

to learn from each other. Our bond may be challenged at times, but it is absolutely unbreakable.

The Israeli national anthem, "Hatikva," is a song of hope. The late Rabbi Lord Jonathan Sacks wrote that in Judaism, hope is an active virtue, which requires a great deal of courage.

Hope is the belief that together we can make the world better, that we can overcome any setbacks and heal the fractures in our world.

Israel's first 75 years were rooted in an ancient dream. Let us base our next 75 years on hope, our shared hope, that we can heal our fractured world as the closest of allies and friends.

Thank you, Members of both Houses, for celebrating Israel's independence. "Am Yisrael Chai." "The people of Israel Live." God bless the State of Israel, and God bless the United States of America.

(Applause, the Members rising.)

At 11 o'clock and 53 minutes a.m., His Excellency Isaac Herzog, President of the State of Israel, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber.

#### JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 11 o'clock and 54 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1236

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. D'ESPOSITO) at 12 o'clock and 36 minutes p.m.

#### PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

##### GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all

Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3935.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 597 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3935.

The Chair appoints the gentleman from New York (Mr. GARBARINO) to preside over the Committee of the Whole.

□ 1238

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, with Mr. GARBARINO in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member on the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, is a bipartisan bill to reauthorize the Federal Aviation Administration and the Nation's aviation safety and infrastructure program for the next 5 years.

I thank Transportation and Infrastructure Committee Ranking Member RICK LARSEN, Aviation Subcommittee Chairman GARRET GRAVES, and Aviation Subcommittee Ranking Member STEVE COHEN for working with me to develop and introduce this legislation.

For over a century, the United States has led the world in aviation safety and innovation. Unfortunately, our gold standard status is being threatened by increasing global competition, by rapid developments in technology, a shortage of aviation professionals, and the inefficiencies and lack of leadership in the FAA.

H.R. 3935 is critical to keeping America a global leader in aviation. It is vital to our economy, to millions of American jobs, and to the 850 million passengers that depend on our National Airspace System every single year.

If Congress fails to act on a new long-term aviation measure by September 30, when the current FAA law expires, key aviation programs will cease to function.

H.R. 3935 provides the necessary long-term certainty that is demanded by both the civil aviation system and the aviation community to guarantee its safety and prosperity for decades to come.

This bill not only improves FAA's efficiency through reasonable organizational changes but makes the agency more agile while simultaneously prioritizing safety each step of the way.

The FAA is simply too slow in everything it does, from rulemaking to aircraft registrations and from certifications to just simple paperwork.

This bill ensures robust investment in infrastructure for airports of all sizes, including the thousands of smaller and general aviation airports that make up the bulk of our aviation system.

I am proud to say our bill includes the first ever General Aviation title in the FAA reauthorization bill. GA is the foundation to our civil aviation system. It is where many of our pilots, mechanics, and other aviation professionals begin their careers, gaining valuable experience along their journey in the aviation industry.

This bill recognizes the importance of GA and protects the freedom to fly for every American.

As previously mentioned, growing shortages across the aerospace workforce are a true threat to the future of American aviation.

H.R. 3935 addresses workforce challenges head-on by removing barriers to entry for individuals and veterans interested in pursuing careers in aviation, such as through the CAREER Program.

Bottom line, our bill encourages growth in the aviation workforce through meaningful reforms, the most meaningful in decades.

What is more, H.R. 3935 maintains American leadership when it comes to the development and integration of new and emerging technologies into the airspace, such as drones and Advanced Air Mobility.

Specifically, this bill requires the FAA to stop endless testing and pilot programs that go nowhere to integrate innovation, such as drones and AAM into the National Airspace System.

As air travel recovers from the COVID pandemic, renewed growth in air travel has come with some difficulties, obviously, for the traveling public. Our bipartisan bill includes an entire title dedicated to improving the flying experience for the traveling public, an issue that each of our offices hear about from constituents probably on a daily basis.

Finally, and most importantly, the bill recognizes that while our aviation system is safe, we must continue to raise the bar for safety. As such, this

bill includes a number of safety-focused provisions to ensure that America continues to be the world's gold standard in aviation safety.

One of the most important safety features of this bill is a title for 5-year reauthorization of the National Transportation Safety Board, the NTSB. It is this independent Federal agency that investigates all civil aviation accidents and transportation accidents throughout this sector.

I believe the Securing Growth and Robust Leadership in American Aviation Act is one of the most important pieces of legislation this body is going to consider in the 118th Congress.

This bill is vital to America's airport infrastructure, to our economy, and to the future of American leadership in aviation.

Mr. Chair, I urge my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, July 6, 2023.

Hon. SAM GRAVES,

*Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3935, the "Securing Growth and Robust Leadership in American Aviation Act," which was introduced on June 9, 2023.

H.R. 3935 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is done based on our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology nor is it a waiver of any future jurisdictional claim over subject matter contained in this bill or in similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee report and in the Congressional Record during the floor consideration of this bill. Finally, I ask that you support the appointment of Science Committee conferees during any House-Senate conference convened on this legislation. Thank you in advance for your cooperation.

Sincerely,

FRANK D. LUCAS,  
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, July 7, 2023.

Hon. FRANK D. LUCAS,

*Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.*

DEAR CHAIRMAN LUCAS: I write to you concerning H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, which was introduced on June 9, 2023, and solely referred to the Committee on Transportation and Infrastructure.

I appreciate you agreeing to withdraw your request for a sequential referral of H.R. 3935, so that the bill may be considered expeditiously. I acknowledge that forgoing your referral claim now does not waive the right to jurisdictional claims in the future on subject matter contained in this bill or similar legislation. Further, I will appropriately consult

and involve the Committee on Science, Space, and Technology as the bill moves forward on issues that fall within your Rule X jurisdiction. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee.

Finally, I will include a copy of our letter exchange in the Committee Report and the Congressional Record when the bill is considered on the House floor.

Thank you again for your cooperation.

Sincerely,

SAM GRAVES,  
*Chairman, Committee on Transportation and Infrastructure.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, July 7, 2023.

Hon. FRANK D. LUCAS,

*Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.*

DEAR CHAIRMAN LUCAS: I write to you concerning H.R. 3559, the FAA Research and Development Act of 2023. The bill was referred primarily to the Committee on Science, Space, and Technology, with an additional referral to the Committee on Transportation and Infrastructure. Specifically, provisions of H.R. 3559 fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forgo action on the bill. However, this is conditional on our mutual understanding that doing so will not prejudice the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matter contained within the bill or similar legislation that falls under the Committee on Transportation and Infrastructure's Rule X jurisdiction. Further, should a conference on the bill be necessary, I appreciate your agreement to support my request to have the Committee represented on the conference committee.

Finally, I would ask that a copy of this letter and your response acknowledging our jurisdictional interest in the bill be included in the Committee Report and Congressional Record during consideration of H.R. 3559 on the House floor.

Sincerely,

SAM GRAVES,  
*Chairman, Committee on Transportation and Infrastructure.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, July 10, 2023.

Hon. SAM GRAVES,

*Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3559, the "FAA Research and Development Act of 2023," which was referred initially to the Committee on Science, Space, and Technology and sequentially to the Committee on Transportation and Infrastructure.

I appreciate your willingness to work cooperatively on this bill. I recognize that the Committee on Transportation and Infrastructure has a valid jurisdictional interest in certain provisions of H.R. 3559, and that the Committee's jurisdiction should not be adversely affected by your decision to forego formal consideration of H.R. 3559. As you have requested, I will support your request

for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

FRANK D. LUCAS,  
*Chairman.*

Mr. LARSEN of Washington. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in support of H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, introduced by T&I Committee Chair GRAVES, Aviation Subcommittee Chair GRAVES, Ranking Member COHEN, and myself.

I extend my thanks to the chairman of the full committee, SAM GRAVES of Missouri, and the Subcommittee Chair GARRET GRAVES of Louisiana, for their commitment to a bipartisan effort done in good faith to get this bill done that protects the flying public and secures the future of the U.S. aviation system.

In my home State of Washington, the aviation sector is a powerful economic engine that creates good-paying jobs and supports local communities in the Pacific Northwest.

This bill delivers for my constituents as well as for all Americans across the country. It advances American leadership in aviation safety and innovation, strengthens and diversifies our aviation workforce, expands consumer protections and accessibility, and fosters environmental sustainability in aviation.

□ 1245

Although the U.S. aviation system is the safest in the world, the last few years have shown there is still work to do. The rise in runway near misses at some U.S. airports expose a vulnerability for the flying public. This reauthorization will help prevent these events by expanding ground surveillance and detection capabilities to all large and medium hub U.S. airports.

Further, unruly passengers continue to pose a threat to flight crews and other frontline workers. This bill better protects workers by creating a task force on preventing assaults against airline personnel and enforcing a requirement that airlines establish employee assault and response plans.

Recent flight cancellations and delays have shaken the confidence of passengers in the U.S. aviation system. To get us back on the right course, this reauthorization requires airlines to create resiliency plans to address mass flight disruptions. It also takes steps to make passengers whole by requiring airlines to develop policies to cover food and hotel expenses due to flight disruptions.

The bill also supports the administration's push for family seating by requiring airlines to establish policies allowing passengers to sit next to their young children if adjacent seats are available.

For too long, passengers with disabilities have experienced inexcusable barriers in air travel from challenges with boarding the aircraft and inaccessible onboard lavatories, to damaged and mishandled wheelchairs and mobility aids.

This bill paves the way for safer and more dignified air travel for this particular community by directing the DOT to create a roadmap for airlines to reduce damage to mobility aids and to improve training for airline personnel and contractors on assisting passengers with disabilities.

Climate change is a growing threat to millions of Americans and the infrastructure we rely on. This bill makes groundbreaking investments in sustainability, increasing Federal funding for the Airport Improvement Program from \$3.35 billion to \$4 billion and dedicating a minimum of \$150 million to airport environmental and noise programs.

It also allows U.S. airports to use these funds for alternative fuel infrastructure and environmental resiliency projects and works to mitigate the impacts of aviation noise on local communities.

It directs the FAA to review and revise Federal aviation noise standards and to seek feedback from neighboring communities as well. Furthermore, the bill requires the FAA to take certain actions to reduce undesirable aircraft noise when implementing or revising a flight procedure. These actions build the foundation for a cleaner future for our aviation ecosystem.

To secure American leadership in aerospace innovation, we must provide a clear and predictable framework for emerging industries to scale safely while ensuring the needs of communities are addressed.

From drones to electric or hydrogen-powered aircraft, advanced aviation technologies have clear economic and societal benefits.

In Washington State, drones will soon be used to deliver critical medical supplies in the Tacoma area, helping to reduce barriers to care for patients. This reauthorization also requires the FAA to issue proposed rules for drones to safely scale in this country, providing regulatory certainty to a growing sector, ensuring their safe integration into our skies, and creating U.S. jobs.

It will also help State, local, and Tribal governments acquire drones for infrastructure inspection and repair to help workers do their jobs more safely. It also extends a program that I championed to fund State and community efforts to plan for a future with advanced air mobility operations and infrastructure.

Our talented and dedicated U.S. workforce is the backbone of American

aviation and makes the Nation's leadership in aviation safety and innovation possible.

This reauthorization is a jobs bill. It helps build the economy from the middle out and bottom up and diversifies the aviation workforce, recognizing how critical that effort is to our Nation's long-term economic success.

It makes robust investments in the FAA's aviation workforce development program to upskill the next generation of pilots, maintenance technicians, manufacturing workers, and other critical professions.

This will help local businesses, like Aviation Technical Services in Everett, Washington, to expand their apprenticeship and training programs and compete in the rapidly evolving global aviation sector.

The bill also creates the Willa Brown Aviation Education Program and establishes a National Center for the Advancement of Aerospace to support and promote aviation workforce development opportunities for everyone.

Crucially, it requires the FAA to hire the maximum number of air traffic controllers, as well as to adopt the most appropriate controller staffing model to meet growing airspace needs.

I will spend my final bit of comments on the Disadvantaged Business Enterprise program. This bill also reaffirms and strengthens the U.S. Department of Transportation's DBE program. As we increase investment under this bill and dedicate Federal dollars to airport projects, it is imperative that we ensure the process of awarding Federal transportation contract dollars allows for full participation on a level playing field by minority-owned and women-owned businesses.

The committee has accumulated evidence attesting to systemic discrimination that women and minorities face in attempts to establish, grow, and operate construction businesses, including those seeking contracts for airport construction projects and airport concessions across the country.

This evidence includes testimony at a hearing titled: "Driving Equity: The U.S. Department of Transportation's Disadvantaged Business Enterprise Program" held on September 23, 2020, since the passage of the last bill.

We have received and reviewed disparity studies, testimony, and other evidence, including statistical analyses containing numerous disparity studies conducted since 2018, the Department of Justice "Report on Lawful Uses of Race or Sex in Federal Contracting Programs," and the DOT's own report on DBE goal attainment. These studies and reports continue to demonstrate that race- and gender-neutral efforts alone are insufficient to address the problem.

The evidence demonstrates that discrimination across the U.S. poses an injurious and enduring barrier to full and fair participation in airport-related businesses of women businessowners and minority

businessowners and has negatively affected firm formation, development and success in many aspects of airport-related businesses in public and private markets.

The evidence provides a clear picture of the inequality caused by this discrimination that continues to plague our Nation and a strong basis that there is a compelling need for the continuation of the Disadvantaged Business Enterprise Program to address race and gender discrimination in airport-related businesses.

Mr. Chair, I include in the RECORD 65 studies and reports spanning communities in 25 States showing significant disparity between the use of DBE and non-DBE subcontractors. The full text of each report is held on file electronically with the Committee on Transportation and Infrastructure.

[July 19, 2023]

Mr. Speaker, I include in the Record evidence received by the Committee on Transportation and Infrastructure on the compelling need for the continuation of the Disadvantaged Business Enterprise (DBE) program.

This statistical evidence includes 64 disparity studies conducted in 25 states since 2018, showing significant disparities between the use of DBE and non-DBE subcontractors in publicly financed, airport-related construction and concession contracting and in publicly financed, non-airport construction contracting that involves many of the same types of subcontracting opportunities available on airport projects.

The submission also includes reports prepared for and by the U.S. Department of Justice (DOJ) and the U.S. Department of Commerce, including a report analyzing over 200 disparity studies produced by state and local government agencies between 2010 and 2021 and other evidence related to disparities faced by minority business enterprises in public and private contracting markets; and DOJ's 2022 survey of evidence documenting the compelling interest to remedy the effects of discrimination in government contracting.

This evidence demonstrates a strong basis that there is a compelling need for the continuation of the Disadvantaged Business Enterprise and Airport Concession Disadvantaged Business Enterprise programs to address race and gender discrimination in airport-related business.

The full text of each study and report is held on file electronically with the Committee on Transportation and Infrastructure.

#### ALASKA

Disadvantaged Business Enterprise Study, Alaska Department of Transportation and Public Facilities, Final Report and Final Appendices, Prepared by MGT Consulting Group (2020).

#### ARIZONA

Arizona Department of Transportation 2020 Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2020).

#### CALIFORNIA

2022 Caltrans FTA Disparity Study, California Department of Transportation, Prepared by BBC Research & Consulting (2022).

Availability and Disparity Study Report 2021, California Department of Transportation, Prepared by BBC Research & Consulting (2021).

North County Transit District 2022 Disparity Study Final Report, Prepared by Keen Independent Research (2022).

2020 Disparity Study, City of San Diego, Prepared by BBC Research & Consulting (2020).

## COLORADO

2020 State of Colorado Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2020).

2018 Disparity Study, City and County of Denver, Final Report, Prepared by BBC Research & Consulting (2018).

## DELAWARE

2022 Disparity Study, State of Delaware, Prepared by MGT Consulting (2022).

New Castle County, DE 2022 Public Works Procurement Disparity Study Final Report, Prepared by Keen Independent Research LLC (2022).

## FLORIDA

City of St. Petersburg Disparity Study Final Report, Prepared by Mason Tillman Associates, Ltd. (2021).

2019 Disparity Study, City of Tallahassee, Leon County, and Blueprint, Prepared by MGT Consulting Group (2019).

## HAWAII

Hawaii Department of Transportation 2019 Availability and Disparity Study, Final Availability and Disparity Study Report, Prepared by Keen Independent Research (2019).

## ILLINOIS

City of Chicago Disparity Study for Construction Contracts 2021, Prepared by Colette Holt & Associates (2021).

Chicago Transit Authority Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

## INDIANA

2019 Disparity Study, City of Indianapolis and Marion County, Prepared by BBC Research & Consulting (2019).

City of South Bend Disparity Study, Prepared by Colette Holt & Associates (2019).

2020 Disparity Study, State of Indiana Final Report, Prepared by BBC Research & Consulting (2020).

## KENTUCKY

2022 Disparity Study, Lexington-Fayette Urban County Government Final Report, Prepared by BBC Research & Consulting (2022).

Louisville & Jefferson County Metropolitan Sewer District Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd. (2018).

## LOUISIANA

City of Alexandria LA Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2022).

City of Baton Rouge, Parish of East Baton Rouge Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2019).

2018 City of New Orleans Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2018).

Recreation and Park Commission for the Parish of East Baton Rouge Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2019).

## MARYLAND

City of Frederick Disparity Study Report, Prepared by Griffin & Strong P.C. (2021).

Disadvantaged Business Enterprise Disparity Study: Volume I and Volume II, Prepared for the Maryland Department of Transportation by NERA Economic Consulting (2018).

Baltimore County Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd. (2021).

Charles County, MD 2021 Disparity Study, Prepared by Griffin & Strong P.C. (2021).

City of Baltimore 2022 Disparity Study, Final Report and Appendices, Prepared by MGT Consulting Group (2022).

## MASSACHUSETTS

2020 Disparity Study, City of Boston, Prepared by BBC Research & Consulting (2020).

## MISSOURI

Missouri Department of Transportation 2019 DBE Availability Study Final Report, Prepared by Keen Independent Research LLC (2019).

2019 City of Kansas City Construction Workforce Disparity Study, Prepared by Keen Independent Research LLC (2019).

## MONTANA

2022 Montana Department of Transportation Disparity Study, Final Report, BBC Research & Consulting (2022).

## NEW YORK

City of New York Disparity Study, Prepared by MGT Consulting Group (2018).

## NORTH CAROLINA

2018 Disparity Study, City of Asheville, North Carolina, Prepared by BBC Research & Consulting (2018).

Greensboro, North Carolina Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2018).

