

ADVANCED AVIATION INFRASTRUCTURE MODERNIZATION
 ACT

JUNE 13, 2022.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and
 Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6270]

The Committee on Transportation and Infrastructure, to whom
 was referred the bill (H.R. 6270) to direct the Secretary of Trans-
 portation to establish a pilot program to provide grants related to
 advanced air mobility infrastructure, and for other purposes, hav-
 ing considered the same, reports favorably thereon with an amend-
 ment and recommends that the bill as amended do pass.

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The amendment is as follows:
 Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the “Advanced Aviation Infrastructure Modernization Act” or the “AAIM Act”.

SEC. 2. ADVANCED AIR MOBILITY INFRASTRUCTURE PILOT PROGRAM.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a pilot program to provide grants that—

- (1) assist an eligible entity to plan for the development and deployment of infrastructure necessary to facilitate AAM operations in the United States; and
- (2) make funding available for costs directly related to construction of public-use vertiports or associated infrastructure.

(b) **PLANNING GRANTS.**—

(1) **IN GENERAL.**—The Secretary shall provide grants to eligible entities to develop comprehensive plans under paragraph (2) related to AAM infrastructure.

(2) **COMPREHENSIVE PLAN.**—

(A) **IN GENERAL.**—Not later than 1 year after receiving a grant under this subsection, an eligible entity shall submit to the Secretary a comprehensive plan in a format that may be published on the website of the Department of Transportation.

(B) **PLAN CONTENTS.**—The Secretary shall establish content requirements for comprehensive plans submitted under this subsection, which may include the following:

(i) The identification of planned or potential public-use or private-use vertiport locations.

(ii) A description of infrastructure necessary to support AAM operations.

(iii) A description of types of planned or potential AAM operations.

(iv) The identification of physical and digital infrastructure required to meet the standards for vertiport design and performance characteristics established by the Federal Aviation Administration (as in effect on the date on which the Secretary issues a grant to an eligible entity), including modifications to existing infrastructure and ground sensors, electric charging and other fueling requirements, electric utility requirements, wireless and cybersecurity requirements, and other necessary hardware or software.

(v) A description of potential environmental effects of planned construction or siting of public-use vertiports, including efforts to reduce the adverse effects of potential aviation noise.

(vi) A description of how planned public-use or private-use vertiport locations, including new or repurposed infrastructure, fit into existing State and local transportation systems and networks, including—

(I) connectivity to existing public transportation hubs and intermodal and multimodal facilities;

(II) opportunities to create new service to areas underserved by air transportation, without compromising safety and efficiency of other facilities and airspace users; and

(III) any potential conflicts to existing aviation infrastructure that may arise from the proposed location of the vertiport.

(vii) A description of how public-use vertiport planning will be incorporated in State or metropolitan planning documents.

(viii) The identification of the process an eligible entity will undertake to ensure an adequate level of community engagement for planned public-use vertiport locations and planned or anticipated AAM operations, including engagement with underserved communities, individuals with disabilities, and racial and ethnic minorities, to address equity of access and other priorities.

(ix) The identification of the actions necessary for an eligible entity to undertake the construction of public-use vertiports, such as planning studies to assess existing infrastructure, environmental studies, studies of projected economic benefit to the community, lease or acquisition of an easement or land for new infrastructure, and activities related to other capital costs.

(x) The identification of State, local, or private sources of funding an eligible entity may use to assist with the construction or operation of a public-use vertiport.

(3) **APPLICATION.**—To apply for a grant under this subsection, an eligible entity shall provide to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

(4) **SELECTION.**—

(A) IN GENERAL.—In awarding grants under this subsection, the Secretary shall consider the following:

(i) Geographic diversity.

(ii) The need for comprehensive plans that—

(I) ensure the safe integration of AAM operations into the National Airspace System;

(II) improve transportation safety, connectivity, access, and equity in both rural and urban regions in the United States;

(III) leverage existing public transportation systems and intermodal and multimodal facilities;

(IV) reduce surface congestion and the environmental impacts of transportation;

(V) grow the economy and create jobs in the United States; and

(VI) encourage community engagement when planning for AAM related infrastructure.

(B) PRIORITY.—The Secretary shall prioritize awarding grants under this subsection to eligible entities that partner with commercial AAM entities, institutions of higher education, research institutions, or other relevant stakeholders to develop and prepare a comprehensive plan.

(5) GRANT AMOUNT.—Each grant made under this subsection shall be made in an amount that is not more than \$1,000,000.

