

“(1) GRANTS TO REPLACE AIRCRAFT RESCUE AND FIRE-FIGHTING VEHICLES.—

“(A) IN GENERAL.—Of the amounts made available to carry out the PFAS replacement program, the Secretary [of Transportation] shall reserve up to \$30,000,000 to make grants to each eligible airport that is designated under part 139 as an Index A airport and does not have existing capabilities to produce fluorine-free firefighting foam for the replacement of aircraft rescue and firefighting vehicles.

“(B) AMOUNT.—The maximum amount of a grant made under subparagraph (A) may not exceed \$2,000,000.

“(2) REMAINING AMOUNTS.—

“(A) DETERMINATION OF NEED.—With respect to the amount of firefighting foam concentrate required for foam production commensurate with applicable aircraft rescue and firefighting equipment required in accordance with the most recent FAA-approved Airport Certification Manual, the Secretary shall determine—

“(i) for each eligible airport, the total amount of such concentrate required for all of the federally required aircraft rescue and firefighting vehicles that meet index requirements under part 139, in gallons; and

“(ii) for all eligible airports, the total amount of firefighting foam concentrate, in gallons.

“(B) DETERMINATION OF GRANT AMOUNTS.—The Secretary shall make a grant to the sponsor of each eligible airport in an amount equal to the product of—

“(i) the amount of funds made available to carry out this section that remain available after the Secretary reserves the amount described in paragraph (1); and

“(ii) the ratio of the amount determined under subparagraph (A)(i) for such eligible airport to the amount determined under subparagraph (A)(ii).

“(c) PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary shall determine the eligibility of costs payable under the PFAS replacement program by taking into account all engineering, technical, and environmental protocols and generally accepted industry standards that are developed or established for approved fluorine-free firefighting foams.

“(2) COMPLIANCE WITH APPLICABLE LAW.—To be eligible for reimbursement under the program established under subsection (a), the sponsor of an eligible airport shall carry out all actions related to the acquisition, disposal, and transition to approved fluorine-free firefighting foams, including the cleaning and disposal of equipment, in full compliance with all applicable Federal laws in effect at the time of obligation of a grant under this section.

“(3) FEDERAL SHARE.—The Federal share of allowable costs under the PFAS replacement program shall be 100 percent.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated not more than \$350,000,000 to carry out the PFAS replacement program.

“(2) REQUIREMENTS.—Amounts made available to carry out the PFAS replacement program shall—

“(A) REMAIN AVAILABLE FOR EXPENDITURE FOR A PERIOD OF 5 FISCAL YEARS; AND

“(B) be available in addition to any other funding available for similar purposes under any other Federal, State, local, or Tribal program.

“(e) DEFINITIONS.—In this section:

“(1) ELIGIBLE AIRPORT.—The term ‘eligible airport’ means an airport holding an Airport Operating Certificate issued under part 139.

“(2) PART 139.—The term ‘part 139’ means part 139 of title 14, Code of Federal Regulations.

“(3) PFAS REPLACEMENT PROGRAM.—The term ‘PFAS replacement program’ means the program established under subsection (a).”

MAINTAINING SAFE FIRE AND RESCUE STAFFING LEVELS

Pub. L. 118–63, title VII, §769, May 16, 2024, 138 Stat. 1295, provided that:

“(a) UPDATE TO REGULATION.—The Administrator [of the Federal Aviation Administration] shall update the regulations contained in section 139.319 of title 14, Code of Federal Regulations, to ensure that paragraph (4) of such section provides that at least 1 individual maintains certification at the emergency medical technician basic level, or higher, at a small, medium, or large hub airport.

“(b) STAFFING REVIEW.—Not later than 2 years after the date of enactment of this Act [May 16, 2024], the Administrator shall conduct a review of airport environments and related regulations to evaluate sufficient staffing levels necessary for firefighting, rescue, and emergency medical services and response at airports certified under part 139 of title 14, Code of Federal Regulations.

“(c) REPORT.—Not later than 1 year after completing the review under subsection (b), the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] a report containing the results of the review.”

FIREFIGHTING FOAM AND FLUORINATED CHEMICALS

Pub. L. 115–254, div. B, title III, §332(a), Oct. 5, 2018, 132 Stat. 3273, provided that: “Not later than 3 years after the date of enactment of this Act [Oct. 5, 2018], the Administrator [of the Federal Aviation Administration], using the latest version of National Fire Protection Association 403, ‘Standard for Aircraft Rescue and Fire-Fighting Services at Airports’, and in coordination with the Administrator of the Environmental Protection Agency, aircraft manufacturers and airports, shall not require the use of fluorinated chemicals to meet the performance standards referenced in chapter 6 of AC No: 150/5210-6D and acceptable under [section] 139.319(1) of title 14, Code of Federal Regulations.”

IMPROVEMENT OF RUNWAY SAFETY AREAS

Pub. L. 109–115, div. A, title I, Nov. 30, 2005, 119 Stat. 2401, provided in part: “That not later than December 31, 2015, the owner or operator of an airport certificated under 49 U.S.C. 44706 shall improve the airport’s runway safety areas to comply with the Federal Aviation Administration design standards required by 14 CFR part 139: *Provided further*, That the Federal Aviation Administration shall report annually to the Congress on the agency’s progress toward improving the runway safety areas at 49 U.S.C. 44706 airports.”

SMALL AIRPORT CERTIFICATION

Pub. L. 106–181, title V, §518, Apr. 5, 2000, 114 Stat. 145, provided that, not later than 60 days after Apr. 5, 2000, the Administrator of the Federal Aviation Administration would issue a notice of proposed rulemaking on implementing subsec. (a)(2) of this section relating to issuance of airport operating certificates for small scheduled passenger air carrier operations, and not later than 1 year after the last day of the period for public comment provided for in the notice of proposed rulemaking, the Administrator would issue a final rule on implementing this program.