State of North Carolina, Department of Administration Disparity Study Report Volume 1 (State Agencies), Prepared by Griffin & Strong P.C. (2020).

State of North Carolina, Department of Administration Disparity Study Report Volume 2 (Community Colleges & Universities), Prepared by Griffin & Strong P.C. (2021).

## OHIO

City of Columbus Disparity Study Final Report, Prepared by Mason Tillman Associates, Ltd. (2019).

2022 Disparity Study, Hamilton County Final Report, Prepared by BBC Research & Consulting (2022).

Cuyahoga County, Ohio Disparity Study Report, Prepared by Griffin & Strong P.C. (2020).

## OREGON

Department of Aviation, Oregon Statewide DBE Disparity Study, Prepared by Keen Independent Research (2021).

The Port of Portland Small Business Program Disparity Study 2018, Prepared by Colette Holt & Associates (2018).

Oregon Department of Transportation 2019 DBE Disparity Study Update, Final Report, Prepared by Keen Independent Research LLC (2019).

## PENNSYLVANIA

Annual Disparity Study Fiscal Year 2019, Prepared by City of Philadelphia Office of Economic Opportunity (2019).

2018 Disparity Study, Pennsylvania Department of Transportation, Prepared by BBC Research & Consulting (2018).

Annual Disparity Study Fiscal Year 2018, Prepared by City of Philadelphia Office of Economic Opportunity (2018).

2018 Disparity Study, Commonwealth of Pennsylvania Department of General Services, Prepared by BBC Research & Consulting (2018).

## RHODE ISLAND

Disparity Study, Final Report, State of Rhode Island, Prepared by Mason Tillman Associates, Ltd. (2021).

## TENNESSEE

Memphis-Shelby County Airport Authority Disparity Study 2022, Prepared by Colette Holt & Associates (2022).

Metropolitan Nashville Airport Authority Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2020)

City of Chattanooga, Tennessee 2019 Disparity Study, Final Report, Prepared by Griffin & Strong P.C. (2019).

Metro Nashville Tennessee Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2018)

## TEXAS

City of Austin Disparity Study Report 2022, Prepared by Colette Holt & Associates (2022). Dallas Fort Worth International Airport, Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

City of Fort Worth, Texas Disparity Study, Prepared by CH Advisors Inc. (2020).

Texas Department of Transportation Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

Availability and Disparity Study, City of Dallas, Texas, Prepared by MGT Consulting Group (2020).

## VIRGINIA

2020 Disparity Study, Commonwealth of Virginia, Prepared by BBC Research & Consulting (2020).

2018 Disparity Study, City of Virginia Beach, Prepared by BBC Research & Consulting (2018).

## WASHINGTON

Port of Seattle Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

Washington State Airports Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

City of Tacoma, Disparity Study, Final Report, Prepared by Griffin & Strong P.C. (2018).

State of Washington Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

## NATIONWIDE

The Compelling Interest to Remedy the Effects of Discrimination in Federal Contracting: A Survey of Recent Evidence, U.S. Department of Justice (2022). [See also FR Doc. 2022-01478]

Jon Wainwright, Report of Defendant's Expert, submitted in *Ultima Services Corp. v. Dept. of Agriculture*, Case No. 2:20-CV-00041.

Update to the Assessment of Contracting Outcomes for Small Disadvantaged Businesses, Prepared by the Minority Business Development Agency of the U.S. Department of Commerce (2022).

Mr. LARSEN of Washington. The Securing Growth and Robust Leadership in American Aviation Act is a long-term, comprehensive, and bipartisan reauthorization that cements a safer, cleaner, greener, more innovative and accessible future for the U.S. aviation system.

I will end my opening comments by again thanking Chair SAM GRAVES and Subcommittee Chair GARRET GRAVES for making sure that they are reaching out to the Democratic side of the aisle to ensure that we could have a bipartisan and collaborative bill put together. I thank Subcommittee Ranking Member COHEN for his leadership as ranking member of the Subcommittee on Aviation, and for all of the staff for their hard work, as well.

Particularly, I thank the minority staff of the Subcommittee on Aviation: staff director, Brian Bell; professional staff, Alex Menardy; counsel, Adam Weiss; and our FAA detailee, Liz Forro, for the hard work and the countless hours they have spent crafting this legislation with their majority counterparts.

Mr. Chair, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chair, I yield 5 minutes to the gentleman

from Louisiana (Mr. GRAVES), the chair of the Subcommittee on Aviation.

Mr. GRAVES of Louisiana. Mr. Chairman, this legislation reflects the input of Members of Congress, of the flying public, and stakeholders to the tune of over 2,000 unique submissions that we processed, that we put together. Ultimately, it yields a bill that is in excess of 840 pages.

This legislation is the result of hundreds of meetings and dozens of hearings dating back years. Most importantly, Mr. Chairman, this legislation passed the House Transportation and Infrastructure Committee with unanimous bipartisan support.

This legislation takes important steps in ensuring that we have continuity and consistency within the FAA. It makes fundamental organizational changes, taking a 1970s organization and updating it for today. It establishes a deputy administrator for safety and operations, and an assistant administrator for rulemaking and regulatory improvement. It establishes an Office of Innovation, an FAA ombudsman, and many other important changes in the organizational structure of this antiquated and slow-moving agency.

Mr. Chairman, this legislation is focused on the passenger experience. You can imagine these families traveling and going to satellite parking lots, taking shuttles to airports, trying to check in bags, trying to go through security, dealing with concessionaires at the airport, getting on the airplane, and on the back side, effectively doing it all over again at your destination airport.

We have to have someone who looks at this entire process to ensure that it is consistent, that it is complementary, that it is streamlined. This bill does just that: improving upon that passenger experience; ensuring that we are deploying the best technology, the most updated technology, as quickly as possible; pulling back the veil on air traffic control and other operations that often result in a negative or adverse passenger experience.

Mr. Chairman, this legislation addresses many of the very concerns that we hear from the flying public. We have areas where we have shortages in personnel on the government side or on the private sector side, as the ranking member noted.

We ensure that we incentivize new entrants into this growing workforce, to make sure that we have the pilots, the air traffic controllers, the A&P mechanics, those that are operating new entrants into the market, to ensure that that customer experience is positive.

Mr. Chairman, this legislation also takes significant advances in an area I care a lot about—new entrants into the market. The FAA was really established or set up for a scenario when we had a few airplanes per week that were coming off assembly lines. Now, we are facing a scenario where you are going

to have thousands and thousands of unmanned systems that are coming out on a weekly basis. We have to make sure that our regulatory and our statutory environment is one that actually facilitates these new entrants in the market.

Title 7 facilitates these new technologies, everything from allowing for drones to be used for delivery, making decisions on beyond visual line-of-sight, ensuring that we are operating a risk-based framework for safety.

It codifies the part 107 waiver process to ensure that we are standardizing the waiver process and provides transparency. It ensures the designation of critical infrastructure related to drones—something that should have been done, I want to remind my FAA friends, in 2016—and establishes a mandate for that action.

It helps to streamline the environmental process. It clarifies and eliminates burdensome rules regarding the delivery of certain products. It allows for unmanned systems to be used for wildfires, and it includes the DIIG Act for infrastructure inspections.

In the advanced air mobility space, it creates certainty for eVTOL, electric vertical takeoff and landing equipment. It ensures that the process, the notice of the proposed rulemaking that is going through, is completed and provides certainty moving forward.

Mr. Chairman, I am not going to go through everything in this 841-page bill, but I do want to make note that the leader of this bill, the leader of this committee, SAM GRAVES, is the most knowledgeable aviation expert that has ever led this committee. His hand was involved in every page of this legislation. We would not have this great bill without his leadership, without the leadership of our ranking member, RICK LARSEN, who represents a large manufacturing and innovation community, and our ranking member, STEVE COHEN, who represents one of the largest cargo logistics hubs in the world.

I have flown before, so I thank all of the leaders of the committee. I also want to give a shout-out to all the staff. I will go through and name them in a little while.

Mr. Chairman, I urge adoption of this bill.

Mr. LARSEN of Washington. Mr. Chair, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chair, firstly, I would like to go ahead and extend to all the leadership that produced this bill my thanks: Chairman SAM GRAVES, Ranking Member LARSEN, and Subcommittee Chair GARRET GRAVES, our self-professed passenger.

This is an outstanding, bipartisan bill. It is what the American public wants, what it needs, and we need to pass this.

If the House Committee on Transportation was a microcosm of Congress, we would have the highest ratings Congress has ever seen. We worked together on this bill.

As the ranking member of the Subcommittee on Aviation, I appreciate the opportunity to work with this leadership team and the whole committee and the staff to produce this bipartisan bill, which we hope we can pass by the September deadline.

The legislation is vital in the continuity of the U.S. aviation industry. It helps ensure aviation safety, infrastructure, and workforce development programs remain top priorities at such a critical juncture.

Our Nation is bound together by aviation, business and passenger, as well. This legislation addresses several key priorities of mine: improving airport infrastructure investments; enhancing aviation safety; protecting consumers, especially those with disabilities; addressing environmental resiliency; ensuring the safe operation and integration of unmanned aircraft systems and advanced air mobility aircraft; and improving the development of the U.S. aviation workforce, especially in minority communities.

□ 1300

I am especially pleased to see several of my amendments included herein. There is language to assist airports that faced financial adversity due to reclassification from small to medium hubs, including the Memphis International Airport.

There are provisions from the Safe Aviation Flight Enhancement Act that was introduced with my friend from Tennessee (Mr. BURCHETT) to address flight data recovery for aircraft used in extended overwater operations and cockpit voice recorders.

There is language developed with Senator BLUMENTHAL directing the FAA to complete its rulemaking on a minimum seat size, as mandated by our SEAT Act from the 2018 FAA reauthorization law.

There is language developed with Senator LUJÁN regarding aircraft cabin temperature standards.

There are provisions from the Emergency Vacating of Aircraft Cabin Act that was introduced with Senator DUCKWORTH to improve Federal evacuation standards.

The Mobility Aids on Board Improve Lives and Empower All Act that I introduced with Representative STAUBER and Senators DUCKWORTH and THUNE would improve air travel for passengers with disabilities, notably passengers who use wheelchairs and other mobility aids.

The Prioritizing Accountability and Accessibility for Aviation Consumers Act that I introduced with Representative FITZPATRICK and Senators DUCKWORTH and FISCHER is on disabilities, as well.

As you can see, I work with folks from both sides of the aisle and both Houses. That is what we needed to do, and that is why this bill is good and why it is going to pass.

Mr. Chair, the bill also addresses consumer concerns relating to reimbursements when there are significant

delays or canceled flights, family seating, and airport infrastructure resiliency as well as airline operational resiliency plans.

All of the above are steps in the right direction to not only protect and accommodate passengers with equity in mind but also to ensure the longevity of the U.S. aviation industry.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma (Mr. LUCAS), the chairman of the Science, Space, and Technology Committee.

Mr. LUCAS. Mr. Chairman, I thank Mr. GRAVES and Ranking Member LARSEN for putting together a solid bipartisan bill to reauthorize the Federal Aviation Administration.

I am here to discuss how this legislation addresses FAA's research, development, and engineering activities that are within the jurisdiction of the Science, Space, and Technology Committee.

Our role in the FAA reauthorization is to inform the process by crafting legislation that supports R&D to advance American aviation. Our goal with the bill was to support smart, strategic work to promote innovation and keep America the global leader in aviation. That leadership is critical to our national security and our international competitiveness.

For our economy to thrive, we need the ability to transport people and goods quickly, safely, and efficiently. Staying competitive means staying at the leading edge of aviation innovation.

With that in mind, last month, the Science, Space, and Technology Committee unanimously passed H.R. 3559, the FAA Research and Development Act of 2023. That bill, which has been incorporated into the legislation before us today, is the product of months of work within regular order.

We gathered extensive feedback and held a legislative hearing to give our members a chance to directly question stakeholders, industry, and FAA representatives on how best to support innovation and modernization in American aviation.

The result is comprehensive legislation that quite literally supports aviation from the ground up, from the durability of our runways to how we monitor traffic over oceans and remote areas. It accelerates the development of advanced materials for aerospace vehicle construction and supports research into how more accurately to predict the weather to reduce delays and increase safety.

Importantly, it ensures that safety continues to be the primary focus of FAA research and development by requiring a report on whether at least 70 percent of FAA R&D funds are going toward improved safety.

In short, we have put together a solid framework to support FAA's research work, one that is appropriately tailored to FAA's jurisdiction and strengths.

With this legislation, we are ensuring that America remains the global leader in aviation for years to come.

Mr. Chair, I thank Ranking Member ZOE LOFGREN for working with me in good faith to develop the R&D portion of this legislation. I thank Chairman GRAVES and Ranking Member LARSEN for incorporating our work into this package.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, as a member of the Aviation Subcommittee and co-chair of the bipartisan Congressional Unmanned Systems Caucus, I support the FAA reauthorization bill that passed unanimously out of the Transportation and Infrastructure Committee just weeks ago. It includes provisions that will benefit all the airports in Nevada's First District, and it will remove regulatory hurdles for drones so they can be used commercially, for search and rescue, and for fire detection and suppression.

Furthermore, my district, which is one of the world's top travel destinations, welcomes visitors from all backgrounds and abilities. I am proud to say that this bill includes provisions from the Air Carrier Access Amendments Act. This was an act previously introduced by my good friend, former Representative Jim Langevin. It will protect the rights of disabled passengers by establishing aircraft accessibility standards and setting a timeline for DOT to investigate and respond to disability-related complaints.

Mr. Chair, I thank Chairman GRAVES, Ranking Member LARSEN, Aviation Subcommittee Ranking Member COHEN, and Chairman GRAVES for their hard work and cooperation on this bill, as well as Chairman VAN DREW, the Paralyzed Veterans of America, and the airlines for their collaboration on the disability provisions.

Mr. Chair, I urge passage of this bill.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. D'ESPOSITO).

Mr. D'ESPOSITO. Mr. Chair, I rise today in strong support of the bipartisan Federal Aviation Administration reauthorization plan that is currently being advanced through this House.

This sweeping package, outlined in H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, will ensure the FAA has the tools necessary to safeguard air travel throughout the United States and support our Nation's extensive air-based logistics networks.

As a New Yorker, I understand the importance of the FAA to our State's vast network of airports and how intertwined our economic success is to the free flow of goods via air travel. That is why, as a member of the House Committee on Transportation and Infrastructure, I have been working tirelessly to ensure my Long Island neighbors saw palpable benefits in the FAA

reauthorization package and that the plan protected local jobs on Long Island.

Chief among my priorities that is included in the present plan is preserving scores of air traffic controller jobs at the FAA's N90 TRACON facility located within my congressional district. I am proud that these good-paying, union jobs will be preserved on Long Island and will not be moved to other States, as was previously planned.

Not only are we preserving jobs, but this bipartisan plan includes provisions I have been advocating for that support the aviation workforce. This legislation includes important language from the Aviation Workforce Development Act, of which I am a cosponsor, as well as a provision for air traffic controller mandatory staffing targets. Providing the tools and manpower to our air traffic controllers to help them do their jobs will prevent flight delays and enhance the reliability of air travel within the United States.

This bill also includes noise abatement strategies for communities near airports, a request of mine and the constituents who I represent.

The team that has been working on this crucial legislation has made security of air travel a priority and included several provisions under that front. Two that I have personally been advocating for include "Zero tolerance for near misses, runway incursions, and surface safety risks," as well as provisions that support the implementation of secondary cockpit barriers to protect pilots.

Mr. Chair, the list goes on. I am proud that included in this package is the language from a bill I introduced to promote domestic drone production here in the United States. This is a key legislative priority of mine that will create American manufacturing jobs and decouple the drone industry from our adversaries like China.

In addition to all of these great inclusions in the bill is a sweeping set of proposals intended to support the passenger experience, improve airport infrastructure across the country, and address environmental concerns, including implementing noise abatement strategies for communities near airports.

The FAA reauthorization plan is a win for the United States of America, a win for Americans, a win for New Yorkers, and a win for those who call Long Island home. It is also a win for those who rely on air travel throughout this country.

Mr. Chair, I am proud of this plan, and I urge all of my colleagues to unite behind it.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Mr. Chairman, Chairman GRAVES and Ranking Member LARSEN are a great model of bipartisanship that we can learn a lot from in this institution. I thank them for their



leadership in crafting a strong, bipartisan FAA bill.

Air travel can be stressful, but for those with disabilities, it can be a nightmare. It is the only mode of public transportation that requires one to surrender their mobility devices before boarding and to place their trust in others to get safely to their seats.

This bill takes meaningful steps—many I was proud to help lead on—to improve the flying experience for passengers with disabilities, including our disabled veterans.

It directs the Department of Transportation to gather data on disability-related complaints and make meaningful improvements based on that data.

It improves training for employees that assist passengers with boarding and deplaning, as well as those who handle mobility devices.

It requires airlines to issue refunds to those who are unable to travel when their wheelchair cannot be physically accommodated.

Finally, it includes my amendment to make sure passengers traveling with a personal care attendant are not charged extra for seating accommodations.

Mr. Chair, we still have a long way to go before air travel is fully accessible, but the steps we have taken in this bill are commonsense, necessary fixes that make significant progress.

Mr. Chair, I urge my colleagues to support this bill.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MOLINARO).

Mr. MOLINARO. Mr. Chairman, I extend my thanks and appreciation to Chairman SAM GRAVES, the Aviation Subcommittee Chairman GARRET GRAVES, and Ranking Member LARSEN for bringing together, through hearings, countless meetings, and 2 days of markup, a tremendous bipartisan piece of legislation meant to improve American aviation and grow American jobs.

I am grateful that there are nine of my legislative priorities found within the bill, and I will identify just a couple.

The Access and Dignity for All People Who Travel Act, which I was proud to lead, ensures those with disabilities who need special accommodations will receive them. Too often, those with disabilities and their special accommodations are ignored. This bill will ensure that right is protected.

Another bill that is included is the Future of Aviation Act, which allows public airports that receive AIP funds to use those moneys on infrastructure for the use of advanced air mobility, including eVTOLs, electric aircraft charging, and further building out airport infrastructure.

The future of aviation is upon us, and aviation, as we know, is quickly evolving. Having overseen one of New York's busiest general airports and now representing several regional airports within my district, advanced air mobil-

ity will help reconnect rural communities, reinvigorate tourism, improve ease of movement from rural to urban areas, and enhance quicker transportation of goods and people.