(6) BRIEFING.—

(A) IN GENERAL.—Not later than 180 days after the first comprehensive plan is submitted under paragraph (2), and every 180 days thereafter, the Secretary shall provide a briefing to the appropriate committees of Congress on the comprehensive plans submitted to the Secretary under such paragraph.

(B) CONTENTS.—The briefing required under subparagraph (A) shall include—

(i) an evaluation of all planned or proposed public-use vertiport locations included in the comprehensive plans submitted under paragraph (2) and how such planned or proposed public-use vertiport locations may fit into the overall United States transportation system and network; and

(ii) a description of lessons or best practices learned through the review of comprehensive plans and how the Secretary will incorporate any such lessons or best practices into Federal standards or guidance for the design and operation of AAM infrastructure and facilities.

(c) CONSTRUCTION GRANTS.—

(1) IN GENERAL.—The Secretary may award grants to covered recipients to carry out construction activities described under paragraph (2).

(2) ELIGIBLE USES.—A covered recipient may use grant funds awarded under this subsection for design, bidding, and environmental study activities, and other capital costs, as the Secretary determines appropriate, directly related to the construction of a public-use vertiport or associated infrastructure pursuant to the comprehensive plan submitted by such covered recipient.

(3) REQUIREMENTS.—The requirements of subsections (b) and (c) of section 47112 of title 49, United States Code, and section 50101 of such title, shall apply to a grant awarded under this subsection.

(4) LIMITATION.—The Secretary may not award a grant under this subsection—

(A) for the acquisition, conversion, or retrofitting of AAM aircraft; or

(B) for the construction of private-use vertiports or associated infrastructure.

(5) GRANT TIMING.—The Secretary may not issue a grant under this subsection until—

(A) the Administrator of the Federal Aviation Administration has—

(i) certified 2 or more models of aircraft designed to provide AAM transportation under part 23, 25, 27, or 29 of title 14, Code of Federal Regulations; and

(ii) published an advisory circular containing appropriate standards for vertiport design and performance characteristics and vertiport siting.

(B) the Secretary has—

(i) determined that 2 or more AAM operators hold certificates under part 119 of title 14, Code of Federal Regulations, for such operators to perform air carrier operations covered under part 135 of such title; and

(ii) issued, to 2 or more air carriers formed to provide AAM transportation, certificates under chapter 411 of title 49, United States Code.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to carry out this section \$12,500,000 for each of fiscal years 2022 and 2023, to remain available until expended.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1), the Secretary may retain up to 1 percent for personnel, contracting, and other costs to establish and administer the pilot program under this section.

(e) TERMINATION.—

(1) IN GENERAL.—No grant may be awarded under this section after September 30, 2023.

(2) CONTINUED FUNDING.—Funds authorized to be appropriated pursuant to subsection (d) may be expended after September 30, 2023—

(A) for grants awarded prior to September 30, 2023; and

(B) for administrative expenses.

(f) DEFINITIONS.—In this Act:

(1) ADVANCED AIR MOBILITY; AAM.—The terms “advanced air mobility” and “AAM” mean an air transportation system that transports individuals and property between points in the United States using aircraft, such as remotely piloted, autonomous, or vertical take-off and landing aircraft, including those powered by electric or hybrid driven propulsion, in both controlled and uncontrolled airspace.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(3) COMMERCIAL AAM ENTITIES.—The term “commercial AAM entities” means—

(A) manufacturers of aircraft, avionics, propulsion systems, and air traffic management systems related to AAM; and

(B) intended commercial operators of AAM aircraft and systems.

(4) COVERED RECIPIENT.—The term “covered recipient” means the recipient of a grant under subsection (b) who has submitted a comprehensive plan—

(A) that has been reviewed by the Secretary pursuant to subsection (b); and

(B) that the Secretary has determined contains proposed projects that comply with the standards for vertiport design, performance, and siting characteristics described in a published advisory circular.

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State, local, or Tribal government, including a political subdivision thereof;

(B) an airport sponsor;

(C) a transit agency;

(D) a port authority;

(E) a metropolitan planning organization; or

(F) any combination or consortium of the entities described in subparagraphs (A) through (E).

(6) METROPOLITAN PLANNING ORGANIZATION.—The term “metropolitan planning organization” has the meaning given such term in section 5303(b) of title 49, United States Code.

(7) PUBLIC-USE VERTIPORT.—The term “public-use vertiport” means a designated location used or intended to be used for public purposes and to support AAM operations, including the landing, takeoff, loading, taxiing, parking, and storage of vertical take-off and landing aircraft.

