

NOTICE TO AIRMEN IMPROVEMENT ACT OF 2021

MAY 28, 2021.—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. 1262]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1262) to establish a task force on improvements for certain notices to airmen, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

CONTENTS

	Page
Purpose of Legislation	1
Background and Need for Legislation	2
Hearings	2
Legislative History and Consideration	2
Committee Votes	3
Committee Oversight Findings	3
New Budget Authority and Tax Expenditures	3
Congressional Budget Office Cost Estimate	3
Performance Goals and Objectives	4
Duplication of Federal Programs	4
Congressional Earmarks, Limited Tax Benefits, and Limited Tariff Benefits ...	5
Federal Mandates Statement	5
Preemption Clarification	5
Advisory Committee Statement	5
Applicability to Legislative Branch	5
Section-by-Section Analysis of the Legislation	5
Changes in Existing Law Made by the Bill, as Reported	6

PURPOSE OF LEGISLATION

The purpose of H.R. 1262 is to establish a task force to evaluate existing methods for presenting Notices to Airmen (NOTAMs) to pilots, review associated regulations and policies, and develop rec-

ommendations and identify best practices aimed at improving the presentation of NOTAMs and flight operations information to pilots.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1262 directs the Administrator of the Federal Aviation Administration (FAA) to establish the FAA Task Force on NOTAM Improvement to review existing methods for presenting NOTAMs and flight operations information to pilots and NOTAM policies and regulations, and determine best practices for organizing, prioritizing, and presenting flight operations information to pilots in an optimal manner to help them retain relevant information.

This legislation is necessary because pilots have found information contained in NOTAMs—NOTICES FROM THE FAA TO PILOTS THAT CONTAIN ESSENTIAL, REAL-TIME INFORMATION REGARDING ABNORMAL STATUS OF THE NATIONAL AIRSPACE SYSTEM—DIFFICULT TO READ, UNDERSTAND, AND RETAIN. Additionally, NOTAMs can lack completeness or accuracy, which can endanger flight. In 2018, the National Transportation Safety Board (NTSB) recognized the impact NOTAM information can have on the safety of flight, issuing a safety recommendation (A-18-024) to the FAA to establish a group of human factors experts to review existing methods for presenting flight operations information to pilots and create and publish guidance on best practice for presenting such information that optimizes pilot review and retention of information. Identifying methods of improving the accuracy, organization, display, and understanding of NOTAM information will aid pilots and improve flight safety in the United States.

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 117th Congress no hearings were held on H.R. 1262 in the 117th Congress; however, in the 116th Congress, the Committee on Transportation and Infrastructure Subcommittee on Aviation held the following hearing to develop or consider the legislation:

On March 12, 2019, the Subcommittee held a hearing titled, “Looking Forward: Aviation 2050.” The purpose of the hearing was to explore the future of U.S. aviation and the National Airspace System (NAS), including how the NAS is evolving as a result of new aviation and aerospace users and technologies. Witnesses included: David McBride, Director, Armstrong Flight Research Center, National Aeronautics and Space Administration; Diana Cooper, Senior Vice President, Policy and Strategy, PrecisionHawk, Inc.; Eli Dourado, Head, Global Policy and Communications, Boom; Eric Allison, Head, Elevate, Uber Technologies, Inc.; and Joe DePete, President, Air Line Pilots Association, International.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 1262 was introduced in the House on February 23, 2021, by Mr. Stauber, and Mr. DeSaulnier and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 1262 was referred to the Subcommittee on Aviation.

The Subcommittee on Aviation was discharged from further consideration of H.R. 1262 on March 24, 2021.

The Full Committee considered H.R. 1262 on March 24, 2021 and ordered the measure to be reported to the House with a favorable recommendation, by voice vote.

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.

No record votes were requested during consideration of H.R. 1262.

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

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

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 and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1262 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 7, 2021.

Hon. PETER A. DEFAZIO,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1262, the Notice to Airmen Improvement Act of 2021.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Aaron Krupkin.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 1262, Notice to Airmen Improvement Act of 2021			
As ordered reported by the House Committee on Transportation and Infrastructure on March 24, 2021			
By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 1262 would direct the Federal Aviation Administration (FAA) to complete a variety of administrative tasks related to notices to airmen (NOTAMs), which convey essential information to personnel concerned with flight operations. (For example, NOTAMs alert aircraft pilots of potential hazards along a flight route or other conditions or situations affecting aeronautical facilities, services, or procedures that might affect the safety of flight operations.) In particular, the bill would require the FAA to establish a task force with members from the aviation industry, labor unions, and safety experts to review existing policies related to NOTAMs, recommend improvements, and report its findings to the Congress.

According to the FAA, the bill's requirements are largely consistent with existing activities related to NOTAMs. As a result, CBO estimates that any increase in federal spending to meet those requirements—which would be subject to appropriation—would not exceed \$500,000 over the 2021–2026 period.

The CBO staff contact for this estimate is Aaron Krupkin. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

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 identify methods to improve the presentation of NOTAM information to pilots through the establishment and recommendations of the FAA Task Force on NOTAM Improvement, and the comprehensive report developed by such task force and submitted to Congress.

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. 1262 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

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

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. 1262 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. Short title

This section provides that this bill may be cited as the “Notice to Airmen Improvement Act of 2021”.

Sec. 2. FAA Task Force on NOTAM Improvement

This section requires the Administrator of the FAA to establish the FAA Task Force on NOTAM Improvement. This section requires the task force to be composed of representatives from air carriers, labor unions, and general and business aviation, as well as aviation safety and human factors experts.

This section also establishes the duties of the task force, which include reviewing existing methods for presenting Notice to Airmen (NOTAM) and flight operations information to pilots and associated NOTAM policies and regulations, and determining best practices for organizing, prioritizing, and presenting flight operations information to pilots in an optimal manner. Additionally, this section requires the task force to provide recommendations to improve the presentation of NOTAM information, ensure NOTAM accuracy and completeness, identify best practices to improve NOTAM accuracy

and understandability, and identify ways to work with airspace users and aviation service providers to implement solutions aligned with any recommendations of the task force.

Furthermore, this section requires the task force to submit a report to Congress and describe to the extent to which implementing any task force recommendations addresses National Transportation Safety Board Safety Recommendation A-18-024; sunsets the task force within 18 months of its establishment or the date of submission of its report to Congress; and provides the FAA Administrator with the authority necessary to implement any task force recommendations outlined in its report to Congress. Finally, this section exempts the task force from requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 1262 makes no changes in existing law.