

118TH CONGRESS
1ST SESSION

S. 368

To amend the FAA Reauthorization Act of 2018 to extend the existing aviation workforce development programs and provide grants to develop aviation manufacturing and supplier workforce, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2023

Mr. KELLY (for himself and Mrs. FISCHER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the FAA Reauthorization Act of 2018 to extend the existing aviation workforce development programs and provide grants to develop aviation manufacturing and supplier workforce, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Aviation Workforce,
5 Opportunity, Recruiting, Knowledge, and Supply Act” or
6 the “Aviation WORKS Act”.

1 **SEC. 2. EXTENSION AND EXPANSION OF AVIATION WORK-**
2 **FORCE DEVELOPMENT PROGRAMS.**

3 Section 625 of the FAA Reauthorization Act of 2018
4 (49 U.S.C. 40101 note) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “and” at
7 the end;

8 (B) in paragraph (2), by striking the pe-
9 riod at the end and inserting a semicolon; and

10 (C) by adding at the end the following new
11 paragraphs:

12 “(3) a program to provide grants for eligible
13 projects—

14 “(A) to develop the aviation manufacturing
15 and supplier workforce; or

16 “(B) to develop and support the education
17 of workers who design or produce any aircraft,
18 aircraft engine, propeller, or appliance, or a
19 component, part, or system thereof, that—

20 “(i) is produced under a production
21 approval issued by the Federal Aviation
22 Administration;

23 “(ii) has been issued a design ap-
24 proval by the Federal Aviation Administra-
25 tion; or

1 “(iii) has an active application for a
2 design approval; and

3 “(4) a program to provide grants for eligible
4 projects to plan, establish, and expand workforce de-
5 velopment partnership programs in the aviation and
6 aerospace industry sector.”;

7 (2) in subsection (b)—

8 (A) by redesignating paragraph (2) as
9 paragraph (3); and

10 (B) by inserting after paragraph (1) the
11 following new paragraph:

12 “(2) SUBSEQUENT FUNDING.—There is author-
13 ized to be appropriated—

14 “(A) \$20,000,000 for each of fiscal years
15 2024 through 2028 to provide grants under the
16 program established under subsection (a)(1);

17 “(B) \$20,000,000 for each of fiscal years
18 2024 through 2028 to provide grants under the
19 program established under subsection (a)(2);

20 “(C) \$20,000,000 for each of fiscal years
21 2024 through 2028 to provide grants under the
22 program established under subsection (a)(3);
23 and

1 “(D) \$20,000,000 for each of fiscal years
2 2024 through 2028 to provide grants under the
3 program established under subsection (a)(4).”;
4 (3) in subsection (c), by adding at the end the
5 following new paragraphs:

6 “(3) An application for a grant under the pro-
7 gram established under subsection (a)(3) shall be
8 submitted, in such form as the Secretary may speci-
9 fy, by—

10 “(A) an aviation company that actively de-
11 signs or produces any aircraft, aircraft engine,
12 propeller, or appliance, or a component, part, or
13 system thereof, covered under Federal Aviation
14 Administration design approval or application
15 for design approval—

16 “(i) that—

17 “(I) operates a SAE AS9100-cer-
18 tified process related to the design,
19 development, or provision of an avia-
20 tion product or service, including a
21 part, component or assembly;

22 “(II) holds or operates under a
23 type or production certificate under
24 section 44704 of title 49, United

1 States Code, or similar authorization;
2 or

3 “(III) has an active type certifi-
4 cate application accepted by the Fed-
5 eral Aviation Administration; or

6 “(ii) which—

7 “(I) is established, created, or or-
8 ganized in the United States or under
9 the laws of the United States; and

10 “(II) has significant operations
11 in the United States, and a majority
12 of its employees engaged in aviation
13 manufacturing or development activi-
14 ties and services, or aviation mainte-
15 nance, repair, or overhaul activities
16 and services based in the United
17 States; or

18 “(B) an accredited institution of higher
19 education (as such term is defined in paragraph
20 (1)(B)) or a high school or a secondary school
21 (as such terms are defined in such paragraph)
22 that has or is working to establish an aviation
23 manufacturing program.