(8) STATE.—The term “State” means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam.

(9) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(10) VERTICAL TAKE-OFF AND LANDING AIRCRAFT.—The term “vertical take-off and landing aircraft” means an aircraft with lift/thrust units used to generate powered lift and control and with 2 or more lift/thrust units used to provide lift during vertical take-off or landing.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act may be construed as conferring upon any person, State, local, or Tribal government the authority to determine the safety of any AAM operation or the feasibility of simultaneous operations by AAM and conventional aircraft within any given area of the National Airspace System.

PURPOSE OF LEGISLATION

The purpose of H.R. 6270, as amended, is to direct the Secretary of Transportation (Secretary) to establish a two-year pilot program to provide competitive grants for eligible state, local, territorial, and Tribal governments to prepare for the development and deployment of advanced air mobility (AAM) vertiports and related infrastructure.

BACKGROUND AND NEED FOR LEGISLATION

AAM is an air transportation system that transports individuals and property between points using aircraft—such as remotely piloted, autonomous, or vertical take-off and landing aircraft—including those powered by electric or hybrid driven propulsion in both controlled and uncontrolled airspace. Leveraging recent advances in aerospace technology, new AAM concepts have the potential to reduce traffic congestion on U.S. roads, improve mobility options for commuters and cargo, and lessen the current burden on surface infrastructure. To keep pace with this growing sector, states and localities need to prepare for anticipated AAM operations and ensure local communities can take advantage of the potential benefits of the safe integration of AAM technologies in U.S. airspace.¹

H.R. 6270, as amended, establishes a two-year pilot program that invests \$25 million in competitive grants for state, local, territorial, and Tribal governments to submit comprehensive plans to the U.S. Department of Transportation (DOT) on anticipated or proposed AAM infrastructure needs. The bill also provides limited funding for some costs directly related to the construction of public-use vertiports and related infrastructure, only if certain criteria are met.

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 117th Congress, the following hearing(s) were used to develop or consider H.R. 6270:

On April 27, 2021, the Subcommittee held a hearing titled “The Leading Edge: Innovation in U.S. Aerospace.” The Subcommittee received testimony from Hon. Eric Garcetti, Mayor, City of Los Angeles, California, accompanied by Ms. Seleta J. Reynolds, General Manager, Los Angeles Department of Transportation, Los Angeles, California; Mr. James L. Grimsley, Executive Director, Advanced Technology Initiatives, Choctaw Nation of Oklahoma; Mr. Adam Bry, Chief Executive Officer, Skydio, Inc.; Mr. Pierre Frederick Harter, Director, Research and Development, National Institute for Aviation Research, AVP Industry and Defense Programs, Research Operations, Wichita State University; Mr. Roei Ganzarski, Chief Executive Officer, magniX; and, Mr. Blake Scholl, Founder and Chief Executive Officer, Boom Supersonic.

This hearing examined new aerospace users and technologies affecting the economy, transportation system, local communities, environment, and public good; visions for and possible barriers to deployment in the United States; and the Federal Government’s role

¹See Federal Aviation Administration, *UAM Concept of Operations (Volume 1.0)*, at 2–4, https://nari.arc.nasa.gov/sites/default/files/attachments/UAM_ConOps_v1.0.pdf.

in ensuring the safe integration of these users and technologies into the National Airspace System.

On March 17, 2022, the Subcommittee held a hearing titled “Aviation Noise: Measuring Progress in Addressing Community Concerns.” The Subcommittee received testimony from two panels: Panel I—Mr. Kevin Welsh, Executive Director, Office of Environment and Energy, Federal Aviation Administration (FAA); and, Ms. Heather Krause, Director, Physical Infrastructure, Government Accountability Office.

Panel II—Ms. Sharon Pinkerton, Senior Vice President of Regulatory and Legislative Policy, Airlines for America; Mr. Frank R. Miller, Executive Director, Hollywood Burbank Airport, *on behalf of Airports Council International—North America*; Mr. David Silver, Vice President for Civil Aviation, Aerospace Industries Association; Ms. Emily J. Tranter, Executive Director, National Organization to Insure a Sound Controlled Environment (N.O.I.S.E.); and, Mr. JoeBen Bevirt, Chief Executive Officer, Joby Aviation.