Lastly, I will mention the AIR Act. This bill raises the grant funding for workforce development programs for pilots, aircraft mechanics, and more. This reauthorization bill includes \$45 million a year for these grants, a major increase to the current funding level, and will ensure the next generation of workers in the aviation industry are well prepared.

Mr. Chair, for this and many other reasons, I urge my colleagues to support this bill. It is a great example of the bipartisan work that can be achieved here, and I am grateful to Chairman GRAVES for his leadership.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I thank Ranking Member LARSEN and Chairman GRAVES for their leadership on this bill.

Mr. Chairman, I rise today to discuss the Securing Growth and Robust Leadership in American Aviation Act and the positive impact it will have on air transportation for both consumers and workers in the aviation industry.

Over the past few months, I have worked alongside my colleagues on the Transportation and Infrastructure Committee to develop a strong, bipartisan bill that delivers for all Americans. That is exactly what this legislation does.

Under this bill, airlines will be required to develop policies to reimburse consumers for hotel and meal costs when a flight is canceled or significantly delayed.

Passengers living with disabilities will be treated with the dignity they deserve, thanks to the Department of Transportation's creation of a roadmap to better accommodate wheelchairs on-board planes and to reduce damage to mobility aids.

Future airline pilots, technical workers, and airline manufacturing workers will come from communities that have been historically underrepresented in the aviation industry, with \$9 million in funding for recruitment and retainment efforts for these good-paying, highly skilled jobs.

□ 1315

Families will have an easier flying experience with airlines being required to allow parents to sit next to their young children.

I am also pleased that important provisions of my bill, the Airline Employee Assault Prevention Act, were included in this FAA reauthorization, ensuring a continued focus on protecting airline workers from assault and harassment.

This legislation reflects the voices of our residents who have long been burdened with flight delays, with unjust

treatment of passengers with disabilities, and with conditions that have made flying more challenging for families.

Mr. Chair, I proudly support this bill, I look forward to voting for it on the floor, and I urge all of my colleagues to join me in doing so.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Chairman, I thank Chairman GRAVES for his leadership. This is not an easy bill that is done every day, and it is something that is essential to the safety and security of our country as well as the advancement of all the good economic policies that we have.

Mr. Chairman, as one of the only two commercial pilots in Congress with three-plus decades in the air, I understand very personally the importance of having a strong FAA reauthorization bill.

While this bill makes critical investments that benefit the flying public and aviators alike, I have significant concerns about several amendments made in order by the Rules Committee, especially one aimed squarely at Michigan's First District and other rural areas that eliminate the Essential Air Service, and I implore all Members to oppose McClintock amendment No. 62.

However, what was left out of the bill is far more concerning than what was put into it.

My amendment, which has broad bipartisan support, would simply allow for a debate and vote on a critically important topic regarding unproductive pilot retirement age changes in the underlying bill.

However, the powers that be pulled out all the stops to silence dissent and shield the American public from a debate they know they can't win.

For these reasons, Mr. Chairman, I will be voting "no" on H.R. 3935.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Mr. Chair, I extend my appreciation to Chairman GRAVES, Ranking Member LARSEN, Aviation Subcommittee Chairman GRAVES, and Aviation Subcommittee Ranking Member COHEN for their work in crafting a robust bipartisan bill in committee. I am pleased that my language supporting airports' efforts to better manage their curb spaces was included in the bill.

Curb management practices such as remote enforcement using sensors and cameras can reduce traffic at pickup and drop-off areas and improve travelers' airport experiences.

Currently, though, curb management is in a regulatory gray area leading to uncertainty for airports and vendors that are trying to reduce traffic, unsafe vehicular maneuvers as the flying public arrives at their terminals, and stress for all involved.

My provision would provide clarity and flexibility for airports' landside operations by making clear that there is no Federal regulation preventing airports from managing their curbs. This language would not impact any State or local restrictions, nor would it require airports to do anything at all. It simply creates legal clarity.

In addition to helping large and medium-size airports improve safety, passenger experience, and queuing times in increasingly crowded and multimodal drop-off and pickup areas, cutting-edge curbside management can serve as a demonstration project to adjacent cities and towns that are wrestling with how to unlock better curbside use for delivery, micro-mobility, rideshare, parking, and outdoor dining and recreation.

Again, I thank the chairman and ranking member for their work including this provision.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chair, I thank the chairman for yielding me some time to speak on this very good piece of legislation.

Mr. Chair, as a member of the Science Committee, the Transportation and Infrastructure Committee, and the Aviation Subcommittee since I got here in January, we have spent countless hours visiting with stakeholders, manufacturers, and visiting airports to get a good feel and learn more about this. I must say that I probably still don't know one-tenth of what the chairman, the ranking member, or Chairman LUCAS knows about this subject.

Mr. Chair, since the Wright brothers took their first flight, America has been the world's pioneer in the skies. That is why I rise in strong support of the FAA reauthorization bill that is before us today because it will build on that legacy.

Today, we will vote to provide much-needed long-term stability to our Nation's aviation system and ensure that our skies remain the safest in the world.

With this legislation, we will improve efficiency at the FAA and invest in our critical infrastructure, including regional and local airports. We will pave the way for new technologies and ensure that the FAA is ready to certify innovations like hypersonic aircraft. We will also strengthen our general aviation community, which is a key part of our Nation's economy and identity, and we will take steps to grow our aviation workforce and ensure our airlines can meet the needs of the traveling public and improve the passenger experience.

Mr. Chair, I thank Chairman SAM GRAVES and Ranking Member RICK LARSEN for their leadership. I also thank their incredible staffs, and I urge my colleagues to support this bill.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOYLE.)

Ms. HOYLE of Oregon. Mr. Chair, I rise today in support of the bipartisan FAA reauthorization bill.

This legislation includes the bipartisan AIR PUMP Act, which I introduced earlier this year alongside Oregon Senator JEFF MERKLEY.

Our legislation would require the FAA to issue guidance to air carriers on providing protections for flight crews to pump breast milk during non-critical phases of flights.

All workers deserve the right to pump breast milk in the workplace, including flight attendants and pilots. Currently, they are the only workers who do not have this protection.

Flight crew workers should be able to have reasonable break times to pump. They should also have a designated place that is shielded from view and free from interference. This bill also ensures that the FAA's pumping guidance will not incur significant costs for air carriers. It helps increase the diversity of the workforce and ensures working mothers have needed flexibility.

Mr. Chairman, I thank T&I Chairman SAM GRAVES and Ranking Member RICK LARSEN for their support of the AIR PUMP Act and their bipartisan approach to the FAA reauthorization bill.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio (Mrs. SYKES).

Mrs. SYKES. Mr. Chairman, I rise today in support of H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, more commonly known as the FAA authorization.

My home State of Ohio, the Birthplace of Aviation, and H.R. 3935 will ensure Ohio's 13th Congressional District continues to be a pioneer in the aviation and aerospace industry.

H.R. 3935 invests billions into airports large and small, including Akron-Canton Airport in my district and the Kent State University Airport in my district, to keep our skies safe and to make our aviation infrastructure cleaner and greener.

Notably, this bill includes important provisions that I supported for advancement of a remote tower program in Ohio. The remote tower program will improve traffic control for aircraft that utilize smaller airports, generating economic development and safer air spaces.

Not only that, but the Ohio remote tower program will also support the research and development of Advanced Air Mobility applications, cutting-edge technology which has the potential to change how people travel from small communities, how healthcare services can be delivered to critical areas of need, and to offer a more sustainable mode of transportation.

Finally, this legislation supports the hiring of 15 additional rail investigators. That is important to northeast Ohio. As we all know, the train derail-

ment in East Palestine has devastated our community, but train derailments have devastated communities across the country. This amendment allows for more timely and more thoughtful accident reports being reported to Congress so that we can act accordingly.

H.R. 3935 improves the health, safety, and well-being standards of aviation, both on the ground and in the air. The bill also protects consumer rights and improves accessibility so all people in Ohio's 13th District can travel with safety and dignity.

Once again, Mr. Chair, I am proud to support this legislation.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. SCHOLTEN).

Ms. SCHOLTEN. Mr. Chairman, it is exciting to play a role in crafting legislation as impactful as reauthorizing the FAA, especially as a freshman legislator. I came to Congress to deliver for the people of west Michigan, and this robust bipartisan bill will do just that.

Two specific provisions in this bill will be especially beneficial for my district. Michigan's Third District includes the Gerald R. Ford International Airport, the second busiest airport in the State and one of the busiest airports in the entire country.

The airport's aging air traffic control tower is preventing needed expansion. It is the oldest tower among any of the top 75 largest airports and does not meet the security requirements or operational necessities found in more modern towers.

This bill includes provisions which direct FAA to specifically consider old towers at airports like GRR when selecting projects for replacement and increasing transparency around the process the FAA uses when deciding which towers need to be upgraded. These policies will help GRR forge a path forward to ensure the airport can meet the needs of the region.

Mr. Chair, I thank the chairman and the ranking member for working with me to include these critical priorities for my district and other similarly situated airports around the country, and I urge the passage of this bill.

Mr. GRAVES of Missouri. I reserve the balance of my time, Mr. Chair.

Mr. LARSEN of Washington. Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SORESENSEN).

Mr. SORESENSEN. Mr. Chair, our regional airports are vital for connecting Americans and strengthening local economies. I represent a district with four such airports, including the fastest growing air cargo airport in the Nation. I am thrilled that this year's FAA reauthorization provides resources for small and large airports alike.

Unfortunately, this bill is not perfect. It includes a shortsighted provision to raise the pilot retirement age. It also doesn't go far enough to support our aerospace workers.



This year, the Space and Aeronautics Subcommittee heard from Collins Aerospace located in my hometown of Rockford, Illinois. They emphasized the importance of R&D funding right at home, but because of R&D disinvestment, many companies are looking to European countries for R&D opportunities.

When American companies go overseas to do their research, it means jobs and talent go away. Our best and brightest in Illinois are ready to bring humans to new heights. We in Congress must provide them with the flexibility and resources to succeed.

□ 1330

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DESAULNIER).

Mr. DESAULNIER. Mr. Chair, I thank the gentleman for yielding.

I will also thank and say how grateful I am for the leadership of Chairman GRAVES and Ranking Member LARSEN on this comprehensive and thoughtful bipartisan reauthorization.

Many of the priorities that I have authored made it into the bill, including several provisions from my Safe Landings Act, like identifying the need for airport surface surveillance and safety systems and requiring data analysis of safety incidents.

I am also very appreciative that the amendment I spent a lot of time on will be considered. I worked with pilots and other safety experts, including a constituent and good friend, Captain “Sully” Sullenberger, the skilled pilot who safely navigated the landing on the Hudson River and a long-time advocate and expert for aviation safety who helped me with this amendment and strongly supports the proposal. This amendment creates a Task Force on Human Factors in Aviation Safety.

We know as technology changes—and the near miss that got me involved in more of the aviation issues at SFO some years ago where we came within 59 feet of having the largest aviation disaster in American history—we are making sure that we are training the pilots in a way that keeps them consistent with technology, and the great research on neuroscience and human factors that is getting better all the time, that we are using that to make sure that humans are integrated with the latest technology.

The NTSB identified that human factors, specifically pilot fatigue, have played roles in that 2017 incident and many near misses, so it is important that this work gets done.

The aviation safety system will continue to be safe and amongst the safest in the world if we continue to make sure that it is updated and doesn't rest on its well-deserved laurels in the past.

The Acting CHAIR (Mr. LALOTA). The time of the gentleman has expired.

Mr. LARSEN of Washington. Mr. Chairman, I yield an additional 30 seconds to the gentleman from California.

Mr. DESAULNIER. Mr. Chair, these decisions in this reauthorization will help provide that, and I thank the leadership for the extended time.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I yield 2 minutes to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman very much for yielding time. Let me first say that the administration enthusiastically supports the work of Chairman GRAVES and Ranking Member LARSEN for the great work that they have done.

This is good for America. This is good for Houston, Texas, and it is good for Texas. I have two airports in the region, including Hobby International Airport and Bush Intercontinental Airport, and Ellington Field that see some commercial flights.

It is good that we will get between \$3.35 billion and \$4 billion to help in the airport funding program of which I saw about 40 to 80 million come to our Bush Intercontinental Airport in the last couple of weeks.

It is important to have the flexibility to deal with environmental issues, and, of course, it is extremely important to have a \$45 million training program for a pipeline for pilots, aviation maintenance, and aviation manufacturing. Why? Because schools like Texas Southern University that uniquely has one of the only HBCUs training of pilots program will be able to do more and fill that pipeline with pilots.

In addition, we respond to the assaults that have been occurring against employees and crew, and respond by an employee assault prevention response plan, which is extremely important.

We did this during 9/11, but now we are looking at more secondary cockpit barriers that will be more important. As well, we want to make sure that we have a task force of air carriers.

This bill is for airlines and airports, but it is for the traveling public, as well. It deals with air law enforcement, aviation labor unions, and others to be able to work together.

I am excited about the Bessie Coleman Women in Aviation Advisory Committee to encourage more young women to become pilots, as we need more pilots every single day.

The matter that I worked on as a member of the Committee on Homeland Security, finally we set standards for foreign aircraft repair stations, so that when our American airlines are overseas, they are subject to the same standards of American repair stations. We were very concerned about that after 9/11.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LARSEN of Washington. Mr. Chair, I yield an additional 30 seconds to the gentleman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me dwell on an amendment that I offered to get through the backlog of pilots that are now well after they

have been off for some medical reason and the backlog of getting them back into the stream of flying is taking long. We need to look at that because these are perfectly able pilots, but they are still on medical leave.

I also want to ensure that we have mental health relief for our pilots, like 29-year-old Chris Daniel, who was doing well, but after the pandemic began experiencing depression. Chris' doctor suggested treatment for his depression, but as a pilot, he was too afraid to go.

Mr. Chair, I rise today to speak in support of H.R. 3935, the Securing Growth and Robust Leadership in America Aviation Act of 2023.

The Securing Growth and Robust Leadership in American Aviation Act helps maintain America's gold standard in safety, fosters innovation, strengthens and diversifies the U.S. aviation workforce, and invests in resilient and sustainable infrastructure.

This is an important bill that I offered an amendment to help improve through the Rules Committee, the Jackson Lee Amendment.

While the Rules Committee did not make my amendment in order, it is important to highlight what it would have done and what is still needed to assist and strengthen aviation in our country.

In particular, the Jackson Lee Amendment would do the following:

Implement the creation of the Aviation Medical Innovation and Modernization Working Group and a report on recommendations from the Working Group on the evaluation of the conditions an Aviation Medical Examiner can issue. Improve and reform to the Special Issuance process, including whether, after initial medical certification by the FAA, renewals can be based on a medical evaluation and treatment plan by a pilot's treating medical specialist with concurrence from the pilot's Aviation Medical Examiner, in addition to other measures that will help ease the process and remove the backlog for when pilots return from medical leave.

It would pilot a mental health task group to develop and provide recommendations related to supporting the mental health of aircraft pilots.

Finally, my amendment requests a report that would provide recommendations for best practices in detecting, assessing, and reporting mental health conditions and treatment options as part of pilot aeromedical assessments.

The Jackson Lee Amendment would have strengthened this legislation by keeping the health and safety of airline pilots at the forefront.

Ms. JACKSON LEE. Mr. Chair, let's help our pilots be strong medically and mentally, and let's make this the best aviation system in the world.

Mr. Chair, I include in the RECORD an article from Scientific American.

[From Scientific American, Nov. 22, 2022]

WE NEED TO CHANGE THE SYSTEM THAT KEEPS PILOTS FROM SEEKING MENTAL HEALTH CARE

(By William R. Hoffman)

By 29 years old, Chris Daniel felt he had it all: a wife, two beautiful children and fulfillment of his lifelong dream of becoming a U.S. airline captain. But in the spring of 2022, after years of flying, Chris knew something was not right. Shadows from his past

were reemerging, strained by post-COVID travel demand and long, taxing weeks on the road. Years earlier, Chris's physician had suggested that his low mood and trouble sleeping might be symptoms of mild depression. But like many pilots, he balked at the idea. If a doctor diagnosed depression or if he sought help, Chris assumed he would never be able to fly again. Seeking help seemed unthinkable because losing flying was akin to losing everything; being a pilot was who he was.

Chris's story is not unusual. While mental health symptoms are common in airline pilots, getting help can affect their ability to work in a big way. Airline pilots are required to meet certain medical standards in order to maintain an active flying status, and disclosing a new symptom or condition to the Federal Aviation Administration (FAA) puts them at risk of losing, usually temporarily, their ability to work and fly. This is particularly true for mental health symptoms. The FAA bars pilots from the cockpit if they report seeking regular talk therapy for even mild anxiety or depression; this may last for months and sometimes even years based on the assumption they pose an unacceptable risk to safety. In fact, pilots find themselves among only a handful of professions that require disclosure of any encounter with the health care system, including mental health visits.

While it makes sense to ground a pilot in distress, the current system often fails to recognize the dynamic and often situational nature of mental health symptoms and often drives pilots from seeking care. Time off the job can have negative repercussions such as loss of pay and need for recurrent training, and the expenses of additional medical evaluations required by the FAA often fall onto the pilot. All of these together result in a population of pilots working the fleet who are suffering in silence and fearful to get the help they need. We must rethink the system that drives pilots from attending to their mental health and change what seeking mental health care services means in aviation.

Data my group and others have gathered are beginning to reveal the scope of this problem. Our findings demand attention. In our recent study of more than 3,500 U.S. pilots, 56 percent reported behavior that we classify as avoiding health care (for example, getting health care outside the traditional system to avoid its documentation) specifically because they feared the loss of their clearance to fly. Interestingly, 26 percent of pilots reported that they had withheld information during their FAA health checkups for the same reason: the fear of losing their medical clearance. This is sometimes called "losing their wings."

In a sister study, more than half of pilots in our sample had something they felt needed to get checked out—maybe it was mental health related, perhaps a knee injury, or even just a rash—but waited or decided against it because they worried about their career. While our studies focused on overall health care, we suspect this finding also applies to mental health.

Many pilots have reasonably good access to health care. This includes health insurance, paid time off and sometimes other union protections. Instead, these data suggest a barrier exists because pilots are asked to weigh the benefits of seeking help against the professional costs that they alone bear. How bad does mild anxiety need to become to warrant a prolonged absence from work? For most pilots, very bad.

