the Secretary of Energy, shall submit to the appropriate
18 committees of Congress, and make publicly available on
19 a website of the Administration, a report on the model
20 use of the electrical grid to support future electric ad-
21 vanced air mobility, including cost, challenges, and oppor-
22 tunities for clean generation of electricity relating to such
23 support.

1 **SEC. 1135. AIR TRAFFIC SURVEILLANCE OVER OCEANS AND**
2 **OTHER REMOTE LOCATIONS.**

3 (a) AIR TRAFFIC SURVEILLANCE OVER OCEANS.—
4 Subject to the availability of appropriations for such pur-
5 pose, the Administrator, in consultation with the Adminis-
6 trator of NASA and the heads of other relevant Federal
7 agencies, shall carry out research, development, dem-
8 onstration, and testing on civilian air traffic surveillance
9 over oceans and other remote locations.

10 (b) REQUIREMENTS.—In carrying out the research,
11 development, demonstration, and testing under subsection
12 (a), the Administrator shall—

13 (1) consider the need for international inter-
14 operability of technologies, data, operations, and air
15 traffic control systems;

16 (2) examine the status of using air traffic sur-
17 veillance technologies, including space-based Auto-
18 matic Dependent Surveillance-Broadcast, to facili-
19 tate the implementation of minimal separation
20 standards over United States-controlled oceanic air-
21 space;

22 (3) identify mitigating approaches to reducing
23 any operational challenges, associated costs, or work-
24 load impacts; and

25 (4) use testing, data collection, evaluation, and
26 analysis on the use of air traffic surveillance tech-

1 nologies, including space-based Automatic Depend-
2 ent Surveillance-Broadcast, to support the activities
3 described in paragraphs (1) through (3).

4 (c) PILOT PROGRAM.—The Administrator may carry
5 out a pilot program to test and evaluate air traffic surveil-
6 lance equipment over United States-controlled oceanic air-
7 space and other remote locations.

8 (d) REPORT.—Not later than one year after the date
9 of the enactment of this title, the Administrator shall sub-
10 mit to the appropriate committees of Congress a report
11 on the activities carried out under this section.

12 **SEC. 1136. UTILIZATION OF SPACE-BASED ASSETS TO IM-**
13 **PROVE AIR TRAFFIC CONTROL AND AVIA-**
14 **TION SAFETY.**

15 (a) IN GENERAL.—Subject to the availability of ap-
16 propriations for such purpose, the Administrator, in co-
17 ordination with the Administrator of NASA, and in con-
18 sultation with industry stakeholders, shall carry out re-
19 search, development, and testing of the use of air traffic
20 Space-Based Automatic Dependent Surveillance-Broad-
21 cast (ADS-B) data.

22 (b) RESEARCH ACTIVITIES.—In carrying out the re-
23 search, development, and testing under subsection (a) the
24 Administrator shall focus on the following:

1 (1) Monitoring and automatically reporting air
2 turbulence events.

3 (2) Providing space-based multilateration sur-
4 veillance.

5 (3) Identifying global positioning system (GPS)
6 and global navigation satellite system (GNSS) dis-
7 ruptions affecting air traffic services and assessing
8 the impact of such events on the safety of air traffic
9 and the National Airspace System.

10 (4) Evaluating the feasibility of implementing
11 and using aviation safety technologies and systems
12 using space-based Automatic Dependent Surveil-
13 lance-Broadcast data.

14 (c) REPORT.—Not later than 180 days after the date
15 of the enactment of this title, the Administrator shall pro-
16 vide to the appropriate committees of Congress a report
17 on the research and development under subsection (a) and
18 the activities researched pursuant to subsection (b).

19 **SEC. 1137. AVIATION WEATHER TECHNOLOGY REVIEW.**

20 (a) REVIEW.—The Administrator, in consultation
21 with the Administrator of the National Oceanic and At-
22 mospheric Administration, shall conduct a review of cur-
23 rent and planned research, modeling, and technology capa-
24 bilities that have the potential to more accurately detect
25 and predict weather impacts to aviation, including for un-

1 manned aircraft systems and advanced air mobility oper-
2 ations, inform how advanced predictive models can en-
3 hance aviation operations, and increase national airspace
4 system safety and efficiency.