24 “(4) An application for a grant under the pro-
25 gram established under subsection (a)(4) shall—

1 “(A) be submitted, in such form as the
2 Secretary may specify, by a partnership that—

3 “(i) is an industry or sector partner-
4 ship (as such term is defined in section 3
5 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3102)), or is in the
7 process of establishing an industry or sec-
8 tor partnership;

9 “(ii) includes an air carrier (as such
10 term is defined in paragraph (1)(A)), a
11 flight school described in paragraph
12 (1)(C), a holder of a certificate described
13 in paragraph (2)(A), or an aviation com-
14 pany described in paragraph (3)(A);

15 “(iii) is comprised of multiple employ-
16 ers from the aviation and aerospace indus-
17 try;

18 “(iv) may include not more than 1 en-
19 tity that is a previous recipient of grant
20 funding from any program established
21 under paragraphs (1) through (3) of sub-
22 section (a), but such entity may not serve
23 as a fiscal agent (as described in subpara-
24 graph (B)); and

1 “(v) does not include an entity that is
2 a current recipient of grant funding from
3 any program established under paragraphs
4 (1) through (3) of subsection (a), unless
5 the application demonstrates that any
6 grant funding currently received by the en-
7 tity would expire or otherwise cease prior
8 to the receipt of the grant funding under
9 paragraph (4) of subsection (a);

10 “(B) designate a partner from within the
11 partnership, or an intermediary which may be
12 a State or local workforce board or an accred-
13 ited institution of higher education (as such
14 term is defined in paragraph (1)(B)), to serve
15 as the fiscal agent for the grant; and

16 “(C) instruct the fiscal agent designated
17 under subparagraph (B) to, as appropriate—

18 “(i) receive funds;

19 “(ii) ensure sustained fiscal integrity
20 and accountability for expenditures of
21 funds in accordance with Federal Aviation
22 Administration regulations;

23 “(iii) respond to audit financial find-
24 ings;

1 “(iv) maintain proper accounting
2 records and documentation; and

3 “(v) prepare financial reports.”;

4 (4) in subsection (d)—

5 (A) in paragraph (2), in the matter pre-
6 ceding subparagraph (A), by striking “pilot”;
7 and

8 (B) by adding at the end the following new
9 paragraphs:

10 “(3) For purposes of the program established
11 under subsection (a)(3), an eligible project is a
12 project—

13 “(A) to establish or support educational
14 programs that teach technical skills used in
15 aviation manufacturing, including the produc-
16 tion of components, parts, or systems thereof
17 for inclusion in an aircraft, aircraft engine, pro-
18 peller, or appliance;

19 “(B) to establish scholarships, internships,
20 or apprenticeships for individuals pursuing em-
21 ployment in the aviation manufacturing indus-
22 try;

23 “(C) to support outreach about careers in
24 the aviation manufacturing industry to—

1 “(i) primary, secondary, and post-sec-
 2 ondary school students; or

3 “(ii) to communities underrepresented
 4 in the industry;

5 “(D) to support educational opportunities
 6 related to aviation manufacturing in economi-
 7 cally disadvantaged geographic areas;

8 “(E) to support transition to careers in
 9 aviation manufacturing, including for members
 10 of the Armed Forces; or

11 “(F) to otherwise enhance aviation manu-
 12 facturing technical education or the aviation
 13 manufacturing industry workforce.

14 “(4) For purposes of the program established
 15 under subsection (a)(4), an eligible project is a
 16 project—

17 “(A) to carry out planning and partner de-
 18 velopment activities, which may include—

19 “(i) convening key stakeholders as
 20 identified in the application process to es-
 21 tablish or expand educational programs
 22 that teach technical skills used in pilot
 23 training, aviation maintenance, or aviation
 24 manufacturing;

1 “(ii) conducting outreach to local
2 businesses and business associations, in-
3 cluding activities to increase marketing
4 and activity visibility within the commu-
5 nity;

6 “(iii) conducting an evaluation of
7 workforce needs in the local area;

8 “(iv) conducting survey and planning
9 activities for partnership-related infra-
10 structure needs; or

11 “(v) recruiting veterans of military
12 service and individuals with barriers to em-
13 ployment;

14 “(B) to provide career services as de-
15 scribed in section 134(c)(2)(A) of the Work-
16 force Innovation and Opportunity Act (29
17 U.S.C. 3174(c)(2)(A));

18 “(C) to provide training services as de-
19 scribed in section 134(c)(3)(D) of the Work-
20 force Innovation and Opportunity Act (29
21 U.S.C. 3174(c)(3)(D)); or

22 “(D) to provide services to support the
23 success and retention of individuals who are
24 participating in any training program estab-
25 lished under subsection (a)(4).”; and

1 (5) in subsection (e)—

2 (A) in paragraph (1), by striking “and” at
3 the end;

4 (B) in paragraph (2)—

5 (i) by striking “subsection (a)(1)” and
6 inserting “paragraph (1) or (2) of sub-
7 section (a)”; and

8 (ii) by striking the period at the end
9 and inserting “; and”; and

10 (C) by adding at the end the following new
11 paragraph:

12 “(3) ensure that the applications selected for
13 projects established under subsection (a)(4) will
14 allow participation from major and regional air car-
15 riers and a diverse collection of industry partners.”.

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