The growing demand for pilots in our travel-hungry, COVID-endemic world is likely to make this problem more complicated. The Bureau of Labor and Statistics projects 18,100 new pilot jobs each year for the next

decade, precipitated by the continued growth of air travel. As compensation has soared in 2022, more is being asked of pilots, including longer and more frequent trips to keep pace with passenger demand. This is in the context of other airline professions—such as maintenance and administrative staff—facing major personnel shortages, placing further strain on a system already operating at its limits. Higher demand on pilots can lead to additional time away from family and friends, leading to an even greater need for mental health care services. Simply put, pilots' need for mental health care is likely to only grow in the coming years.

While on the surface it might seem that increasing the pool of pilots would ease the situation, more pilots won't fix the existing challenges in the system. Flight training programs are expanding, and some airlines are taking the unprecedented step of establishing their own training programs. But, while class sizes are growing, they are being filled by a younger and more diverse generation of student pilots who may not be as willing as their predecessors to quietly suffer. In fact, emerging data suggest the willingness of current pilots (who are still largely in the 40-to-60 age range) to avoid health care for job security may not be as true for the next generation.

"Younger pilots are different from past generations and are more willing to identify as needing help when it comes to their mental health," John Dulski, 21, an aviation student at the University of North Dakota and advocate for aviation mental health reform, told me during a recent phone call. "Many are more willing to choose to get care at the risk of stepping away from flying." The answers to why such a phenomenon is occurring remains an open question that our research group is trying to understand. Could it be related to social media lowering the stigma of mental health or the influences of growing up through the pandemic? We hope future research will reveal the answer.

A new generation of Gen Z airline pilots more open to stepping away from flying to seek mental health care services may only further strain the shortage of pilots. But more importantly, it should call for industry to rethink what it means for an airline pilot to be mentally fit and what services they should be able to receive while still working the fleet. We can all agree that safety in aviation should be the foundation for meaningful change. Certainly, a pilot with a severe mental health condition shouldn't be flying. But the opportunity lies for pilots with mild symptoms. These are high performing professionals who are perhaps facing one of life's usual stressors—a divorce, a family death or even just the chronic stress of the job. How might we rethink a system that enables this group to seek mental health care services in hopes of sidestepping a diagnosis that could go on to fully pull them from flying?

One answer is clear. The FAA should change policy to permit pilots with mild symptoms to seek professional regular, and if needed prolonged, talk therapy without loss of their medical certification. Such a change would have major benefits for people on both sides of the flight deck door, including treatment to prevent symptom worsening, and regular pilot assessment by a professional mental health provider. Recognizing that mental health is on a dynamic spectrum and that many pilots could benefit from talking to a professional mental health provider at some point in their career has the potential to keep pilots flying healthy while also increasing safety in the system. Pilot unions and airlines should fuel this movement by raising awareness about the problem their pilots face and by lobbying for

an alliance of stakeholder to determine how best to safely enact this change. While credit is due to the FAA for recently making several positive policy changes related to mental health, there is still work to do and time is of the essence.

Chris Daniel never did get help for his mental health symptoms, and despite an excellent flying record, he died of suicide in June 2022. While we believe suicide is relatively rare among pilots, this extreme outcome is in part why we must create positive change. With the use of appropriate supervision and reevaluation, aviation's safety culture should shift to thinking of mental health care services as a marker for wellness and prevention instead of risk and disease. This change would not only benefit pilots, but also the 2 million U.S. passengers who trust the aviation system every day.

#### IF YOU NEED HELP

If you or someone you know is struggling or having thoughts of suicide, help is available. Call or text the 988 Suicide & Crisis Lifeline at 988 or use the online Lifeline Chat.

The views expressed herein are those of the author(s) and do not reflect the official policy or position of Brooke Army Medical Center, the Department of Defense or any agencies under the U.S. government.

This is an opinion and analysis article, and the views expressed by the author or authors are not necessarily those of Scientific American.

Mr. GRAVES of Missouri. Mr. Chairman, I am prepared to close, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield myself the balance of my time for the purpose of closing.

Mr. Chair, I will conclude by saying that we encourage Members to support this. This is a bipartisan bill negotiated in good faith. It is a very substantial bill, and I think it is a product that we can certainly be proud of to move forward on.

Mr. Chair, I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it has been made clear through debate that H.R. 3935 is a must-pass bill that provides a path for America's future success, growth, and leadership in civil aviation.

This strong bipartisan, forward-looking legislation is going to improve efficiency and operations at the FAA. It is going to strengthen America's foundational general aviation sector, and it is going to grow the aviation workforce.

It is going to invest in airport infrastructure across the country. It is going to encourage domestic innovation in aviation, enhance the passenger experience, and uphold America's gold standard in aviation safety.

Before I yield back, Mr. Chair, I would like to recognize the work of staff on both sides of the aisle in the development of this legislation. I appreciate the many long days, weeks, and weekends, for that matter, that staff, including the folks in the legislative counsel's office, have put into this effort. I think it shows in the quality of the legislation that we have before us.

On the Republican Subcommittee on Aviation, I thank staff director Hunter Presti, Laney Copeland, Julie Devine, Andrew Giacini, Christopher Senn, and Will Moore.

On the Republican full committee staff, I thank staff director Jack Ruddy, Michael Falencki, Corey Cooke, Meghan Holland, Abby Wenk, Leslie Parker, Chris Divine, Tyler Micheletti, Wills MacKay, Payton Palazzolo, Justin Harclerode, Jake Murphy, and Kerry Goldberg.

I also thank Maggie Aryea of subcommittee chairman GARRET GRAVES' staff.

On the Democratic staff, I thank committee staff director Kathy Dedrick, Helena Zyblikewycz—I am sorry; I apologize—Stanton Johnson, aviation staff director Brian Bell, Alexandra Menardy, Adam Weiss, and again, all the staff who worked on this complex and critical legislation.

Mr. Chair, I urge support of the Securing Growth and Robust Leadership in the American Aviation Act, and I yield back the balance of my time.

Mr. CARSON. Mr. Chair, I commend Chairman GRAVES and Ranking Member LARSON for their hard work to bring this bipartisan FAA Reauthorization bill to the House floor.

I am very pleased that this bill includes some of my top priorities:

1. Implementation of my 2018 provisions requiring Secondary Cockpit Barriers in Section 522 of the bill. This language will be made even stronger with the passage of the Fitzpatrick/Carson amendment to speed up the process and finally get these safety devices on all passenger aircraft.

2. Including my bipartisan bill, the National Center for the Advancement of Aviation in Sections 303, 264 and 308.

3. Improving minority and disadvantage business participation in all FAA programs, in Sections 426 and 302.

I'm also appreciative of Chairman GRAVES' willingness to work with me to improve Section 813 of the bill which changes the current rules addressing Temporary Flight Restrictions. We had a lengthy colloquy during our markup about unintended consequences of Section 813. I remain concerned about the provisions in Section 813, which appear to change current law and weaken Temporary Flight Restrictions (TFRs). This is especially important to my district in Indianapolis, which has benefited from the safety of Temporary Flight Restrictions to protect NFL and NCAA Division 1 games, plus major Motor Speedway events like the Indy 500 over the last 20 years.

Since the 9/11 terrorists attacks, FAA imposed TFRs over stadiums and other locations. Subsequently, FAA began to issue some waivers, but Congress imposed a statutory restrictions to maintain the safety of major events, especially sporting events with high-capacity stadiums. In this year's bill, we must make sure the language in Section 813 does not have unintended consequences of undermining the safety at large public gatherings, like major sporting events. This includes strong collaboration with law enforcement and public safety officials to resolve any conflicts with competing events that may require Temporary Flight Restrictions.

I believe we can further improve the language and utilize a simpler collaboration model that will be effective and timely.

I would like to include in the RECORD the following letter from a coalition of sports organizations and the Statement of Administration Policy which details concerns with the underlying language. I look forward to continuing to work with Chairman GRAVES and Ranking Member LARSON to improve this language.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 3935—SECURING GROWTH AND ROBUST  
LEADERSHIP IN AMERICAN AVIATION ACT

The Administration supports enactment of a Federal Aviation Administration

(FAA) reauthorization bill and applauds the bipartisan work of the House Transportation and Infrastructure Committee. The Administration is focused on ensuring that the aviation sector works well for the American people, and reauthorizing the FAA in a timely manner will help achieve that goal. H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, would enhance aviation safety; invest in, and improve on-the-job safety for, our aviation workforce; integrate into the national airspace system new entrants such as Advanced Air Mobility and Commercial Space operators; strengthen passenger rights; and improve our aviation infrastructure.

The Administration looks forward to working with the Congress to address the Administration's concerns with this legislation, a number of which are outlined below.

Protection of Aviation Consumer Rights and Promotion of Competition. The Administration is strongly committed to protecting the rights of aviation consumers and promoting competition in the aviation industry. The Administration opposes provisions in the bill that would reverse important gains made by this Administration to combat junk fees in the airline industry and would eliminate longstanding consumer protections. The Administration believes that the disclosure requirements currently in place for passenger tickets are necessary to help consumers comparison shop for a ticket. The Administration encourages the Congress to include the Administration's proposals to expand consumer protections by banning family seating junk fees, requiring up-front disclosure of add-on fees, and requiring automatic refunds and additional compensation for controllable flight cancellations and delays. The Administration further supports opening up airport gate access and preventing anticompetitive practices that block new entrants.

International Commitments. While the Administration appreciates the language aimed at ensuring continued U.S. implementation of Open Skies agreements while promoting labor standards for U.S.-based aviation sector workers, the Administration also urges the Congress to add provisions to implement U.S. international commitments and ensure our aviation partners follow suit. The bill should be amended to include provisions for U.S. implementation of global marketbased measures of the International Civil Aviation Organization, and to establish U.S. leadership relating to the understanding and mitigation of the non-Greenhouse Gas climate impacts of aviation.

Agency Restructuring. While the Administration supports the goal of improving the efficiency of the organizational structure of the FAA, it does not support the proposed changes in FAA rulemaking review and the weakening of the Administrator's ability and authority to determine the appropriate size and allocation of the air traffic controller workforce. The Administration also has concerns with provisions that would make fundamental changes to the agency's structure, eroding the discretion of the Administrator to manage the agency in the most efficient manner.

Implementation Timelines and Program Changes. The legislation includes multiple rulemakings, reviews, reports, and other requirements with aggressive timelines, along with the creation of numerous programs that are not conditioned on the availability of appropriations. The Administration is also concerned that proposed major structural changes to airport infrastructure programs are untested, and may be difficult to implement depending on the level of resources made available. The bill would also reduce the amount of competitive airport grant funding, which would reduce the FAA's ability to address important safety and capacity issues.

Standards for Airport Service Workers. The Administration urges the Congress to include provisions that will improve job quality for, and therefore aid in the recruitment and retention of, those who clean planes, handle baggage, assist passengers who use wheelchairs, and provide other services critical to safe, stable, and timely operations for aviation customers.

Age Standards for Pilots. The bill includes a provision that would raise the retirement age for pilots in commercial operations. Making this change without doing research and establishing any necessary policies would be outside the international standard.

Maintaining Safe and Secure Airspace During Major Sports Events. While the Administration supports the goal of providing accessibility to and public use of the national airspace, it is concerned that provisions proposed in the bill could introduce unnecessary risks to those attending major spotting events if the effectiveness of safety and security buffers currently provided by temporary flight restrictions were to be decreased. To the extent that the proposed provisions are intended to accommodate airshows, the Administration urges the Congress to consider alternative methods to deconflict airshows and major sports events rather than potentially put aviation operations in close proximity to events attended by millions of Americans each year.

JULY 18, 2023.

DEAR MEMBERS OF CONGRESS: We write to urge you to oppose the weakening of a law that protects the millions of sports fans and spectators who attend professional and collegiate sporting events each year. The current statutory ban on aircraft including unmanned aircraft systems ("UAS") or drones—flying over large stadium sporting events throughout the country provides necessary safety and security protections against real and potential threats.

We are deeply concerned about section 813 of the House version of the Federal Aviation Administration ("FAA") Reauthorization Act. If adopted, the language would establish a broad and complex waiver program that would permit countless aircraft to fly near and over stadiums during games, putting millions of fans at risk, and unnecessarily so. Congress wisely eliminated a similar waiver program back in 2003, after discovering troubling and persistent failures, gaps, and vulnerabilities in the process for conducting background checks and issuing waivers.

The FAA first established flight restrictions over large stadium sporting events immediately following the terrorist attacks of September 11, 2001, in response to concerns about terrorists using aircraft as weapons. Congress subsequently twice codified and strengthened these restrictions, providing specific criteria for aircraft operations permitted within the flight restricted area. Section 813 would effectively eliminate the specific criteria and replace it with an open-ended waiver program.

The long-standing, congressionally mandated flight restriction enhances the safety and security of large stadium events, while minimizing the disruption to the National Airspace System (“NAS”). Specifically, airspace over large stadiums—with a seating capacity of 30,000 people or more and where a NFL, MLB, and NCAA Division 1 football games or major motor speedway events, such as NASCAR and INDYCAR races, are taking place—is closed to all aircraft from one hour before until one hour after a major sporting event. The flight restrictions extend to three nautical miles from the center of the stadium and from the surface to 3,000 feet above the stadium. The flight restrictions do not apply to authorized aircraft, such as Department of Defense, law enforcement or air ambulance flight operations, or those in contact with air traffic control for take offs and landings at nearby airports, among others.

Having devoted substantial resources to secure our stadiums on the ground, we regard the stadium flight restriction as essential to safeguarding the airspace overhead. Moreover, given the proliferation of UAS in our NAS, as well as the continuing need to remain vigilant to other current and emerging risks, the stadium flight restriction is as vital now as ever to our national security and public safety. We believe section 813 complicates the airspace over stadiums, compromises public safety and security, and courts potential disaster.

We, therefore, urge you to uphold current law and maintain existing flight restrictions that protect the safety and security of millions of fans who attend large stadium sporting events every year.

Sincerely,

CATHY LANIER,  
Chief Security Officer,  
National Football  
League.

DAVID THOMAS,  
Vice President, Security and Ballpark  
Operations Major  
League Baseball.

BILL RHODES,  
Managing Director,  
Security, National  
Association for Stock  
Car Auto Racing.

DAN GAVITT,  
Senior Vice President,  
National Collegiate  
Athletic Association.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-11, shall be considered as adopted. The bill, as amended, shall be considered as an original bill for purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 3935

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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

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

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

Sec. 1. Short title; table of contents.

#### **TITLE I—AUTHORIZATIONS AND FAA ORGANIZATIONAL REFORM**

##### **Subtitle A—Authorizations**

Sec. 101. Airport planning and development and noise compatibility planning and programs.

Sec. 102. Facilities and equipment.

Sec. 103. Operations.

Sec. 104. Extension of miscellaneous expiring authorities.

##### **Subtitle B—FAA Organizational Reform**

Sec. 121. FAA leadership.

Sec. 122. FAA management board.

Sec. 123. Prohibition on conflicting pecuniary interests.

Sec. 124. Authority of Secretary and Administrator.

Sec. 125. Review of FAA rulemaking processes.

Sec. 126. Office of Innovation.

Sec. 127. Frank A. LoBiondo National Aerospace Safety and Security Campus.

Sec. 128. Technical Center for Advanced Aerospace.

Sec. 129. Office of NextGen sunset.

Sec. 130. FAA Ombudsman.

Sec. 131. Project dashboards and feedback portal.

Sec. 132. Sense of Congress on FAA engagement during rulemaking activities.

Sec. 133. Civil Aeromedical Institute.

Sec. 134. Management advisory council.

Sec. 135. Aviation noise officer.

Sec. 136. Chief Operating Officer.

Sec. 137. Report on unfunded capital investment needs of air traffic control system.

Sec. 138. Chief Technology Officer.

Sec. 139. Definition of air traffic control system.

Sec. 140. Peer review of Office of Whistleblower Protection and Aviation Safety Investigations.

Sec. 141. Cybersecurity lead.

Sec. 142. Reducing FAA waste, inefficiency, and unnecessary responsibilities.

#### **TITLE II—GENERAL AVIATION**

##### **Subtitle A—Expanding Pilot Privileges and Protections**

Sec. 201. Reexamination of pilots or certificate holders.

Sec. 202. GAO review of Pilot’s Bill of Rights.

Sec. 203. Expansion of BasicMed.

Sec. 204. Data privacy.

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.

Sec. 208. Timely resolution of investigations.

Sec. 209. Expansion of volunteer pilot organization definition.

Sec. 210. Charitable flight fuel reimbursement exemptions.

Sec. 211. GAO report on charitable flights.

Sec. 212. All makes and models authorization.

Sec. 213. Response to letter of investigation.

##### **Subtitle B—General Aviation Safety**

Sec. 221. ADS-B safety enhancement incentive program.

Sec. 222. GAO report on ADS-B technology.

Sec. 223. Protecting general aviation airports from FAA closure.

Sec. 224. Ensuring safe landings during off-airport operations.

Sec. 225. Airport diagram terminology.

Sec. 226. Alternative ADS-B technologies for use in certain small aircraft.

Sec. 227. Airshow safety team.

Sec. 228. Tower marking notice of proposed rulemaking.

##### **Subtitle C—Improving FAA Services**

Sec. 241. Aircraft registration validity during renewal.

Sec. 242. Temporary airman certificates.

Sec. 243. Flight instruction or testing.

Sec. 244. Letter of deviation authority.

Sec. 245. National coordination and oversight of designated pilot examiners.

Sec. 246. BasicMed for examiners administering tests or proficiency checks.

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.

Sec. 251. Flight instructor certificates.

Sec. 252. Consistency of policy application in flight standards and aircraft certification.

Sec. 253. Application of policies, orders, and guidance.

Sec. 254. Expansion of the regulatory consistency communications board.

Sec. 255. Exemption of fees for air traffic services.

Sec. 256. Modernization of special airworthiness certification rulemaking deadline.

Sec. 257. Termination of designees.

Sec. 258. Part 135 check airman reforms.

##### **Subtitle D—Other Provisions**

Sec. 261. Required consultation with National Parks Overflights Advisory Group.

Sec. 262. Supplemental oxygen regulatory reform.

Sec. 263. Exclusion of gyroplanes from fuel system requirements.

Sec. 264. Airshow venue information, awareness, training, and education program.