5 (b) REPORT.—Not later than one year after the date
6 of the enactment of this title, the Administrator shall sub-
7 mit to the appropriate committees of Congress a report
8 containing the results of the review conducted under sub-
9 section (a).

10 **SEC. 1138. AIR TRAFFIC SURFACE OPERATIONS SAFETY.**

11 (a) RESEARCH.—Subject to the availability of appro-
12 priations for such purpose, the Administrator, in consulta-
13 tion with the Administrator of NASA and the heads of
14 other appropriate Federal agencies, shall continue to carry
15 out research on technologies and operations to enhance air
16 traffic surface operations safety.

17 (b) REQUIREMENTS.—The research program under
18 subsection (a) shall examine the following:

19 (1) The safety of current air traffic control op-
20 erations related to air traffic surface operations.

21 (2) Emerging in-cockpit technologies to enhance
22 ground situational awareness.

23 (3) Emerging technologies to enhance air traffic
24 control situational awareness.

1 “(5) develop sustainability and resiliency guide-
2 lines to improve long-term pavement performance
3 and reduce carbon emissions.”.

4 **SEC. 1140. TECHNOLOGY REVIEW OF ARTIFICIAL INTEL-**
5 **LIGENCE AND MACHINE LEARNING TECH-**
6 **NOLOGIES.**

7 (a) REVIEW.—The Administrator shall conduct a re-
8 view of current and planned artificial intelligence and ma-
9 chine learning technologies to improve airport efficiency
10 and safety.

11 (b) SUMMARIES.—The review conducted under sub-
12 section (a) shall include examination of the application of
13 artificial intelligence and machine learning technologies to
14 the following:

15 (1) Jet bridges.

16 (2) Airport service vehicles on airport move-
17 ment areas.

18 (3) Aircraft taxi.

19 (4) Any other areas the Administrator deter-
20 mines necessary to help improve airport efficiency
21 and safety.

22 (c) REPORT.—Not later than one year after the date
23 of the enactment of this title, the Administrator shall sub-
24 mit to the appropriate committees of Congress a report
25 containing the results of the review conducted under sub-

1 section (a). The report shall also include an examination
2 of China's domestic application of artificial intelligence
3 and machine learning technologies identified under sub-
4 section (b).

5 **SEC. 1141. RESEARCH PLAN FOR COMMERCIAL SUPER-**
6 **SONIC RESEARCH.**

7 Not later than one year after the date of the enact-
8 ment of this title, the Administrator, in consultation with
9 the Administrator of NASA and industry, shall submit to
10 the appropriate committees of Congress a comprehensive
11 research plan to build on existing research and develop-
12 ment activities and identify any further research and de-
13 velopment needed to inform the development of Federal
14 and international policies, regulations, standards, and rec-
15 ommended practices relating to the certification and safe
16 and efficient operation of civil supersonic aircraft and su-
17 peronic overland flight.

18 **SEC. 1142. ELECTROMAGNETIC SPECTRUM RESEARCH AND**
19 **DEVELOPMENT.**

20 (a) IN GENERAL.—The Administrator shall conduct
21 research, engineering, and development related to the ef-
22 fective and efficient use and management of radio fre-
23 quency spectrum in the civil aviation domain, including for
24 aircraft, unmanned aircraft systems, and advanced air

1 mobility. Such research, engineering, and development
2 shall, at a minimum, address the following:

3 (1) How reallocation or repurposing of radio
4 frequency spectrum adjacent to spectrum allocated
5 for communication, navigation, and surveillance may
6 impact the safety of civil aviation.

7 (2) The effectiveness of measures to identify
8 risks, protect, and mitigate against spectrum inter-
9 ference in frequency bands used in civil and commer-
10 cial aviation operations to ensure public safety.

11 (b) REPORT.—Not later than one year after the date
12 of the enactment of this title, the Administrator shall sub-
13 mit to the appropriate committees of Congress a report
14 containing the results of the research, engineering, and de-
15 velopment conducted under subsection (a).