§ 44707. Examining and rating air agencies

The Administrator of the Federal Aviation Administration may examine and rate the following air agencies:

(1) civilian schools giving instruction in flying or repairing, altering, and maintaining aircraft, aircraft engines, propellers, and appliances, on the adequacy of instruction, the suitability and airworthiness of equipment, and the competency of instructors.

(2) repair stations and shops that repair, alter, and maintain aircraft, aircraft engines, propellers, and appliances, on the adequacy and suitability of the equipment, facilities, and materials for, and methods of, repair and overhaul, and the competency of the individuals doing the work or giving instruction in the work.

(3) other air agencies the Administrator decides are necessary in the public interest.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1190.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44707	49 App.:1427 (1st sentence). 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85-726, §607 (1st sentence), 72 Stat. 779. Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.

In this section, the word “Administrator” in section 607 (1st sentence) of the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat. 779) is retained on authority of 49:106(g). In clauses (1) and (2), the word “overhaul” is omitted as surplus. In clause (1), the words “course of” are omitted as surplus. In clause (3), the words “in his opinion” are omitted as surplus.

Statutory Notes and Related Subsidiaries

AIRCRAFT REPAIR AND MAINTENANCE ADVISORY PANEL

Pub. L. 106-181, title VII, §734, Apr. 5, 2000, 114 Stat. 170, provided that:

“(a) ESTABLISHMENT OF PANEL.—The Administrator [of the Federal Aviation Administration]—

“(1) shall establish an aircraft repair and maintenance advisory panel to review issues related to the use and oversight of aircraft and aviation component repair and maintenance facilities (in this section referred to as ‘aircraft repair facilities’) located within, or outside of, the United States; and

“(2) may seek the advice of the panel on any issue related to methods to increase safety by improving the oversight of aircraft repair facilities.

“(b) MEMBERSHIP.—The panel shall consist of—

“(1) nine members appointed by the Administrator as follows:

- “(A) three representatives of labor organizations representing aviation mechanics;
- “(B) one representative of cargo air carriers;
- “(C) one representative of passenger air carriers;
- “(D) one representative of aircraft repair facilities;
- “(E) one representative of aircraft manufacturers;
- “(F) one representative of on-demand passenger air carriers and corporate aircraft operations; and
- “(G) one representative of regional passenger air carriers;

“(2) one representative from the Department of Commerce, designated by the Secretary of Commerce;

“(3) one representative from the Department of State, designated by the Secretary of State; and

“(4) one representative from the Federal Aviation Administration, designated by the Administrator.

“(c) RESPONSIBILITIES.—The panel shall—

“(1) determine the amount and type of work that is being performed by aircraft repair facilities located within, and outside of, the United States; and

“(2) provide advice and counsel to the Secretary [of Transportation] with respect to the aircraft and aviation component repair work performed by aircraft repair facilities and air carriers, staffing needs, and any balance of trade or safety issues associated with that work.

“(d) DOT TO REQUEST INFORMATION FROM AIR CARRIERS AND REPAIR FACILITIES.—

“(1) COLLECTION OF INFORMATION.—The Secretary, by regulation, shall require air carriers, foreign air carriers, domestic repair facilities, and foreign repair facilities to submit such information as the Secretary may require in order to assess balance of trade and safety issues with respect to work performed on aircraft used by air carriers, foreign air carriers, United States corporate operators, and foreign corporate operators.

“(2) DRUG AND ALCOHOL TESTING INFORMATION.—Included in the information the Secretary requires under paragraph (1) shall be information on the existence and administration of employee drug and alcohol testing programs in place at the foreign repair facilities, if applicable. The Secretary, if necessary, shall work with the International Civil Aviation Organization to increase the number and improve the administration of employee drug and alcohol testing programs at the foreign repair facilities.

“(3) DESCRIPTION OF WORK DONE.—Included in the information the Secretary requires under paragraph (1) shall be information on the amount and type of work performed on aircraft registered in and outside of the United States.

“(e) DOT TO FACILITATE COLLECTION OF INFORMATION ABOUT AIRCRAFT MAINTENANCE.—The Secretary shall facilitate the collection of information from the National Transportation Safety Board, the Federal Aviation Administration, and other appropriate agencies regarding maintenance performed by aircraft repair facilities.

“(f) DOT TO MAKE INFORMATION AVAILABLE TO PUBLIC.—The Secretary shall make any relevant information received under subsection (d) available to the public, consistent with the authority to withhold trade secrets or commercial, financial, and other proprietary information under section 552 of title 5, United States Code.

“(g) TERMINATION.—The panel established under subsection (a) shall terminate on the earlier of—

- “(1) the date that is 2 years after the date of the enactment of this Act [Apr. 5, 2000]; or
- “(2) December 31, 2001.

“(h) DEFINITIONS.—The definitions contained in section 40102 of title 49, United States Code, shall apply to this section.”

§ 44708. Inspecting and rating air navigation facilities

The Administrator of the Federal Aviation Administration may inspect, classify, and rate an air navigation facility available for the use of civil aircraft on the suitability of the facility for that use.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1190.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44708	49 App.:1426 (1st sentence). 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85-726, §606 (1st sentence), 72 Stat. 779. Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.

The word “Administrator” in section 606 (1st sentence) of the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat. 779) is retained on authority of 49:106(g).

§ 44709. Amendments, modifications, suspensions, and revocations of certificates

(a) REINSPECTION AND REEXAMINATION.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration may rein-