Sec. 265. Low altitude rotorcraft and powered-lift operations.

Sec. 266. BasicMed in North America.

Sec. 267. Eliminate aviation gasoline lead emissions.

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Sec. 302. Improving aviation workforce development programs.

Sec. 303. National Center for the Advancement of Aerospace.

Sec. 304. Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program.

Sec. 305. Repeal of duplicative or obsolete workforce programs.

Sec. 306. Civil airmen statistics.

Sec. 307. Bessie Coleman Women in Aviation Advisory Committee.

Sec. 308. Establishing a comprehensive web-based aviation resource center.

Sec. 309. Direct hire authority from UAS Collegiate Training Initiative.

##### **Subtitle B—Improving Training and Rebuilding Talent Pipelines**

Sec. 311. Joint aviation employment training working group.

Sec. 312. Airman knowledge testing working group.

Sec. 313. Airman Certification System Working Group and timely publication of standards.

Sec. 314. Air traffic control workforce staffing.

Sec. 315. Aviation safety workforce assessment.

Sec. 316. Military aviation maintenance.

##### **Subtitle C—Engaging and Retaining the Workforce**

Sec. 321. Airman’s medical bill of rights.

Sec. 322. Improved designee misconduct reporting process.

Sec. 323. Report on safe uniform options for certain aviation employees.

Sec. 324. Extension of Samya Rose Stumo national air grant fellowship program.

Sec. 325. Promotion of civil aeronautics and safety of air commerce.  
 Sec. 326. Educational and professional development.  
 Sec. 327. Human factors professionals.  
 Sec. 328. Aeromedical innovation and modernization working group.  
 Sec. 329. Frontline manager workload study.  
 Sec. 330. Age standards for pilots.

#### TITLE IV—AIRPORT INFRASTRUCTURE

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 Sec. 430. Populous counties without airports.  
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 Sec. 502. Global aviation safety.  
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 Sec. 504. Helicopter air ambulance operations.  
 Sec. 505. Global aircraft maintenance safety improvements.  
 Sec. 506. ODA best practice sharing.  
 Sec. 507. Training of organization delegation authority unit members.  
 Sec. 508. Clarification on safety management system information disclosure.  
 Sec. 509. Extension of Aircraft Certification, Safety, and Accountability Act reporting requirements.  
 Sec. 510. Don Young Alaska Aviation Safety Initiative.  
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 Sec. 517. Clarity for supplemental type certificate requirements.  
 Sec. 518. Use of advanced tools in certifying aerospace products.  
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 Sec. 522. Secondary cockpit barriers.  
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 Sec. 524. Part 135 duty and rest.  
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 Sec. 532. Audit on aviation safety in era of wireless connectivity.

Sec. 533. Ramp worker safety call to action.  
 Sec. 534. Safety data analysis for aircraft without transponders.  
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 Sec. 536. Reducing turbulence on part 121 aircraft operations.  
 Sec. 537. Study on radiation exposure.  
 Sec. 538. Detering crewmember interference.  
 Sec. 539. Cabin temperature standards.  
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 Sec. 542. Lithium-ion powered wheelchairs.  
 Sec. 543. National simulator program policies and guidance.  
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 Sec. 603. Unmanned aircraft in the Arctic.  
 Sec. 604. Public safety use of tethered UAS.  
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Sec. 706. Extension of aviation consumer advocate reporting requirement.

Sec. 707. Air Carrier Access Act advisory committee.

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Sec. 709. Streamlining of offline ticket disclosures.

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Sec. 712. Mobility aids on board improve lives and empower all.

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Sec. 714. Aircraft accessibility.

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#### Subtitle B—Air Traffic

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Sec. 742. NextGen programs.

Sec. 743. Airspace access.

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Sec. 831. Interference with security screening personnel.

Sec. 832. Mechanisms to reduce helicopter noise.

Sec. 833. Technical corrections.

Sec. 834. Transportation of organs.

Sec. 835. Report on application approval timing.

Sec. 836. Study on air cargo operations.

Sec. 837. Next generation radio altimeters.

Sec. 838. Sense of Congress regarding safety and security of aviation infrastructure.

Sec. 839. Restricted category aircraft maintenance and operations.

Sec. 840. Report on telework.

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Sec. 843. Federal Aviation Administration Academy and facility expansion plan.

### TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2023

Sec. 901. Short title.

Sec. 902. Authorization of appropriations.

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Sec. 904. Additional workforce training.

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Sec. 910. Nondisclosure of interview recordings.

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Sec. 912. Establishment of Office of Oversight, Accountability, and Quality Assurance.

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Sec. 919. Updating civil penalty authority.

Sec. 920. Electronic availability of public docket records.

Sec. 921. Drug-free workplace.

Sec. 922. Accessibility in workplace.

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Sec. 924. Technical corrections.

### TITLE X—FREEDOM TO FLY ACT OF 2023

Sec. 1001. Short title.

Sec. 1002. Prohibition on implementation of vaccination mandate.

Sec. 1003. Prohibition on vaccination requirements for FAA contractors.

Sec. 1004. Prohibition on vaccine mandate for FAA employees.

Sec. 1005. Prohibition on vaccine mandate for passengers of air carriers.

Sec. 1006. Prohibition on implementation of a mask mandate.

Sec. 1007. Prohibition on mask mandates for FAA contractors.

Sec. 1008. Prohibition on mask mandate for FAA employees.

Sec. 1009. Prohibition on mask mandate for passengers of air carriers.

Sec. 1010. Definitions.

### TITLE XI—FAA RESEARCH AND DEVELOPMENT

Sec. 1101. Short title.

Sec. 1102. Definitions.

#### Subtitle A—Authorization of Appropriations

Sec. 1111. Authorization of appropriations.

#### Subtitle B—FAA Research and Development Organization

Sec. 1121. Report on implementation; funding for safety research and development.

#### Subtitle C—FAA Research and Development Activities

Sec. 1131. Aviation fuel research, development, and usage.

Sec. 1132. Continuous lower energy, emission, and noise (CLEEN).

Sec. 1133. Strategy on hydrogen aviation research and development.

Sec. 1134. Report on future electric grid resiliency.

Sec. 1135. Air traffic surveillance over oceans and other remote locations.

Sec. 1136. Utilization of space-based assets to improve air traffic control and aviation safety.

Sec. 1137. Aviation weather technology review.

Sec. 1138. Air traffic surface operations safety.

Sec. 1139. Airport and airfield pavement technology research program.

Sec. 1140. Technology review of artificial intelligence and machine learning technologies.

Sec. 1141. Research plan for commercial supersonic research.

Sec. 1142. Electromagnetic spectrum research and development.

Sec. 1143. Aviation structures, materials, and advanced manufacturing research and development.

Sec. 1144. Research plan on the remote tower program.

Sec. 1145. Air traffic control training.



- Sec. 1146. Report on aviation cybersecurity directives.
- Sec. 1147. Rule of construction regarding collaborations.
- Sec. 1148. Turbulence research and development.
- Sec. 1149. Research, development, and demonstration programs.
- Sec. 1150. Limitation.

#### TITLE XII—AVIATION REVENUE PROVISIONS

- Sec. 1201. Airport and airway trust fund expenditure authority.
- Sec. 1202. Extension of taxes funding airport and airway trust fund.
- Sec. 1203. Designation of certain airports as ports of entry.

#### TITLE I—AUTHORIZATIONS AND FAA ORGANIZATIONAL REFORM

##### Subtitle A—Authorizations

#### SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

- (a) AUTHORIZATION.—Section 48103(a) of title 49, United States Code, is amended—
- (1) in paragraph (5) by striking “and” at the end;
- (2) in paragraph (6) by striking the period at the end and inserting a semicolon; and
- (3) by adding at the end the following:
- “(7) \$4,000,000,000 for fiscal year 2024;
- “(8) \$4,000,000,000 for fiscal year 2025;
- “(9) \$4,000,000,000 for fiscal year 2026;
- “(10) \$4,000,000,000 for fiscal year 2027; and
- “(11) \$4,000,000,000 for fiscal year 2028.”.
- (b) OBLIGATION AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking “2023” and inserting “2028”.

#### SEC. 102. FACILITIES AND EQUIPMENT.

- Section 48101(a) of title 49, United States Code, is amended—
- (1) by striking paragraphs (1) through (5);
- (2) by redesignating paragraph (6) as paragraph (1); and
- (3) by adding at the end the following:
- “(2) \$3,375,000,000 for fiscal year 2024.
- “(3) \$3,425,000,000 for fiscal year 2025.
- “(4) \$3,475,000,000 for fiscal year 2026.
- “(5) \$3,475,000,000 for fiscal year 2027.
- “(6) \$3,475,000,000 for fiscal year 2028.”.

#### SEC. 103. OPERATIONS.

- (a) IN GENERAL.—Section 106(k)(1) of title 49, United States Code, is amended—
- (1) by striking subparagraphs (A) through (E);
- (2) in subparagraph (F) by striking the period at the end and inserting a semicolon;
- (3) by redesignating subparagraph (F) as subparagraph (A); and
- (4) by adding at the end the following:
- “(B) \$12,730,000,000 for fiscal year 2024;
- “(C) \$13,035,000,000 for fiscal year 2025;
- “(D) \$13,334,000,000 for fiscal year 2026;
- “(E) \$13,640,000,000 for fiscal year 2027; and
- “(F) \$13,954,000,000 for fiscal year 2028.”.
- (b) AUTHORIZED EXPENDITURES.—Section 106(k)(2)(D) of title 49, United States Code, is amended—
- (1) by striking clauses (i) through (v);
- (2) by redesignating clause (vi) as clause (i); and
- (3) by adding at the end the following:
- “(ii) \$46,815,000 for fiscal year 2024.
- “(iii) \$52,985,000 for fiscal year 2025.
- “(iv) \$59,044,000 for fiscal year 2026.
- “(v) \$65,225,000 for fiscal year 2027.
- “(vi) \$71,529,000 for fiscal year 2028.”.
- (c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k)(3) of title 49, United States Code, is amended—
- (1) by striking “Notwithstanding” and inserting the following:

- “(A) IN GENERAL.—Notwithstanding”;
- (2) by striking “in each of fiscal years 2018 through 2023,”; and
- (3) by adding at the end the following:
- “(B) PRIORITIZATION.—In reducing non-safety-related activities of the Administration under subparagraph (A), the Secretary shall prioritize such reductions from amounts other than amounts authorized under this subsection, section 48101, or section 48103.

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

#### SEC. 104. EXTENSION OF MISCELLANEOUS EXPIRING AUTHORITIES.

- (a) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115(i) of title 49, United States Code, is amended by striking “fiscal years 2018 through 2023” and inserting “fiscal years 2023 through 2028”.
- (b) WEATHER REPORTING PROGRAMS.—Section 48105 of title 49, United States Code, is amended by adding at the end the following:
- “(5) \$45,000,000 for each of fiscal years 2024 through 2026.
- “(6) \$50,000,000 for each of fiscal years 2027 and 2028.”.
- (c) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176) is amended by striking “for fiscal years 2018 through 2023” and inserting “for fiscal years 2023 through 2028”.
- (d) EXTENSION OF THE SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.—Section 202(h) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking “shall terminate” and all that follows through the period at the end and inserting “shall terminate on October 1, 2028.”.

##### Subtitle B—FAA Organizational Reform

#### SEC. 121. FAA LEADERSHIP.

- Section 106 of title 49, United States Code, is amended—
- (1) in subsection (a) by striking “The Federal” and inserting “IN GENERAL.—The Federal”;
- (2) by striking subsection (b) and inserting the following:
- “(b) ADMINISTRATION LEADERSHIP.—
- “(1) ADMINISTRATOR.—
- “(A) IN GENERAL.—The head of the Administration is the Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate.
- “(B) QUALIFICATIONS.—The Administrator shall—
- “(i) be a citizen of the United States;
- “(ii) not be an active duty or retired member of an Armed Force; and
- “(iii) have experience in organizational management and a field directly related to aviation.
- “(C) FITNESS.—In appointing an individual as Administrator, the President shall consider the fitness of such individual to carry out efficiently the duties and powers of the office.
- “(D) TERM OF OFFICE.—The Term of office for any individual appointed as Administrator shall be 5 years.
- “(E) REPORTING CHAIN.—Except as provided in subsection (f) or in other provisions of law, the Administrator reports directly to the Secretary of Transportation.
- “(2) DEPUTY ADMINISTRATOR FOR PROGRAMS AND MANAGEMENT.—
- “(A) IN GENERAL.—The Administration has a Deputy Administrator for Programs and Management, who shall be a political appointee of the President.
- “(B) QUALIFICATIONS.—The Deputy Administrator for Programs and Management shall—
- “(i) be a citizen of the United States; and
- “(ii) have experience in management and a field directly related to aviation.

“(C) FITNESS.—In appointing an individual as Deputy Administrator for Programs and Management, the President shall consider the fitness of the individual to carry out efficiently the duties and powers of the office, including the duty to act for the Administrator under the circumstances described in subparagraph (F).

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

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

“(i) manage the Assistant Administrators and Chief Counsel established under subsection (d), except the Assistant Administrator for Rulemaking and Regulatory Improvement; and

“(ii) carry out duties and powers prescribed by the Administrator.

“(F) SUCCESSION PLAN.—The Deputy Administrator for Programs and Management acts for the Administrator when the Administrator is absent or unable to serve, or when the office of the Administrator is vacant.

“(G) COMPENSATION.—

“(i) ANNUAL RATE OF BASIC PAY.—The annual rate of basic pay of the Deputy Administrator for Programs and Management shall be set by the Secretary but shall not exceed the annual rate of basic pay payable to the Administrator.

“(ii) EXCEPTION.—A retired regular officer of an Armed Force serving as the Deputy Administrator for Programs and Management is entitled to hold a rank and grade not lower than that held when appointed as the Deputy Administrator for Programs and Management and may elect to receive—

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

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

“(iii) REIMBURSEMENT OF EXPENSES.—If the Deputy Administrator for Programs and Management elects to receive compensation described in clause (ii)(II), the Administration shall reimburse the appropriate military department from funds available for the expenses of the Administration.

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

“(A) IN GENERAL.—The Administration has a Deputy Administrator for Safety and Operations, who—

“(i) shall be appointed by the Administrator; and

“(ii) shall not be a political appointee.

“(B) QUALIFICATIONS.—The Deputy Administrator for Safety and Operations shall—

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

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

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

“(D) REPORTING CHAIN.—The Deputy Administrator for Safety and Operations reports to the Administrator.

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

“(i) manage the Associate Administrators and Chief Operating Officer established under subsection (c) and the Assistant Administrator for Rulemaking and Regulatory Improvement established under subsection (d);

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

“(iii) carry out other duties and powers prescribed by the Administrator.

“(F) SUCCESSION PLAN.—The Deputy Administrator for Safety and Operations acts

for the Administrator when the Administrator and the Deputy Administrator for Programs and Management are absent or unable to serve, or when the office of the Administrator and the Office of the Deputy Administrator for Programs and Management are vacant.

“(G) COMPENSATION.—The annual rate of basic pay of the Deputy Administrator for Safety and Operations shall be set by the Administrator but shall not exceed the annual rate of basic pay payable to the Administrator.

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

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

“(B) the Deputy Administrator for Programs and Management under paragraph (2); and

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

#### SEC. 122. FAA MANAGEMENT BOARD.

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

“(c) ASSOCIATE ADMINISTRATORS.—

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

“(A) appointed by the Administrator, an Associate Administrator for Aviation Safety, an Associate Administrator for Security and Hazardous Materials Safety, a Chief Operating Officer of the Air Traffic Control System;

“(B) appointed by the President, an Associate Administrator for Airports; and

“(C) when authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, an Associate Administrator for Commercial Space Transportation who shall be appointed by the Administrator.

“(2) QUALIFICATIONS.—Associate Administrators shall be citizens of the United States.

“(3) DUTIES.—The Associate Administrators shall carry out duties and powers of their office described in this section and those prescribed by the Administrator.

“(d) CHIEF COUNSEL; ASSISTANT ADMINISTRATORS.—

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

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

“(i) advise the Administrator on legal matters relating to the responsibilities, functions, and management of the Administration;

“(ii) at the request of the Administrator, provide guidance, counsel, and advice regarding, but shall not have final decision-making authority with regards to, the activities of the Administrator, including—

“(I) rulemaking activities;

“(II) policy and guidance document production;

“(III) exemption and waiver decisions; and

“(IV) certification and approval determinations;

“(iii) represent the Administration before the National Transportation Safety Board, Department of Transportation law judges, the Equal Employment Opportunity Commission, Federal courts of the United States, and other bodies and courts, as appropriate;

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

“(v) perform other functions as determined by the Administrator.

“(B) ASSISTANT ADMINISTRATOR FOR RULEMAKING AND REGULATORY IMPROVEMENT.—The Assistant Administrator for Rulemaking and

Regulatory Improvement shall be appointed by the Administrator and shall—

“(i) be responsible for developing and managing the execution of a regulatory agenda for the Administration that meets statutory and Administration deadlines, including by—

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

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

“(III) coordinating with offices of the Administration, the Department, and other Federal entities as appropriate to improve timely feedback generation and approvals when required by law;

“(ii) not delegate overall responsibility for meeting internal timelines and final completion of the regulatory activities of the Administration outside the Office of the Assistant Administrator for Rulemaking and Regulatory Improvement;

“(iii) on an ongoing basis—

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

“(II) reduce undue regulatory burden;

“(III) replace prescriptive regulations with performance-based regulations, as appropriate;

“(IV) prevent duplicative regulations; and

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

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

“(v) receive, coordinate, and respond to petitions for rulemaking and for exemption as provided for in subpart A of part 11 of title 14, Code of Federal Regulations, and provide an initial response to a petitioner not later than 30 days after the receipt of such a petition—

“(I) acknowledging receipt of such petition;

“(II) confirming completeness of such petition;

“(III) providing an initial indication of the complexity of the request and how such complexity may impact the timeline for adjudication; and

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

“(vi) track the issuance of exemptions and waivers by the Administration to sections of title 14, Code of Federal Regulations, and establish a methodology by which to determine if it would be more efficient and in the public’s interest to amend a rule to reduce the future need of waivers and exemptions; and

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

“(C) APPOINTMENT.—Additional Assistant Administrators, as determined necessary by the Administrator, may be appointed by the Administrator.