16 **SEC. 1143. AVIATION STRUCTURES, MATERIALS, AND AD-**
17 **VANCED MANUFACTURING RESEARCH AND**
18 **DEVELOPMENT.**

19 (a) IN GENERAL.—Using the amounts available
20 under section 48102(a) of title 49, United States Code,
21 the Administrator, in coordination with the Director of the
22 National Institute of Standards and Technology, shall
23 carry out a research and development program for advanc-
24 ing aviation structures, materials, and manufacturing for
25 the safe use in and on aircraft.

1 (b) INCLUSION.—The program under subsection (a)
2 shall, to the extent practicable, include research and devel-
3 opment relating to the following:

4 (1) Metallic and non-metallic based additive
5 materials and processes, composites, and other ad-
6 vanced materials.

7 (2) Process development for the development of
8 design and manufacturing standards for aviation
9 structures, materials, and additive manufacturing.

10 (3) Improving certification efficiency of aviation
11 structures, materials, and additively manufactured
12 aviation products and components.

13 (4) Evaluating long-term material and struc-
14 tural behavior and associated maintenance, including
15 support for fatigue life determination, structural
16 changes related to fatigue, thermal, corrosive envi-
17 ronments, and expected maintenance of such mate-
18 rials, including recommended repair techniques.

19 (5) Partnering with commercial entities to ma-
20 ture and certify, as appropriate, the following capa-
21 bilities for use in aircraft manufacturing:

22 (A) Additive manufacturing, including
23 large-scale additive manufacturing.

24 (B) Aviation structures.

1 (C) Advanced materials capabilities, in-
2 cluding the development and qualification of
3 new material chemistries.

4 (6) Inspection and quality assurance tech-
5 nologies for use with complex geometries enabled by
6 advanced manufacturing methods.

7 (c) REPORT.—Not later than 180 days after the date
8 of the enactment of this title, the Administrator shall pro-
9 vide to the appropriate committees of Congress a report
10 on the findings of the research under subsection (a).

11 **SEC. 1144. RESEARCH PLAN ON THE REMOTE TOWER PRO-**
12 **GRAM.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this title, the Administrator shall
15 submit to the appropriate committees of Congress a com-
16 prehensive plan for research, development, testing, and
17 evaluation needed to mature remote tower technology and
18 provide a strategic roadmap to support standards develop-
19 ment, validation, and operational certification of such
20 technology.

21 (b) CONSIDERATIONS.—As part of the plan required
22 under subsection (a), the Administrator should consider
23 the use of remote tower technologies for advanced air mo-
24 bility operations.

1 **SEC. 1145. AIR TRAFFIC CONTROL TRAINING.**

2 (a) RESEARCH.—Subject to the availability of appro-
3 priations for such purpose, the Administrator shall carry
4 out a research program to evaluate opportunities to mod-
5 ernize, enhance, and streamline training time to become
6 a Certified Professional Controller.

7 (b) REQUIREMENTS.—The research under subsection
8 (a) shall—

9 (1) assess the use of advanced technologies,
10 such as artificial intelligence, machine learning,
11 adaptive computer-based simulation, virtual reality,
12 or augmented reality, to enhance controller knowl-
13 edge retention, improve performance, and improve
14 the effectiveness of training time;

15 (2) develop a timeline to deploy proven ad-
16 vanced technologies and associated processes for ac-
17 creditation in training programs and training facili-
18 ties within the national airspace system; and

19 (3) include collaboration with labor organiza-
20 tions and other stakeholders.

21 (c) REPORT.—Not later than one year after the date
22 of the enactment of this title, the Administrator shall sub-
23 mit to the appropriate committees of Congress a report
24 on the findings of the research under subsection (a).