This hearing examined aircraft noise, airport noise, noise mitigation strategies, methodologies for measuring noise, FAA community engagement, new and emerging technologies, and the implementation of noise provisions from the FAA Reauthorization Act of 2018.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 6270, the *Advanced Aviation Infrastructure Modernization Act*, was introduced in the House on December 14, 2021, by Mr. Larsen of Washington, Mr. Graves of Louisiana, and Ms. Titus and referred to the Committee on Transportation. Within the Committee on Transportation and Infrastructure, H.R. 6270 was referred to the Subcommittee on Aviation.

The Subcommittee on Aviation was discharged from further consideration of H.R. 6270 on April 28, 2022.

The Committee considered H.R. 6270 on April 28, 2022 and ordered the measure to be reported to the House with a favorable recommendation, as amended, by a record vote of 55 yeas and 2 nays (Roll Call Vote No. 88).

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 6270, offered by Mr. Larsen of Washington; was AGREED TO by voice vote.

Page 6, beginning on line 7, strike “and the environmental” and all that follows through “transportation.”

An amendment to the Amendment in the Nature of a Substitute to H.R. 6270 offered by Mr. Perry (#1); was NOT AGREED TO by voice vote.

Page 12, strike line 6 (and redesignate accordingly)

An amendment to the Amendment in the Nature of a Substitute to H.R. 6270 offered by Mr. Perry (#2); was NOT AGREED TO by voice vote.

Page 4, strike lines 3 through 17

An amendment to the Amendment in the Nature of a Substitute to H.R. 6270 offered by Mr. Perry (#3); was NOT AGREED TO by voice vote.

Page 3, beginning on line 4, strike “electric Charging and other.”

An amendment to the Amendment in the Nature of a Substitute to H.R. 6270 offered by Mr. Perry (#4); was NOT AGREED TO by voice vote.

Page 6, after line 23, insert the following (and redesignate accordingly): (6) Non-Federal Share Requirement—Eligible entities shall provide not less than 20 percent of funds required to develop a comprehensive plan under this subsection from non-federal sources

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

On ordering H.R. 6270 to be reported to the House with a favorable recommendation, as amended, by a record vote of 55 yeas and 2 nays (Roll Call Vote No. 88). The vote was as follows:

Vote: 88—Yea 55, Nay 2

On: H.R. 6270, to be reported to the House, favorably, as amended.

Member	Vote	Member	Vote
Mr. DeFazio	Yea	Mr. Graves of MO	Yea
Ms. Norton	Yea	Mr. Crawford	Yea
Ms. Johnson of TX	Yea	Mr. Gibbs .....	.....
Mr. Larsen of WA	Yea	Mr. Webster	Yea
Mrs. Napolitano	Yea	Mr. Massie	Nay
Mr. Cohen	Yea	Mr. Perry	Nay
Mr. Sires .....	.....	Mr. Rodney Davis of IL	Yea
Mr. Garamendi .....	.....	Mr. Katko	Yea
Mr. Johnson of GA	Yea	Mr. Babin	Yea
Mr. Carson	Yea	Mr. Graves of LA	Yea
Ms. Titus	Yea	Mr. Rouzer	Yea
Mr. Maloney of NY .....	.....	Mr. Bost	Yea
Mr. Huffman	Yea	Mr. Weber of TX	Yea
Ms. Brownley	Yea	Mr. LaMalfa	Yea
Ms. Wilson of FL	Yea	Mr. Westerman	Yea
Mr. Payne	Yea	Mr. Mast	Yea
Mr. Lowenthal	Yea	Mr. Gallagher	Yea
Mr. DeSaulnier	Yea	Mr. Fitzpatrick	Yea
Mr. Lynch	Yea	Miss González-Colón .....	.....
Mr. Carbajal	Yea	Mr. Balderson	Yea
Mr. Brown	Yea	Mr. Stauber	Yea
Mr. Malinowski .....	.....	Mr. Burchett .....	.....
Mr. Stanton	Yea	Mr. Johnson of SD	Yea
Mr. Allred	Yea	Mr. Van Drew	Yea
Ms. Davids of KS	Yea	Mr. Guest .....	.....
Mr. Garcia of IL	Yea	Mr. Nehls	Yea
Mr. Delgado .....	.....	Ms. Mace	Yea
Mr. Pappas .....	.....	Ms. Malliotakis .....	.....
Mr. Lamb	Yea	Ms. Van Dyne	Yea
Mr. Moulton	Yea	Mr. Gimenez	Yea
Mr. Auchincloss	Yea	Mrs. Steel	Yea
Ms. Bourdeaux	Yea		
Mr. Kahele	Yea		
Ms. Strickland	Yea		
Ms. Williams of GA	Yea		
Ms. Newman	Yea		
Mr. Carter	Yea		

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. The Chairman of the Committee shall cause such estimate and statement to be printed in the *Congressional Record* upon its receipt by the Committee.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, a cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to provide competitive grants for eligible entities to prepare for the development and deployment AAM vertiports and related infrastructure.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 6270 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 6270, as amended, does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Title

This section provides that this bill may be cited as the “Advanced Aviation Infrastructure Modernization Act” or the “AAIM Act”.