“(2) QUALIFICATIONS.—The Assistant Administrators shall be a citizen of the United States.

“(3) DUTIES.—The Assistant Administrators shall carry out duties and powers of their office described in this section and those prescribed by the Administrator.

“(4) MANAGEMENT BOARD OF THE ADMINISTRATION.—In this section, the term ‘Management Board of the Administration’ means—

“(A) the Associate Administrators and Chief Operating Officer established under subsection (c); and

“(B) the Assistant Administrators and Chief Counsel established under subsection (d).”.

(b) SYSTEMICALLY ADDRESSING NEED FOR EXEMPTIONS AND WAIVERS.—Not later than 30 months after the date of enactment of this Act, the Assistant Administrator for Rulemaking and Regulatory Improvement shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of

the Senate on the methodology developed pursuant to section 106(d)(B)(vi) of title 49, United States Code (as added by this section).

#### SEC. 123. PROHIBITION ON CONFLICTING PECUNIARY INTERESTS.

Section 106(e) of title 49, United States Code, is amended to read as follows:

“(e) PROHIBITION ON CONFLICTING PECUNIARY INTERESTS.—

“(1) IN GENERAL.—The leadership of the Administration and the Management Board of the Administration may not have a pecuniary interest in, or hold a financial interest in, an aeronautical enterprise, or engage in another business, vocation, or employment.

“(2) TEACHING.—Notwithstanding paragraph (1), the Deputy Administrators and the Management Board of the Administration may not receive compensation for teaching without prior approval of the Administrator.

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

“(A) means—

“(i) any current or contingent ownership, equity, or security interest;

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

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

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

#### SEC. 124. AUTHORITY OF SECRETARY AND ADMINISTRATOR.

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

(1) in paragraph (1)—

(A) by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(B) by striking “Neither” and inserting “In exercising duties, powers, and authorities that are assigned to the Secretary or the Administrator under this title, neither”; and

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

“(A) established by executive order; or

“(B) not explicitly directed by legislation to review the exercise of such duties, powers, and authorities by the Secretary or the Administrator.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(ii) by striking “the acquisition” and all that follows through the semicolon and inserting “the acquisition, establishment, improvement, operation, maintenance, security (including cybersecurity), and disposal of property, facilities, services, and equipment of the Administration, including all elements of the air traffic control system owned by the Administration”; and

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

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

(D) in subparagraph (D)—

(i) by inserting “(formally or informally)” after “required”; and

(ii) by inserting “or any other Federal agency” after “Department of Transportation”; and

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking “In the performance” and inserting “(i) ISSUANCE OF REGULATIONS.—In the performance”;

(ii) by striking “The Administrator shall act” and inserting “(ii) PETITIONS FOR RULEMAKING.—The Administrator shall act”;

(iii) by striking “The Administrator shall issue” and inserting “(iii) RULEMAKING TIMELINE.—The Administrator shall issue”; and

(iv) by striking “On February 1” and inserting “(iv) REPORTING REQUIREMENT.—On February 1”;

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

“(B) APPROVAL OF SECRETARY OF TRANSPORTATION.—

“(i) IN GENERAL.—The Administrator may not issue, unless the Secretary of Transportation approves the issuance of the regulation in advance, a proposed regulation or final regulation that—

“(I) is likely to result in the expenditure by State, local, and Tribal governments in the aggregate, or by the private sector, of \$250,000,000 or more (adjusted annually for inflation beginning with the year following the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act) in any year; or

“(II) is significant.

“(ii) SIGNIFICANT DEFINED.—For purposes of this paragraph, a regulation is significant if the Administrator, in consultation with the Secretary (as appropriate), determines that the regulation—

“(I) will have an annual effect on the economy of \$250,000,000 or more (adjusted annually for inflation beginning with the year following the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act);

“(II) raises novel or serious legal or policy issues that will substantially and materially affect other transportation modes; or

“(III) adversely affect, in a substantial and material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or a State, local, or Tribal government or communities.

“(iii) EMERGENCY REGULATION.—In an emergency, the Administrator may issue a final regulation described in clause (i) without prior approval of the Secretary. If the Secretary objects to such regulation in writing within 5 days (excluding Saturday, Sundays, and legal public holidays) of the issuance, the Administrator shall immediately rescind such regulation.

“(iv) OTHER REGULATIONS.—The Secretary may not require that the Administrator submit a proposed or final regulation to the Secretary for approval, nor may the Administrator submit a proposed or final regulation to the Secretary for approval, if the regulation—

“(I) does not require the Secretary’s approval under clause (i) (excluding a regulation issued pursuant to clause (iii)); or

“(II) is a routine or frequent action or a procedural action.

“(v) TIMELINE.—The Administrator shall submit a copy of any proposed or final regulation requiring approval by the Secretary under clause (i) to the Secretary, who shall either approve the regulation or return the regulation to the Administrator with comments within 30 days after receiving the regulation. If the Secretary fails to approve or return the regulation with comments to the Administrator within 30 days, the regulation shall be deemed to have been approved by the Secretary.

“(C) PERIODIC REVIEW.—

“(i) IN GENERAL.—In addition to the review requirements established under section 5.13(d) of title 49, Code of Federal Regulations, the Administrator shall review any significant regulation issued 3 years after the effective date of the regulation.

“(ii) DISCRETIONARY REVIEW.—The Administrator may review any regulation that has been in effect for more than 3 years.

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

“(I) the cost assumptions were accurate;

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

“(III) the need remains to continue such regulation as in effect; and

“(IV) the Administrator recommends updates to such regulation based on the review criteria specified in section 5.13(d) of title 49, Code of Federal Regulations.

“(iv) REVIEW MANAGEMENT.—Any periodic review of a regulation under this subparagraph shall be managed by the Assistant Administrator for Rulemaking and Regulatory Improvement, who may task an advisory committee or the Management Advisory Council established under subsection (p) to assist in performing the review.”;

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

(5) by inserting after paragraph (2) the following:

“(3) DUTIES AND POWERS OF THE ADMINISTRATOR.—

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

“(i) the duties and powers of the Secretary under this subsection related to aviation safety (except those related to transportation, packaging, marking, or description of hazardous material) and stated in—

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

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

“(III) chapter 443;

“(IV) chapter 445, except sections 44502(a)(3), 44503, and 44509;

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

“(VI) chapter 448;

“(VII) chapter 451;

“(VIII) chapter 453;

“(IX) section 46104;

“(X) subsections (d) and (h)(2) of section 46301, section 46303(c), sections 46304 through 46308, section 46310, section 46311, and sections 46313 through 46320;

“(XI) chapter 465;

“(XII) chapter 471;

“(XIII) chapter 475; and

“(XIV) chapter 509 of title 51; and

“(ii) such additional duties and powers as may be prescribed by the Secretary.

“(B) APPLICABILITY.—Section 40101(d) applies to the duties and powers specified in subparagraph (A).

“(C) TRANSFER.—Any of the duties and powers specified in subparagraph (A) may only be transferred to another part of the Department if specifically provided by law or in a reorganization plan submitted under chapter 9 of title 5.

“(D) ADMINISTRATIVE FINALITY.—A decision of the Administrator in carrying out the duties or powers specified in subparagraph (A) is administratively final.”.

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

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

## SEC. 125. REVIEW OF FAA RULEMAKING PROCESSES.

(a) IN GENERAL.—Not later than 30 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into appropriate arrangements

with the National Academy of Public Administration to evaluate and make recommendations to improve the Administration’s rulemaking processes.

(b) CONTENT OF REVIEW.—In completing the evaluation under subsection (a), the National Academy of Public Administration shall—

(1) review Administration and Department of Transportation policies and procedures for drafting, coordinating, reviewing, editing, and approving rulemaking documents;

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

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

(B) as amended by this Act; and

(3) include in the review—

(A) advanced notices of proposed rulemakings;

(B) notices of proposed rulemakings;

(C) supplemental proposed rulemakings;

(D) interim final rules; and

(E) final rules, including direct final rules.

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

(1) at least 7 rules completed by the Administration since 2012, including—

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

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

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

(2) at least 2 rulemaking processes where a notice of proposed rulemaking has not been followed by a final rule for more than 3 years.

(d) REPORT.—The National Academy of Public Administration shall provide to the Administrator, Secretary of Transportation, the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the evaluation required under subsection (a). The contents of the report shall—

(1) identify procedural or resource constraints;

(2) identify inefficiencies in the process, including any causes of delays;

(3) provide recommendations for expediting rulemakings, including—

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

(B) the use of new routine and frequent rulemakings to allow for the expediting of activities that may be routinely needed or updated;

(C) the use of rules of applicability to provide for the expediting of activities that may be routinely needed or updated;

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

(E) the use of aviation rulemaking committees; and

(F) internal process improvements; and

(4) not review the policy merits of the reviewed rulemakings, except to the extent that there are conclusions that can be drawn from the processes used to develop such rules.

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

(1) the electronic management software the Administration uses to track internal processing of draft documents;

(2) appropriately redacted communications between offices and personnel that were used to coordinate work outside of the electronic software; and

(3) such other documents and records, including predecisional documents and records, that will assist the National Academy of Public Administration in completing the evaluation required under subsection (a).

#### SEC. 126. OFFICE OF INNOVATION.

Section 106 of title 49, United States Code, is further amended by striking subsection (g) and inserting the following:

“(g) OFFICE OF INNOVATION.—

“(1) IN GENERAL.—There is established within the Federal Aviation Administration an Office of Innovation (in this subsection referred to as the ‘Office’) comprised of employees of the Administration who shall—

“(A) have a diverse set of expertise;

“(B) assist the leadership of the Administration and the Management Board of the Administration with—

“(i) scoping complex regulatory issues and drafting documents on topics that span multiple offices or lines of business of the Administration;

“(ii) evaluating internal processes; and

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

“(C) receive taskings from the leadership of the Administration and the Management Board of the Administration, as determined necessary by such individuals, and work collaboratively with relevant program offices of the Administration, as necessary, to respond to such taskings.

“(2) APPOINTMENT OF MEMBERS.—

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

“(i) Office of Aviation Safety.

“(ii) The Air Traffic Organization.

“(iii) Office of Airports.

“(iv) Office of Security and Hazardous Materials Safety.

“(v) When authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, the Office of Commercial Space Transportation.

“(vi) Office of the Chief Counsel.

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

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

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

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

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

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

“(D) shall have expertise in the authorities and duties of the respective office of the employee.

“(4) INNOVATION OFFICE LEAD.—The Administrator shall appoint a lead of the Office who shall report to the leadership of the Administration and who—

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

“(B) shall manage the personnel and activities of such Office; and

“(C) may be a detailed employee of any office of the Administration, notwithstanding the numerical limits placed on appointments in paragraph (2)(A).

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

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

#### SEC. 127. FRANK A. LOBIONDO NATIONAL AEROSPACE SAFETY AND SECURITY CAMPUS.

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

(b) REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the campus and grounds at the Federal Aviation Administration Technical Center referred to in subsection (a) shall be deemed to be a reference to the “Frank A. LoBiondo National Aerospace Safety and Security Campus”.

#### SEC. 128. TECHNICAL CENTER FOR ADVANCED AEROSPACE.

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

“(h) TECHNICAL CENTER FOR ADVANCED AEROSPACE.—

“(1) IN GENERAL.—There is established within the Administration a technology center located at the Frank A. LoBiondo National Aerospace Safety and Security Campus to support the advancement of aerospace safety and innovation which shall be known as the ‘William J. Hughes Technical Center for Advanced Aerospace’ (in this subsection referred to as the ‘Technical Center’) that shall be used by the Administrator and, as permitted by the Administrator, other governmental entities, academia, and the aerospace industry.

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

“(3) ACTIVITIES.—The activities of the Technical Center shall include—

“(A) developing and stimulating technology partnerships with and between industry, academia, and other government agencies and supporting such partnerships by—

“(i) liaising between external persons and offices of the Administration interested in such work;

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

“(iii) providing access to the properties, facilities, and systems of the Technical Center through appropriate agreements;

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

“(C) identifying software, systems, services, and technologies that could improve aviation safety and the operations and management of the air traffic control system and working with relevant offices of the Administration to consider the use and integration of such software, systems, services, and technologies, as appropriate;

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

“(E) managing the facilities of the Technical Center and the Frank A. LoBiondo National Aerospace Safety and Security Campus; and

“(F) carrying out any other duties as determined appropriate by the Administrator.”.

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

(1) by striking “(a) CIVIL AEROMEDICAL INSTITUTE” and all that follows through “The Civil Aeromedical Institute established” and inserting “The Civil Aeromedical Institute established”; and

(2) by striking subsection (b).

#### SEC. 129. OFFICE OF NEXTGEN SUNSET.

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

(b) CLOSURE PROCESS.—In carrying out subsection (a), the Administrator shall transfer duties, authorities, activities, personnel, and assets managed by the Office of NextGen to other officials of the Administration, as appropriate, including—

(1) transferring such duties, authorities, activities, personnel, and assets to—

(A) the Director of the William J. Hughes Technical Center for Advanced Aerospace established under subsection 106(h) of title 49, United States Code;

(B) the Assistant Administrator for Finance and Management;

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

(D) other officials of the Administration, as determined by the Administrator; and

(2) transferring management of the NextGen Advisory Committee to the Chief Operating Officer of the Air Traffic Control System.

#### SEC. 130. FAA OMBUDSMAN.

Section 106 of title 49, United States Code, is further amended by striking subsection (i) and inserting the following:

“(i) FAA OMBUDSMAN.—

“(1) ESTABLISHMENT.—There is established within the Federal Aviation Administration an Ombudsman who shall coordinate or facilitate the adjudication of covered submissions.

“(2) OMBUDSMAN.—

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

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

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

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

“(i) with respect to a covered submission, resolve, provide a status update, or provide clarity on the status of such submissions;

“(ii) bring to the attention of the relevant office of the Administration concerns, as necessary, regarding Administration processes or considerations discovered while coordinating an activity related to a covered submission under this subsection; and

“(iii) address any gaps and communication lapses in Administration coordination processes.

“(B) Determine if, based on a coordinated activity carried out under this subsection, reconsideration with respect to covered submissions or administrative actions are necessary and report to the Administrator or the relevant office within the Administration with recommendations relating to such reconsideration.

“(C) Determine if trends materialize that could warrant process, procedural, or resource changes and report recommendations regarding such changes to the Administrator

and relevant offices within the Administration.

“(D) Ensure that reporting, processing, or dispute resolution mechanisms within the Administration are transparent and accessible to the public, and facilitate the use of such reporting, processing, or dispute resolution mechanisms, when appropriate.

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

“(4) DISCRETION ON COORDINATION AND REVIEW.—

“(A) IN GENERAL.—The Ombudsman shall determine whether to coordinate a review of a covered submission in order to provide a response, coordinate the reconsideration of an administrative action, or take no additional action. In making a determination under this subparagraph, the Ombudsman shall consider—

“(i) whether there are reporting, processing, or dispute resolution mechanisms that have not been exhausted or that may be more appropriate for dealing with, investigating, and responding to such covered submission;

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

“(I) contrary to law or regulation;

“(II) arbitrary and capricious; or

“(III) performed in an unreasonably inefficient or untimely manner; and

“(iii) such other factors as the Ombudsman considers appropriate.

“(B) EXCEPTION.—With regard to a covered submission concerning an activity relating to an alleged violation of an order, a regulation, or any other provision of Federal law by the Administration or whistleblower retaliation, the Ombudsman shall refer such covered submission to the appropriate Federal entity to adjudicate or investigate the subject of such submission.

“(C) COOPERATION.—The Administrator shall ensure that the officers and employees of the Administration fully cooperate with the activities of the Ombudsman and provide such information, documents, or materials as may be requested by the Ombudsman.

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

“(6) DEFINITIONS.—In this subsection:

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

“(i) an action taken by the Administrator of the Federal Aviation Administration to issue, deny, modify, or revoke a certificate, registration, approval, waiver, license, exemption, termination, interpretation, or any other authorizing action; or

“(ii) the lack of any action (or activity related to an action) described in clause (i) necessary to be taken by the Administrator.

“(B) COVERED SUBMISSION.—The term ‘covered submission’ means an inquiry or objection relating to—

“(i) an aircraft, aircraft engine, propeller, or appliance certification;

“(ii) an airman or pilot certificate, including scheduling an associated appointment with Administration personnel or designees;

“(iii) a medical certificate;

“(iv) an operator certificate;

“(v) when authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, a license or permit issued under chapter 509 of title 51;

“(vi) an aircraft registration;

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

“(viii) a legal interpretation;

“(ix) an outstanding determination;

“(x) an application of agency guidance; and

“(xi) any certificate not otherwise described in this subparagraph that is issued pursuant to chapter 447.”.

### SEC. 131. PROJECT DASHBOARDS AND FEEDBACK PORTAL.

(a) IN GENERAL.—The Ombudsman of the Federal Aviation Administration shall, in reviewing Administration processes, receiving, reviewing, and responding to covered submissions, and through general due diligence, determine whether a publicly facing dashboard that provides applicants with the status of an application before the agency would be—

(1) beneficial to applicants;

(2) an efficient use of resources to build, maintain, and update; or

(3) duplicative with other efforts within the Administration to streamline and digitize paperwork and certification processes to provide an applicant with a greater awareness of the status of an application before the Administration.

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

(c) BRIEFING.—Not later than 45 days after receiving recommendations under subsection (b), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) any recommendation received from the Ombudsman; and

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

(d) FAA FEEDBACK PORTAL.—

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

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

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

### SEC. 132. SENSE OF CONGRESS ON FAA ENGAGEMENT DURING RULEMAKING ACTIVITIES.

It is the sense of Congress that—

(1) the Administrator of the Federal Aviation Administration should engage with aviation stakeholder groups and the public during pre-drafting stages of rulemaking activities and use, to the greatest extent practicable, properly docketed ex-parte discussions during rulemaking activities in order to—

(A) inform the work of the Administrator;

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

(C) reduce the timeline for issuance of proposed and final rules; and

(2) when it would reduce the time required for the Administrator to adjudicate public comments, the Administrator should publicly provide information describing the rationale behind a regulatory decision included in proposed regulations in order to better allow for the public to provide clear and informed comments on such regulations.