1 **SEC. 1146. REPORT ON AVIATION CYBERSECURITY DIREC-**
2 **TIVES.**

3 Not later than 180 days after the date of enactment
4 of this title, the Administrator shall submit to the appro-
5 priate committees of Congress a report on the status of
6 the FAA's implementation of section 2111 of the FAA Ex-
7 tension, Safety, and Security Act of 2016 (Public Law
8 114–190; 49 U.S.C. 44903 note; relating to the develop-
9 ment of a comprehensive and strategic aviation cybersecu-
10 rity framework and establishment of a research and devel-
11 opment plan to mitigate cybersecurity risks in the Na-
12 tional Airspace System). The report, at minimum, shall
13 include the following:

14 (1) A description of the FAA's progress in de-
15 veloping, implementing, and updating such frame-
16 work.

17 (2) A description of prioritized research and de-
18 velopment activities for the most needed improve-
19 ments, with target dates, to safeguard the National
20 Airspace System.

21 (3) An explanation for any delays or challenges
22 in so implementing such section.

23 **SEC. 1147. RULE OF CONSTRUCTION REGARDING COLLABO-**
24 **RATIONS.**

25 Nothing in this title may be construed as modifying
26 or limiting existing collaborations, or limiting potential en-

1 gagement on future collaborations, between the Adminis-
2 trator, stakeholders, and labor organizations, including
3 the exclusive bargaining representative of air traffic con-
4 trollers certified under section 7111 of title 5, United
5 States Code, pertaining to Federal Aviation Administra-
6 tion research, development, demonstration, and testing ac-
7 tivities.

8 **SEC. 1148. TURBULENCE RESEARCH AND DEVELOPMENT.**

9 (a) IN GENERAL.—Subject to the availability of ap-
10 propriations for such purpose, the Administrator, in col-
11 laboration with the Administrator of the National Oceanic
12 and Atmospheric Administration, and in consultation with
13 the Administrator of NASA, shall carry out applied re-
14 search and development to—

15 (1) enhance the monitoring and understanding
16 of severe turbulence, including clear-air turbulence;
17 and

18 (2) inform the development of measures to miti-
19 gate safety impacts on crew and the flying public
20 that may result from severe turbulence.

21 (b) RESEARCH AND DEVELOPMENT ACTIVITIES.—In
22 conducting the research and development on severe turbu-
23 lence in accordance with subsection (a), the Administrator
24 shall—

1 (1) establish processes and procedures for com-
2 prehensive and systematic data collection through
3 both instrumentation and pilot reporting, of severe
4 turbulence, including clear-air turbulence;

5 (2) establish measures for storing and man-
6 aging such data collection;

7 (3) support measures for monitoring and char-
8 acterizing incidents of severe turbulence;

9 (4) consider relevant existing research and de-
10 velopment from other entities, including Federal de-
11 partments and agencies, academia, and the private
12 sector; and

13 (5) carry out research and development—

14 (A) to understand the impacts of climate
15 change and other factors on the nature of tur-
16 bulence, including severe turbulence and clear-
17 air turbulence;

18 (B) to enhance turbulence forecasts for
19 flight planning and execution, seasonal pre-
20 dictions for schedule and route-planning, and
21 long-term projections of severe turbulence, in-
22 cluding clear-air turbulence; and

23 (C) on other subject matters areas related
24 to severe turbulence, as determined by the Ad-
25 ministrator; and

1 (6) support the effective transition of the re-
2 sults of research and development to operations,
3 where appropriate.

4 (c) NO DUPLICATION.—The Administrator shall en-
5 sure that research and development activities under this
6 section do not duplicate other Federal programs relating
7 to turbulence.

8 (d) TURBULENCE DATA.—

9 (1) COMMERCIAL PROVIDERS.—In conducting
10 research and development activities under subsection
11 (b), the Administrator may enter into agreements
12 with commercial providers for the following:

13 (A) The purchase of turbulence data.

14 (B) The placement on aircraft of instru-
15 ments relevant to understanding and moni-
16 toring turbulence.

17 (2) DATA ACCESS.—The Administrator shall
18 make the data collected pursuant to subsection (b)
19 widely available and accessible to the scientific re-
20 search, user, and stakeholder communities, including
21 the Administrator of the National Oceanic and At-
22 mospheric Administration, to the greatest extent
23 practicable and in accordance with Federal Aviation
24 Administration data management policies.