Sec. 2. Advanced Air Mobility Infrastructure pilot program

This subsection directs the Secretary to establish a pilot program to provide grants to assist an eligible entity to plan for the development and deployment of infrastructure necessary to facilitate AAM operations in the United States. This subsection also directs the Secretary to make funding available for costs directly related to the construction of public-use vertiports or associated infrastructure if certain criteria are met.

The Secretary is authorized to provide grants for eligible entities to develop comprehensive plans on anticipated or proposed AAM infrastructure needs. Each planning grant awarded may not exceed more than \$1 million. No later than one year after receiving a grant, the eligible entity must submit a comprehensive plan to the Secretary. The comprehensive plans may include details on potential vertiport locations; planned or potential AAM operations; physical and digital infrastructure requirements; potential environmental effects of planned vertiport construction or siting; connectivity to existing transportation systems; incorporation into state and metropolitan planning documents; strategies to ensure community engagement and equity; and potential state, local, or private sources of funding.

In awarding the planning grants, the Secretary shall consider applications from eligible entities that reflect geographic diversity; help ensure safe integration of AAM operations into the National Airspace System; improve transportation safety, connectivity, access, and equity; leverage existing transportation systems and intermodal/multimodal facilities; reduce surface congestion and environmental impacts of transportation; grow the U.S. economy and create jobs; and encourage community engagement. The Secretary shall prioritize awarding planning grants to eligible entities who partner with commercial AAM entities, institutions of higher education, research institutions, or other relevant stakeholders.

This section also directs DOT to provide a briefing to the appropriate Committees of Congress on the submitted comprehensive plans no later than 180 days after the first comprehensive plan is submitted and every 180 days thereafter. The briefing shall include an evaluation of all planned or proposed public-use vertiport locations included in the submitted comprehensive plans, descriptions of lessons or best practices learned through the review of the comprehensive plans, and explanations for how the Secretary will incorporate any such lessons or best practices into federal standards or guidance for AAM infrastructure and facilities.

The Secretary may award grants to covered recipients for certain activities directly related to the construction of public-use vertiports or associated AAM infrastructure, such as design, bidding, environmental study activities, and other capital costs as deemed appropriate by the Secretary. These construction grants could only be awarded after the approval of a comprehensive plan by the Secretary. Buy American requirements (provided under 49 U.S.C. § 50101) and prevailing wages and veterans' preferences (provided under 49 U.S.C. § 47112) shall apply to the construction grants.

The Secretary may not award a construction grant for the acquisition, conversion, or retrofitting of AAM aircraft or for the construction of private-use vertiports or associated infrastructure. In addition, the Secretary may not issue a construction grant until the FAA has certified at least two AAM aircraft and published an advisory circular containing appropriate vertiport design, performance, and siting characteristics. Further, the Secretary may not issue a construction grant until at least two AAM operators hold the appropriate air carrier operations certificates.

This section authorizes \$12.5 million to be appropriated for each fiscal year 2022 and 2023, and to remain available until expended. It also directs the Secretary to retain up to one percent of authorized appropriations for administrative expenses, such as personnel, contracting, and other costs to establish and implement the pilot program. No grants under the pilot program may be awarded after September 30, 2023. However, funds authorized to be appropriated under the previous subsection may be expended after September 30, 2023, if the grants were awarded prior to that date and for administrative expenses.

This section provides definitions for the following terms: Advanced air mobility and AAM; Appropriate Committees of Congress; Commercial AAM entities; Covered recipient; Eligible entity; Metropolitan planning organization; Public-use vertiport; State; Secretary; and Vertical take-off and landing aircraft.

Sec. 3. Rule of construction

This section clarifies that nothing in this act may be construed as authorizing any person, state, local, or Tribal government to determine the safety of any AAM operation or the feasibility of simultaneous operations by AAM and conventional aircraft within the National Airspace System.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 6270 makes no changes in existing law.