### SEC. 133. CIVIL AEROMEDICAL INSTITUTE.

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

### SEC. 134. MANAGEMENT ADVISORY COUNCIL.

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

(1) by transferring paragraph (8) of subsection (p) as paragraph (7) of subsection (r); and

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

“(p) MANAGEMENT ADVISORY COUNCIL.—

“(1) ESTABLISHMENT.—The Administrator shall establish an advisory council which shall be known as the Federal Aerospace Management Advisory Council (in this subsection referred to as the ‘Council’).

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

“(A) a designee of the Secretary of Transportation;

“(B) a designee of the Secretary of Defense;

“(C) 5 members representing aerospace and technology interests, appointed by the Administrator;

“(D) 5 members representing aerospace and technology interests, appointed by the Secretary of Transportation; and

“(E) 1 member, appointed by the Secretary of Transportation, who is the head of a union representing air traffic control system employees.

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

“(4) FUNCTIONS.—

“(A) IN GENERAL.—

“(i) ADVISE; COUNSEL.—The Council shall provide advice and counsel to the Administrator on issues which affect or are affected by the activities of the Administrator.

“(ii) RESOURCE.—The Council shall function as an oversight resource for management, policy, spending, and regulatory matters under the jurisdiction of the Administrator.

“(iii) SUBMISSIONS TO ADMINISTRATION.—With respect to Administration management, policy, spending, funding, data management and analysis, safety initiatives, international agreements, activities of the International Civil Aviation Organization, and regulatory matters affecting the aerospace industry and the national airspace system, the Council may—

“(I) regardless of whether solicited by the Administrator, submit comments, recommended modifications, proposals, and supporting or dissenting views to the Administrator; and

“(II) request the Administrator include in any submission to Congress, the Secretary, or the general public, and in any submission for publication in the Federal Register, a description of the comments, recommended modifications, and dissenting or supporting views received from the Council under subclause (I).

“(iv) REASONING.—Together with a Council submission that is published or described under clause (iii)(II), the Administrator shall provide the reasons for any differences between the views of the Council and the views or actions of the Administrator.

“(v) COST-BENEFIT ANALYSIS.—The Council shall review the rulemaking cost-benefit analysis process and develop recommendations to improve the analysis and ensure that the public interest is fully protected.

“(vi) PROCESS REVIEW.—The Council shall review the process through which the Administration determines to use advisory circulars, service bulletins, and other externally facing guidance and regulatory material.

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

“(C) ACCESS TO DOCUMENTS AND STAFF.—The Administration may give the Council appropriate access to relevant documents and personnel of the Administration, and the Administrator shall make available, consistent with the authority to withhold commercial and other proprietary information under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), cost data associated with the acquisition and operation of air traffic service systems.

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

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

“(A) the Council;

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

“(C) such aerospace rulemaking committees as the Secretary shall designate.

“(6) ADMINISTRATIVE MATTERS.—

“(A) TERMS.—Members of the Council appointed under paragraph (2)(C) shall be appointed for a term of 3 years.

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

“(C) VACANCY.—Any vacancy on the Council shall be filled in the same manner as the original appointment, except that any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

“(D) CONTINUATION IN OFFICE.—A member of the Council whose term expires shall continue to serve until the date on which the member's successor takes office.

“(E) REMOVAL.—Any member of the Council appointed under paragraph (2) may be removed for cause by whomever makes the appointment.

“(F) CHAIR; VICE CHAIR.—The Council shall elect a chair and a vice chair from among the members appointed under subparagraphs (C) and (D) of paragraph (2), each of whom shall serve for a term of 1 year. The vice chair shall perform the duties of the chair in the absence of the chair.

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

“(H) DETAIL OF PERSONNEL FROM THE ADMINISTRATION.—The Administrator shall make available to the Council such staff, information, and administrative services and assistance as may reasonably be required to enable the Council to carry out its responsibilities under this subsection.”.

#### SEC. 135. AVIATION NOISE OFFICER.

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

“(q) AVIATION NOISE OFFICER.—

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

“(2) REGIONAL OFFICERS.—The Aviation Noise Officer shall designate, within each region of the Administration, a Regional Aviation Noise Officer.

“(3) DUTIES.—The Aviation Noise Officer, in coordination with the Regional Aviation Noise Officers, shall—

“(A) serve as a liaison with the public, including community groups, on issues regarding aircraft noise;

“(B) make recommendations to the Administrator to address concerns raised by the public in decision making processes; and

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

“(4) NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES.—The appointment of an Aviation Noise Officer under this subsection shall not result in an increase in the number of full-time equivalent employees in the Administration.”.

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

#### SEC. 136. CHIEF OPERATING OFFICER.

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

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

“(A) APPOINTMENT.—There shall be a Chief Operating Officer for the air traffic control system that is appointed by the Administrator and subject to the authority of the Administrator.”; and

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

(2) in paragraph (2) by striking “, with the approval of the Air Traffic Services Committee”;

(3) in paragraph (3)—

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

(B) by striking “annual basis.” and inserting— “annual basis and shall include responsibility for—

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

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

“(C) identifying services and solutions to increase the safety and efficiency of airspace use and to support the safe integration of all airspace users.”;

(4) in paragraph (4) by striking “such information as may be prescribed by the Secretary” and inserting “the annual performance agreement required under paragraph (3), an assessment of the performance of the Chief Operating Officer in relation to the performance goals in the previous year's performance agreement, and such other information as may be prescribed by the Administrator”; and

(5) in paragraph (5)—

(A) by striking “Chief Operating Officer, or any other authority within the Administration responsibilities, including” and inserting “Chief Operating Officer any authority of the Administrator and shall delegate, at a minimum”;

(B) in subparagraph (A)—

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

(ii) in clause (iv) by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(v) plans to integrate new entrant operations into the national airspace system and associated action items.”; and

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

#### SEC. 137. REPORT ON UNFUNDED CAPITAL INVESTMENT NEEDS OF AIR TRAFFIC CONTROL SYSTEM.

Section 106(r) of title 49, United States Code, is further amended by adding at the end the following:

“(6) UNFUNDED CAPITAL INVESTMENT NEEDS REPORT.—

“(A) IN GENERAL.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1150 of title 31, the Chief Operating Officer shall submit directly to the Administrator, the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on any unfunded capital investment needs of the air traffic control system.

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

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

“(ii) Objective to be achieved if such unfunded capital investment need is funded in whole or in part.

“(iii) The additional amount of funds recommended in connection with such objective.

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

“(v) Any statutory requirement associated with such unfunded capital investment need, as applicable.

“(C) PRIORITIZATION OF REQUIREMENTS.—The report required under subparagraph (A) shall present unfunded capital investment needs in overall urgency of priority.

“(D) DEFINITION OF UNFUNDED CAPITAL INVESTMENT NEED.—In this paragraph the term ‘unfunded capital investment need’ means a program that—

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

“(ii) is for infrastructure or a system related to necessary modernization or sustainment of the air traffic control system;

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

“(iv) would have been recommended for funding through the budget referred to in subparagraph (A) by the Chief Operating Officer if—

“(I) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

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

#### SEC. 138. CHIEF TECHNOLOGY OFFICER.

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

(1) in paragraph (1)—

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

(B) in subparagraph (B) by striking “management” and inserting “management, systems management,”;

(C) by striking subparagraph (D);

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

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



“(A) ESTABLISHMENT.—There shall be a Chief Technology Officer for the air traffic control system that shall report directly to the Chief Operating Officer of the air traffic control system.”;

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “program”; and

(B) in subparagraph (F) by striking “aircraft operators” and inserting “the Administration, aircraft operators, or other private providers of information and services related to air traffic management”; and

(3) in paragraph (3)—

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

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

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

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

#### SEC. 139. DEFINITION OF AIR TRAFFIC CONTROL SYSTEM.

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

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

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

(3) by adding at the end the following:

“(E) systems, software, and hardware operated, owned, and maintained by third parties that support or directly provide air navigation information and air traffic management services with Administration approval.”.

#### SEC. 140. PEER REVIEW OF OFFICE OF WHISTLEBLOWER PROTECTION AND AVIATION SAFETY INVESTIGATIONS.

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

(1) by striking paragraph (7);

(2) by inserting after paragraph (6) the following:

“(7) DEPARTMENT OF TRANSPORTATION OFFICE OF THE INSPECTOR GENERAL PEER REVIEW.—

“(A) IN GENERAL.—Not later than 2 years after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act, and every 5 years thereafter, the inspector general of the Department of Transportation shall perform a peer review of the Office of Whistleblower Protection and Aviation Safety Investigations.

“(B) PEER REVIEW SCOPE.—In completing the peer reviews required under this paragraph, the inspector general shall use the most recent peer review guides published by the Council of the Inspectors General on Integrity and Efficiency Audit Committee and Investigations Committee.

“(C) REPORTS TO CONGRESS.—Not later than 90 days after the completion of a peer review required under this paragraph, the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a description of any actions taken or to be taken to address the results of the peer review.”; and

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

#### SEC. 141. CYBERSECURITY LEAD.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall designate an executive of the Administration to serve as the lead for the cybersecurity of Administration systems and hardware (hereinafter referred to as the “Cybersecurity Lead”).

(b) DUTIES.—The Cybersecurity Lead shall carry out duties and powers prescribed by the Administrator, including the management of activities required under subtitle B of title VI of the Securing Growth and Robust Leadership in American Aviation Act.

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

#### SEC. 142. REDUCING FAA WASTE, INEFFICIENCY, AND UNNECESSARY RESPONSIBILITIES.

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

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

(3) by redesignating subsection (e) as subsection (c).

(b) ANNUAL REPORT ON THE PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—Section 40110(d) of title 49, United States Code, is amended by striking paragraph (5).

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

(1) by striking paragraph (4); and

(2) by redesignating paragraph (5) as paragraph (4).

(d) AIP ANNUAL REPORT.—Section 47131 of title 49, United States Code, and the item relating to such section in the analysis for chapter 471 of such title, are repealed.

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

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) NON-COMPLIANT AIRPORTS.—

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

“(A) the circumstances of noncompliance;

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

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

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

(f) NOTICE TO AIRPORT SPONSORS REGARDING PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.—Section 306 of the Federal Aviation Administration Authorization Act of 1994 (49 U.S.C. 50101 note) is amended—

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

(2) by striking subsection (b).

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

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

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

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

(A) in the heading by striking “DEFINITIONS” and inserting “DEFINITION OF ALASKA GUIDE PILOT”; and

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

(i) NEXT GENERATION AIR TRANSPORTATION SENIOR POLICY COMMITTEE.—Section 710 of the Vision 100–Century of Aviation Reauthorization Act (49 U.S.C. 40101 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

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

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

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

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

(1) by striking subsection (a);

(2) in subsection (b)—

(A) by striking “(b) Workload of Systems Specialists.”; and

(B) by redesignating paragraphs (1) through (3) as subsections (a) through (c) (and adjust the margins appropriately); and

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

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

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

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

(2) by adding at the end the following:

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

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

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

### TITLE II—GENERAL AVIATION

#### Subtitle A—Expanding Pilot Privileges and Protections

#### SEC. 201. REEXAMINATION OF PILOTS OR CERTIFICATE HOLDERS.

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

#### “SEC. 5. REEXAMINATION OF AN AIRMAN CERTIFICATE.

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

“(b) INFORMATION REQUIRED.—In providing notification under subsection (a), the Administrator shall inform the individual—

“(1) of the nature of the reexamination and the specific activity on which the reexamination is necessitated;

“(2) that the reexamination shall occur within 1 year from the date of the notice provided by the Administrator, after which, if the reexamination is not conducted, the airman certificate may be suspended or revoked; and

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

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

“(1) to establish that an airman may not be qualified to exercise the privileges of a certificate or rating based upon an act or omission committed by the airman while exercising such privileges or performing ancillary duties associated with the exercise of such privileges; or

“(2) to demonstrate that the airman obtained such a certificate or rating through fraudulent means or through an examination that was substantially and inadequate to establish the qualifications of an airman.

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

#### SEC. 202. GAO REVIEW OF PILOT'S BILL OF RIGHTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study of the implementation of the Pilot's Bill of Rights (49 U.S.C. 44703 note).

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall review—

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

(2) the application of the Federal Rules of Civil Procedure and the Federal Rules of Evidence to covered proceedings by the National Transportation Safety Board, as required by section 2 of the Pilot's Bill of Rights (49 U.S.C. 44703 note);

(3) the appeal process and the typical length of time associated with a final determination in a covered proceeding; and

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

(c) COVERED PROCEEDINGS.—In this section, the term “covered proceeding” means a proceeding conducted under subpart C, D, or F of part 821 of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate.

#### SEC. 203. EXPANSION OF BASICMED.

(a) IN GENERAL.—Section 2307 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44703 note) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

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

(B) in paragraph (7) by inserting “calendar” before “months”; and

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

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

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

“(h) REPORT REQUIRED.—Not later than 4 years after the date of enactment of the Secur-

ing Growth and Robust Leadership in American Aviation Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.”; and

(4) in subsection (j)—

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

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

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

(c) APPLICABILITY.—Beginning on the date that is 120 days after the date of enactment of this Act, the Administrator shall apply part 68, Code of Federal Regulations, in a manner reflecting the amendments made by this section.

#### SEC. 204. DATA PRIVACY.

(a) IN GENERAL.—Chapter 441 of title 49, United States Code, is amended by adding at the end the following:

##### “§44114. Privacy

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall establish and continuously improve a process by which, upon request of a private aircraft owner or operator, the Administrator blocks the registration number and other similar identifiable data or information, except for physical markings required by law, of the aircraft of the owner or operator from any public dissemination or display (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) for the noncommercial flights of the owner or operator.

“(b) WITHHOLDING PERSONALLY IDENTIFIABLE INFORMATION ON AIRCRAFT REGISTRY.—Not later than 1 year after the date of enactment of this section and notwithstanding any other provision of law, the Administrator shall establish a procedure by which, upon request of a private aircraft owner or operator, the Administrator shall withhold from public disclosure (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) the personally identifiable information of such individual on the Civil Aviation Registry website.

“(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

“(1) IN GENERAL.—The Administrator shall establish a program for aircraft owners and operators to apply for a new ICAO aircraft identification code.

“(2) LIMITATIONS.—In carrying out the program described in paragraph (1), the Administrator shall require—

“(A) each applicant to substantiate the safety or security need in applying for a new ICAO aircraft identification code; and

“(B) each approved applicant who obtains a new ICAO aircraft identification code to comply with all applicable aspects of, or related to, part 45 of title 14, Code of Federal Regulations, including updating an aircraft's registration number and N-Number to reflect such aircraft's new ICAO aircraft identification code.

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

“(e) DEFINITIONS.—In this section:

“(1) ADS-B.—The term ‘ADS-B’ means automatic dependent surveillance-broadcast.

“(2) ICAO.—The term ‘ICAO’ means the International Civil Aviation Organization.

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term ‘personally identifiable information’ means—

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

“(B) an electronic address (including an e-mail address) of an individual; or

“(C) the telephone number of an individual.”.

(b) STUDY ON ENCRYPTING ADS-B.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study assessing the technical challenges, impact to international aviation operations, benefits, and costs of encrypting ADS-B signals to provide for a safer and more secure environment for national airspace system users.

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

(A) air carriers;

(B) collective bargaining representatives of the Federal Aviation Administration aeronautical information specialists;

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

(D) general aviation;

(E) business aviation; and

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

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

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

(B) the advantages of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(C) the disadvantages of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(D) the challenges of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including coordination considerations with the International Civil Aviation Organization and foreign civil aviation authorities;

(E) potential new aircraft equipment requirements and estimated costs;

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

(G) the estimated costs to—

(i) the Federal Aviation Administration;

(ii) aircraft owners required to equip with ADS-B equipment for aviation operations; and

(iii) other relevant persons the Administrator determines necessary; and

(H) the impact to national airspace system operations during implementation and post-implementation.

(4) REPORT.—In any agreement entered into under paragraph (1), the Administrator shall ensure that, not later than 1 year after the completion of the study required under paragraph (1), the qualified organization that has entered into such agreement shall submit to the Administrator, the Committee on

Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in paragraph (1), including the findings and recommendations related to each item specified under paragraph (3).

(5) **DEFINITION OF QUALIFIED ORGANIZATION.**—In this subsection, the term “qualified organization” means an independent nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(c) **CLERICAL AMENDMENT.**—The analysis for chapter 441 of title 49, United States Code, is amended by adding at the end the following: “44114. Privacy.”.

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

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

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

“(c) **PROHIBITION ON USING ADS-B DATA TO INITIATE AN INVESTIGATION.**—

“(1) **IN GENERAL.**—Notwithstanding any provision of this section, the Administrator of the Federal Aviation Administration may not initiate an investigation (excluding a criminal investigation) of a person based exclusively on automatic dependent surveillance-broadcast data.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall prohibit the use of automatic dependent surveillance-broadcast data in an investigation that was initiated for any reason other than the review of automatic dependent surveillance-broadcast data, including if such investigation was initiated as a result of a report or complaint submitted to the Administrator.”.

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

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

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

“(1) **IN GENERAL.**—No person may reserve an aircraft registration number without certifying that such person intends to use such registration number—

“(A) immediately on a specific aircraft; or

“(B) for future use on an aircraft owned or controlled, or intended to be owned or controlled, by such person.

“(2) **TRANSFERS.**—A person may transfer a reserved aircraft registration number to another person if—

“(A) the transferor certifies that the aircraft registration number is relinquished willingly and at a cost to the transferee that does not otherwise exceed the amount paid by the transferor to reserve such number; and

“(B) the transferee—

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

“(ii) complies with the certification requirement under paragraph (1).”.

#### **SEC. 207. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION NUMBERS.**

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

(b) **ASSESSMENT.**—In conducting the review under subsection (a), the Administrator shall assess the following:

(1) Whether the use of readily available software to prevent computer or web-based auto-fill

systems from reserving aircraft registration numbers in bulk would improve participation in the reservation process by the general public.

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

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

(c) **BRIEFING.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the review conducted under subsection (a), including any recommendations of the Administrator to improve equal participation in the process for reserving aircraft registration numbers by the general public.

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

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

(1) make a determination regarding such investigation and pursue subsequent action; or

(2) close such investigation.

(b) **EXTENSION.**—

(1) **IN GENERAL.**—If, upon review of the facts and status of an investigation described in subsection (a), the Administrator determines that the time provided to make a final determination or close such investigation is insufficient, the Administrator may approve an extension of such investigation for 2 years.

(2) **ADDITIONAL EXTENSIONS.**—The Administrator may approve consecutive extensions under paragraph (1).