1 (e) REPORT ON TURBULENCE RESEARCH.—Not later
2 than 15 months after the date of the enactment of this
3 title, the Administrator, in collaboration with the Adminis-
4 trator of the National Oceanic and Atmospheric Adminis-
5 tration, shall submit to the appropriate committees of
6 Congress a report that—

7 (1) details the activities conducted under this
8 section, including how the research and development
9 activities under subsection (b) have contributed to
10 the goals specified in subsection (a);

11 (2) assesses the current state of scientific un-
12 derstanding of the causes, occurrence rates, and past
13 and projected future trends in occurrence rates of
14 severe turbulence, including clear-air turbulence;

15 (3) describes the processes and procedures for
16 collecting, storing, and managing, data in pursuant
17 to subsection (b);

18 (4) assesses—

19 (A) the use of commercial providers pursu-
20 ant to subsection (d)(1); and

21 (B) the need for any future Federal Gov-
22 ernment collection or procurement of data and
23 instruments related to turbulence, including an
24 assessment of costs;

1 (5) describes how such data will be made avail-
2 able to the scientific research, user, and stakeholder
3 communities; and

4 (6) identifies future research and development
5 needed to inform the development of measures to
6 predict and mitigate the safety impacts that may re-
7 sult from severe turbulence, including clear-air tur-
8 bulence.

9 **SEC. 1149. RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.**
10

11 (a) IN GENERAL.—The Administrator shall carry out
12 research, development, testing, evaluation, and demonstra-
13 tion programs for low-carbon alternative aviation fuels,
14 which may include next-generation feedstocks, biofuels,
15 and bioderived chemicals.

16 (b) COLLABORATION.—The Administrator shall col-
17 laborate with Federal agencies, industry stakeholders, re-
18 search institutions, and other relevant stakeholders, to ac-
19 celerate the research, development, testing, evaluation,
20 and demonstrations programs described in subsection (a)
21 and facilitate United States sustainability and competi-
22 tiveness in aviation.

23 **SEC. 1150. LIMITATION.**

24 None of the funds authorized in this title may be used
25 to conduct research, develop, design, plan, promulgate, im-

1 plement, or execute a policy, program, order, or contract
2 of any kind with the Chinese Communist Party or any
3 Chinese-owned entity unless such activities are specifically
4 authorized by a law enacted after the date of enactment
5 of this title.

6 **SEC. 1151. CENTER OF EXCELLENCE FOR ALTERNATIVE**
7 **JET FUELS AND ENVIRONMENT (ASCENT).**

8 The Center of Excellence for Alternative Jet Fuels
9 and Environment (ASCENT) shall subject to the avail-
10 ability of appropriations for such purpose and consistent
11 with the research and development strategy in section
12 1133, conduct research on hydrogen to increase aviation
13 decarbonization. Such research shall be in addition to any
14 other research authorized to be carried out by the Center,
15 including other research relating to hydrogen.

16 **SEC. 1152. STUDY ON AERONAUTICAL STANDARDS.**

17 (a) **STUDY REQUIRED.**—The Administrator of the
18 National Aeronautics and Space Administration, in con-
19 sultation with the Secretary of Defense, the Administrator
20 of the Federal Aviation Administration, and the Adminis-
21 trator of the National Oceanic and Atmospheric Adminis-
22 tration, shall conduct a study on the modernization of
23 aeronautical standards.

1 (b) DESIGNATION.—The study conducted under sub-
2 section (a) shall be known as the “Modernization of Aero-
3 nautical Standards and Aircraft Performance Study”.

4 (c) ELEMENTS.—The study conducted under sub-
5 section (a) shall include the following:

6 (1) An assessment of differences between cur-
7 rent atmospheric conditions and baseline atmos-
8 pheric conditions, including both mean and extreme
9 values.

10 (2) An analysis of the impacts to operation,
11 maintenance, and sustainment costs of covered com-
12 mercial aircraft due to the differences identified
13 under paragraph (1).

14 (3) An estimation of the number of weight re-
15 striction hours for covered commercial aircraft at
16 covered commercial airports under baseline, current,
17 and projected atmospheric conditions.

18 (4) An assessment of required infrastructure in-
19 vestment at covered commercial airports such that
20 the number of weight restriction hours under pro-
21 jected atmospheric conditions is equivalent to the
22 number of weight restriction hours with current in-
23 frastructure and route structure under baseline and
24 current atmospheric conditions.

1 (5) Recommendations for atmospheric and cli-
2 matic design requirements for future commercial air-
3 craft to account for projected atmospheric condi-
4 tions.

5 (6) An analysis of impacts to operation, mainte-
6 nance, and sustainment costs and aircraft perform-
7 ance of military aircraft due to the differences iden-
8 tified under paragraph (1).

9 (7) Atmospheric and climatic design require-
10 ments for military aircraft, or other equipment,
11 which should be updated to account for current and
12 projected atmospheric conditions.

13 (8) Recommended updates or supplements to
14 atmospheric standards due to current atmospheric
15 conditions.

16 (9) Criteria under which future updates or sup-
17 plements to atmospheric standards should be made.

18 (d) TRANSMITTAL.—The Administrator of the Na-
19 tional Aeronautics and Space Administration shall trans-
20 mit the results of the study to the Committee on Science,
21 Space, and Technology and the Committee on Transpor-
22 tation and Infrastructure of the House of Representatives,
23 the Committee on Commerce, Science, and Transportation
24 of the Senate, and the congressional defense committees

1 not later than 18 months after the date of the enactment
2 of this Act.

3 (e) DEFINITIONS.—In this section:

4 (1) AIRCRAFT PERFORMANCE.—The term “air-
5 craft performance” includes the following:

6 (A) Range.

7 (B) Payload capacity.

8 (C) Runway length requirement.

9 (D) Climb rate.

10 (E) Turn rate.

11 (F) Operating altitude.

12 (G) Acceleration.

13 (2) ATMOSPHERIC STANDARDS.—The term “at-
14 mospheric standards” means the following:

15 (A) The United States Standard Atmos-
16 phere of 1976.

17 (B) MIL–HDBK–310, Climatic Informa-
18 tion to Determine Design and Test Require-
19 ments for Military Systems and Equipment.

20 (C) Any other standard as determined by
21 the Administrator of the National Aeronautics
22 and Space Administration.

23 (3) BASELINE ATMOSPHERIC CONDITIONS.—
24 The term “baseline atmospheric conditions” means

1 the atmospheric conditions referred to in the most
2 recent release of an atmospheric standard.

3 (4) COVERED COMMERCIAL AIRPORTS.—The
4 term “covered commercial airports” means the fol-
5 lowing:

6 (A) The 30 commercial service airports (as
7 such term is defined in section 47102(7) of title
8 49, United States Code) with the most pas-
9 senger boardings in the most recent calendar
10 year ending before the date of the enactment of
11 this Act.

12 (B) The five public airports (as such term
13 is defined in section 47102(21) of title 49,
14 United States Code) not described in clause (i)
15 with the highest all-cargo landed weight in the
16 most recent calendar year ending before the
17 date of the enactment of this Act.

18 (5) COVERED COMMERCIAL AIRCRAFT.—The
19 term “covered commercial aircraft” means the ten
20 aircraft types still in production with the highest
21 number of operations at covered commercial airports
22 in the most recent calendar year ending before the
23 date of the enactment of this Act.

24 (6) COMMERCIAL AIRCRAFT.—The term “com-
25 mercial aircraft” means an air carrier operating

1 under part 121 of title 14, Code of Federal Regula-
2 tions.

3 (7) CONGRESSIONAL DEFENSE COMMITTEES.—
4 The term “congressional defense committees” has
5 the meaning given that term in section 101(a)(16)
6 of title 10, United States Code.

7 (8) CURRENT ATMOSPHERIC CONDITIONS.—The
8 term “current atmospheric conditions” means the
9 atmospheric conditions observed in the five most re-
10 cent calendar years ending before the date of the en-
11 actment of this Act.

12 (9) PROJECTED ATMOSPHERIC CONDITIONS.—
13 The term “projected atmospheric conditions” means
14 the mean atmospheric conditions projected by the
15 International Panel on Climate Change under the
16 Sixth Assessment Report in scenarios—

17 (A) SSP1–1.9;

18 (B) SSP1–2.6;

19 (C) SSP2–4.5;

20 (D) SSP3–7.0; and

21 (E) SSP5–8.5.

22 (10) MILITARY AIRCRAFT.—The term “military
23 aircraft” means an aircraft that—

24 (A) is currently being developed, procured,
25 or operated by the Department of Defense; and

1 (B) is a bomber, fighter, attack helicopter,
2 transport helicopter, strategic transport, tac-
3 tical transport, or surveillance aircraft.

4 (11) PASSENGER BOARDINGS.—The term “pas-
5 senger boardings” has the meaning given such term
6 in section 47102(15) of title 49, United States Code.

7 (12) WEIGHT RESTRICTION HOUR.—The term
8 “weight restriction hour” means an hour when the
9 maximum temperature for that hour matches or ex-
10 ceeds the weight-restriction temperature threshold
11 for a specific aircraft.

12 **TITLE XII—AVIATION REVENUE** 13 **PROVISIONS**

14 **SEC. 1201. AIRPORT AND AIRWAY TRUST FUND EXPENDI-** 15 **TURE AUTHORITY.**

16 (a) IN GENERAL.—Section 9502(d)(1) of the Inter-
17 nal Revenue Code of 1986 is amended—

18 (1) in the matter preceding subparagraph (A)
19 by striking “October 1, 2023” and inserting “Octo-
20 ber 1, 2028”; and

21 (2) in subparagraph (A) by striking the semi-
22 colon at the end and inserting “or the Securing
23 Growth and Robust Leadership in American Avia-
24 tion Act;”.

1 (b) CONFORMING AMENDMENT.—Section 9502(e)(2)
2 of such Code is amended by striking “October 1, 2023”
3 and inserting “October 1, 2028”.

4 **SEC. 1202. EXTENSION OF TAXES FUNDING AIRPORT AND**
5 **AIRWAY TRUST FUND.**

6 (a) FUEL TAXES.—Section 4081(d)(2)(B) of the In-
7 ternal Revenue Code of 1986 is amended by striking “Sep-
8 tember 30, 2023” and inserting “September 30, 2028”.

9 (b) TICKET TAXES.—

10 (1) PERSONS.—Section 4261(k)(1)(A)(ii) of
11 such Code is amended by striking “September 30,
12 2023” and inserting “September 30, 2028”.

13 (2) PROPERTY.—Section 4271(d)(1)(A)(ii) of
14 such Code is amended by striking “September 30,
15 2023” and inserting “September 30, 2028”.

16 (c) FRACTIONAL OWNERSHIP PROGRAMS.—

17 (1) FUEL TAX.—Section 4043(d) of such Code
18 is amended by striking “September 30, 2023” and
19 inserting “September 30, 2028”.

20 (2) TREATMENT AS NONCOMMERCIAL AVIA-
21 TION.—Section 4083(b) of such Code is amended by
22 striking “October 1, 2023” and inserting “October
23 1, 2028”.

24 (3) EXEMPTION FROM TICKET TAX.—Section
25 4261(j) of such Code is amended by striking “Sep-

1 (4) through such association, meets the numer-
2 ical criteria considered by U.S. Customs and Border
3 Protection for establishing a port of entry, as set
4 forth in—

5 (A) Treasury Decision 82–37 (47 Fed.
6 Reg. 10137; relating to revision of customs cri-
7 teria for establishing ports of entry and sta-
8 tions), as revised by Treasury Decisions 86–14
9 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg.
10 16328); or

11 (B) any successor guidance or regulation.

Passed the House of Representatives July 20, 2023.

Attest:

Clerk.

118TH CONGRESS
1ST SESSION

H. R. 3935

AN ACT

To amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.