(c) **DELEGATION.**—The Administrator may not delegate the authority to approve an extension described in subsection (b) to anyone other than the leadership of the Administration as described in section 106(b) of title 49, United States Code.

#### **SEC. 209. EXPANSION OF VOLUNTEER PILOT ORGANIZATION DEFINITION.**

Section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended—

(1) in subsection (a)—

(A) by striking “for the fuel costs associated with” and inserting “for the fuel costs and airport fees attributed to”; and

(B) by striking “for an individual or organ for medical purposes (and for other associated individuals)” and inserting “for the purposes described in subsection (c)(2)”; and

(2) in subsection (c)(2) by striking “charitable medical transportation.” and inserting the following: “charitable transportation for the following purposes:

“(A) Assisting individuals in accessing medical care or treatment (and for other associated individuals).

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

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

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

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

#### **SEC. 210. CHARITABLE FLIGHT FUEL REIMBURSEMENT EXEMPTIONS.**

(a) **IN GENERAL.**—

(1) **VALIDITY OF EXEMPTION.**—Except as otherwise provided in this subsection, an exemption from section 61.113(c) of title 14, Code of Federal Regulations, that is granted by the Administrator of the Federal Aviation Administration for the purpose of allowing a volunteer pilot to accept reimbursement from a volunteer pilot organization for the fuel costs and airport fees attributed to a flight operation to provide chari-

table transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall be valid for 5 years.

(2) **FAILING TO ADHERE.**—If the Administrator finds an exemption holder under paragraph (1) or a volunteer pilot fails to adhere to the conditions and limitations of the exemption described under such paragraph, the Administrator may rescind or suspend the exemption.

(3) **NO LONGER QUALIFYING.**—If the Administrator finds that such exemption holder no longer qualifies as a volunteer pilot organization, the Administrator shall rescind such exemption.

(4) **FORGING EXEMPTION.**—If such exemption holder informs the Administrator that such holder no longer plans to exercise the authority granted by such exemption, the Administrator may rescind such exemption.

(b) **ADDITIONAL REQUIREMENTS.**—

(1) **IN GENERAL.**—A volunteer pilot organization may impose additional safety requirements on a volunteer pilot without—

(A) being considered—

(i) an air carrier (as such term is defined in section 40102 of title 49, United States Code); or

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

(B) constituting common carriage.

(2) **SAVINGS CLAUSE.**—Nothing in this subsection may be construed to limit or otherwise affect the authority of the Administrator to regulate, as appropriate, a flight operation associated with a volunteer pilot organization that constitutes a commercial operation or common carriage.

(c) **REISSUANCE OF EXISTING EXEMPTIONS.**—In reissuing an expiring exemption described in subsection (a) that was originally issued prior to the date of enactment of this Act, the Administrator shall ensure that the reissued exemption—

(1) accounts for the provisions of this section and section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as amended by this Act; and

(2) is otherwise substantially similar to the previously issued exemption.

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

(1) affect the authority of the Administrator to exempt a pilot (exercising the private pilot privileges) from any restriction on receiving reimbursement for the fuel costs and airport fees attributed to a flight operation to provide charitable transportation; or

(2) impose or authorize the imposition of any additional requirements by the Administrator on a flight that is arranged by a volunteer pilot organization in which the volunteer pilot—

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

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

(e) **DEFINITIONS.**—In this section:

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

(A) acts as a pilot in command of a flight operation to provide charitable transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note); and

(B) holds a private pilot certificate, commercial pilot certificate, or an airline transportation pilot certificate issued under part 61 of title 14, Code of Federal Regulations.

(2) **VOLUNTEER PILOT ORGANIZATION.**—The term “volunteer pilot organization” has the meaning given such term in section 821(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

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

(a) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Comptroller

General of the United States shall initiate a review of the following:

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

(2) Petitions for exemption from the requirements of section 61.113(c) of title 14, Code of Federal Regulations, for the purpose of allowing a pilot to accept reimbursement for the fuel costs associated with a flight operation to provide charitable transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as amended by this Act, including assessment of—

(A) the conditions and limitations a petitioner must comply with if the exemption is granted and whether such conditions and limitations are—

(i) applied to petitioners in a consistent manner; and

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

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

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

(3) Charitable flights conducted without an exemption from section 61.113(c) of title 14, Code of Federal Regulations, including an analysis of the certificates, qualifications, and aeronautical experience of the operators of such flights.

(b) CONSULTATION.—In carrying out the review initiated under subsection (a), the Comptroller General shall consult with charitable organizations, including volunteer pilot organizations, aircraft owners, and pilots who volunteer to provide transportation for or on behalf of a charitable organization, flight safety experts, and employees of the Federal Aviation Administration.

(c) RECOMMENDATIONS.—As part of the review initiated under subsection (a), the Comptroller General shall make recommendations, as determined appropriate, to the Administrator of the Federal Aviation Administration to improve the rules, policies, and guidance pertaining to charitable flight operations.

(d) REPORT.—Upon completion of the review initiated under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings of such review and recommendations developed under subsection (c).

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

(a) IN GENERAL.—

(1) UNLIMITED LETTER OF AUTHORIZATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such action as may be necessary to allow for the issuance of letters of authorizations to airmen with the authorization for—

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

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

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

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

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

(ii) experimental multiengine piston powered authorized aircraft;

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

(C) shall hold 3 experimental aircraft authorizations in aircraft of the same category and class rating for the authorization sought; and

(D) may become qualified in additional experimental aircraft by completing aircraft specific training.

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

(c) FAILURE TO COMPLY.—

(1) IN GENERAL.—If the Administrator fails to implement subsection (a) within the time period prescribed in such subsection, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the implementation of such subsection on a monthly basis until the implementation is complete.

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

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

Section 2(b) of the Pilot's Bill of Rights (49 U.S.C. 44703 note) is amended by adding at the end the following:

“(6) RESPONSE TO LETTER OF INVESTIGATION.—If an individual decides to respond to a Letter of Investigation described in paragraph (2)(B) such individual may respond not later than 30 days after receipt of such Letter, including providing written comments on the incident to the investigating office.”.

#### **Subtitle B—General Aviation Safety**

#### **SEC. 221. ADS-B SAFETY ENHANCEMENT INCENTIVE PROGRAM.**

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program to provide rebates to owners of covered general aviation aircraft for the purchase of covered ADS-B equipment.

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

(c) AUTHORIZED REBATE.—

(1) AMOUNT.—A rebate approved by the Administrator to be issued to an owner of a covered general aviation aircraft shall be equal to the lesser of—

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

(B) \$2,000.

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

(d) SUNSET.—The program established under subsection (a) shall terminate on October 1, 2027.

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

(1) a software upgrade for covered ADS-B equipment;

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

(3) covered general aviation aircraft manufactured after January 1, 2020; or

(4) covered general aviation aircraft for which the Administrator has previously issued a rebate related to the purchase and installation of covered ADS-B equipment.

(f) DEFINITIONS.—In this section:

(1) ADS-B.—The term “ADS-B” means automatic dependent surveillance-broadcast.

(2) COVERED ADS-B EQUIPMENT.—The term “covered ADS-B equipment” means ADS-B equipment that—

(A) meets the performance requirements described in section 91.227 of title 14, Code of Fed-

eral Regulations (or any successor regulation); and

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

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

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

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

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on automatic dependent surveillance-broadcast equipment and usage rates across the active general aviation fleet in the United States.

(b) CONTENTS.—In conducting the study described in subsection (a), the Comptroller General shall, at a minimum—

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

(2) examine and substantiate any benefits and drawbacks of using automatic dependent surveillance-broadcast technology, including safety and operational benefits and drawbacks;

(3) survey ways to further incentivize aircraft owners to equip and use aircraft with automatic dependent surveillance-broadcast technology; and

(4) examine the benefits, costs, and feasibility of requiring equipage of automatic dependent surveillance-broadcast technology on all newly manufactured aircraft other than aircraft issued a special airworthiness certificate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on automatic dependent surveillance-broadcast described in subsection (b) and make recommendations to incentivize equipage and usage rates across the active general aviation fleet in the United States.

#### **SEC. 223. PROTECTING GENERAL AVIATION AIRPORTS FROM FAA CLOSURE.**

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

“(c) WAIVING RESTRICTIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may grant to an airport, city, or county a waiver of any of the terms, conditions, reservations, or restrictions contained in a deed under which the United States conveyed to the airport, city, or county an interest in real property for airport purposes pursuant to section 16 of the Federal Airport Act (60 Stat. 179), section 23 of the Airport and Airway Development Act of 1970 (84 Stat. 232), or this section.

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

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

“(B) Any consideration received by the airport, city, or county under subparagraph (A) shall be used exclusively for the development, improvement, operation, or maintenance of a public airport by the airport, city, or county.

“(C) Such waiver—

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

“(ii) will not result in the permanent closure of an airport (unless the Secretary determines

that the waiver will directly facilitate the construction of a replacement airport); or

“(iii) is necessary to protect or advance the civil aviation interests of the United States.

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

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

(b) SURPLUS PROPERTY.—

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

(A) by striking subsection (d) and inserting the following:

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

“(1) will not significantly impair the aeronautical purpose of an airport;

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

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

(B) by adding at the end the following:

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

“(1) the Secretary determines that an instrument conveying an interest in surplus property under this subchapter incorporates a provision providing for the reversion of such property in the event the property is not used for aeronautical purposes;

“(2) other efforts by the Secretary to ensure that the property is used by the relevant airport sponsor is used for aeronautical purposes are unsuccessful; and

“(3) the Secretary determines that a reversion—

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

“(B) will not transfer liabilities, including environmental liabilities, greater than the fair market value of the property to the Government.”; and

(2) WAIVING AND ADDING TERMS.—Section 47153(c) of title 49, United States Code, is amended to read as follows:

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

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

“(2) the Secretary determines that such waiver—

“(A) will not significantly impair the aeronautical purpose of an airport;

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

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

(c) REPEALS.—

(1) AIRPORTS NEAR CLOSED OR REALIGNED BASES.—Section 1203 of the Federal Aviation Reauthorization Act of 1996 (49 U.S.C. 47101 note), and the item relating to such section in the table of contents under section 1(b) of such Act, are repealed.

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

## SEC. 224. ENSURING SAFE LANDINGS DURING OFF-AIRPORT OPERATIONS.

The Administrator of the Federal Aviation Administration shall not apply section 91.119 of title 14, Code of Federal Regulations, in any manner that requires a pilot to continue a landing that is unsafe.

## SEC. 225. AIRPORT DIAGRAM TERMINOLOGY.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall update Airport Diagram Order JO 7910.4 and any related advisory circulars, policy, and guidance to ensure the clear and consistent use of terms to delineate the types of parking available to general aviation pilots.

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

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

(2) accounting for the majority of uses of general aviation parking terms; and

(3) providing clarity for chart users.

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

## SEC. 226. ALTERNATIVE ADS-B TECHNOLOGIES FOR USE IN CERTAIN SMALL AIRCRAFT.

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

(b) REVIEW; APPROVAL.—

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

(2) APPROVAL.—The Administrator shall work with manufacturers of such equipment to expedite technical standard order authorization, or other approvals, required by the Administrator for such equipment for use in covered aircraft.

(c) DEFINITIONS.—In this section:

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

(A) does not otherwise meet the performance requirements prescribed in section 91.227 of title 14, Code of Federal Regulations;

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

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

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

(A) a single-engine piston aircraft;

(B) an ultralight aircraft; or

(C) an aircraft not equipped with an electrical system.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed by the Administrator to require covered aircraft to install—

(1) alternative ADS-B equipment; or

(2) automatic dependent surveillance-broadcast equipment.

## SEC. 227. AIRSHOW SAFETY TEAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall coordinate with the General Aviation Joint Safety Committee to establish an Airshow

Safety Team focused on airshow and aerial event safety.

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

(1) serve as a mechanism for Federal Government and industry cooperation, communication, and coordination on airshow and aerial event safety; and

(2) reduce airshow and aerial event accidents and incidents through non-regulatory, proactive safety strategies.

(c) ACTIVITIES.—In carrying out the objectives pursuant to subsection (b), the Airshow Safety Team shall, at a minimum—

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

(2) publish and update every 2 years after initial publication an Airshow Safety Plan that incorporates consensus based and data driven mitigation measures and non-regulatory safety strategies to improve and promote safety of the public, performers, and airport personnel; and

(3) engage the airshow and aerial event community to—

(A) communicate non-regulatory, proactive safety strategies identified by the Airshow Safety Plan to mitigate incidents; and

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

(d) MEMBERSHIP.—The Administrator may request the Airshow Safety Team be comprised of at least 10 individuals, each of whom shall have knowledge or a background in the planning, execution, operation, or management of an airshow or aerial event.

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

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

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

(2) safety strategies or best practices identified by the Airshow Safety Plan that are not intended to be used by the Administrator for regulatory purposes.

## SEC. 228. TOWER MARKING NOTICE OF PROPOSED RULEMAKING.

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

(b) REPORT.—If the Administrator fails to issue the notice of proposed rulemaking pursuant to subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on the status of such rulemaking, including—

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

(2) a list of fatal aircraft accidents associated with unmarked towers that have occurred over the 5 years previous to the date of submission of the report.

### Subtitle C—Improving FAA Services

## SEC. 241. AIRCRAFT REGISTRATION VALIDITY DURING RENEWAL.

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

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

“(1) IN GENERAL.—An aircraft may be operated on or after the expiration date found on the certificate of registration issued for such aircraft under this section as if it were not expired if the operator of such aircraft has aboard the aircraft—

“(A) documentation validating that—

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

“(ii) such aircraft is compliant with maintenance, inspections, and any other requirements for the aircraft’s airworthiness certificate issued under section 44704(d); and

“(B) the most recent aircraft registration.

“(2) **PROOF OF PENDING RENEWAL APPLICATION.**—The Administrator shall provide an applicant for renewal of registration under this section with documentation described in paragraph (1)(A). Such documentation shall—

“(A) be made electronically available to the applicant immediately upon submitting an aircraft registration renewal application to the Civil Aviation Registry for an aircraft;

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

“(C) deem an aircraft’s airworthiness certificate issued under section 44704(d) as valid provided that the applicant confirms acknowledgment of the requirements of paragraph (1)(A)(ii);

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

“(E) include identifying information pertaining to such aircraft and to the registered owner.

“(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to permit any person to operate an aircraft—

“(A) with an expired registration, except as specifically provided for under this subsection; or

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

(b) **RULEMAKING; GUIDANCE.**—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule, if necessary, and update all applicable guidance and policies to implement the amendment made by this section.

#### **SEC. 242. TEMPORARY AIRMAN CERTIFICATES.**

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

“(1) **TEMPORARY AIRMAN CERTIFICATE.**—An individual may obtain a temporary airman certificate from the Administrator after requesting a permanent replacement airman certificate issued under this section. A temporary airman certificate shall be—

“(1) made available—

“(A) electronically to the individual immediately upon submitting an online application for a replacement certificate to the Administrator; or

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

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

“(ii) if the individual applies for a permanent replacement certificate other than by online application and such application has been received by the Federal Aviation Administration; and

“(2) destroyed upon receipt of the permanent replacement airman certificate from the Administrator.”.

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

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

(b) **AUTHORIZED ADDITIONAL PILOTS.**—An individual acting as an authorized additional pilot during Phase I flight testing of aircraft holding an experimental airworthiness certificate, in accordance with section 21.191 of title 14, Code of Federal Regulations, and meeting the requirements set forth in Federal Aviation Administration regulations and policy in effect

as of the date of enactment of this section, shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(c) **USE OF AIRCRAFT.**—An individual who uses, causes to use, or authorizes to use aircraft for flights conducted under subsection (a) or (b) shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(d) **REVISION OF RULES.**—

(1) **IN GENERAL.**—The requirements of this section shall become effective upon the date of enactment of this Act.

(2) **REVISION.**—The Administrator of the Federal Aviation Administration shall issue, revise, or repeal the rules, regulations, guidance, or procedures of the Federal Aviation Administration to conform to the requirements of this section.

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

(a) **IN GENERAL.**—A flight instructor, registered owner, lessor, or lessee of a covered aircraft shall not be required to obtain a letter of deviation authority from the Administrator of the Federal Aviation Administration to allow, conduct, or receive flight training, checking, and testing in such aircraft if—

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

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

(3) no person receives compensation for use of the aircraft for a specific flight during which flight training, checking, or testing was received, other than expenses for owning, operating, and maintaining the aircraft.

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

(1) an experimental category aircraft;

(2) a limited category aircraft; and

(3) a primary category aircraft.

#### **SEC. 245. NATIONAL COORDINATION AND OVERSIGHT OF DESIGNATED PILOT EXAMINERS.**

(a) **IN GENERAL.**—Not later than 16 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program or office to provide national coordination and oversight of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations.

(b) **RESPONSIBILITIES.**—The program or office established under subsection (a) shall be responsible for the following:

(1) Oversight of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, including the selection, training, duties, and deployment of such examiners.

(2) Supporting the standardization of policy, guidance, and regulations across the Administration pertaining to the selection, training, duties, and deployment of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, including evaluating the consistency by which such examiners apply Administration policies, orders, and guidance.

(3) Coordinating placement and deployment of such examiners across regions based on demand for examinations from the pilot community.

(4) Developing a code of conduct for such examiners.

(5) Deploying a survey system to track the performance and merit of such examiners.

(6) Facilitating an industry partnership to create a formal mentorship program for such examiners.

(c) **COORDINATION.**—In carrying out the responsibilities listed in subsection (b), the Administrator shall ensure the program—

(1) coordinates on an ongoing basis with flight standards district offices, designated pilot examiner managing specialists, and aviation industry stakeholders, including representatives of the general aviation community; and

(2) considers (or reconsiders) implementing the final recommendations report issued by the Designated Pilot Examiner Reforms Working Group and accepted by the Aviation Rulemaking Advisory Committee on June 17, 2021.

(d) **BRIEFING.**—The Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in each fiscal year beginning after the date of enactment of this Act through fiscal year 2028 detailing—

(1) the methodology by which designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, are deployed and any subsequent changes to the methodology to fulfill the demand for examinations;

(2) a review of the previous fiscal year detailing the average time an individual in each region must wait to schedule an appointment with such an examiner; and

(3) the turnover rates and resource costs associated with such examiners.

#### **SEC. 246. BASICMED FOR EXAMINERS ADMINISTERING TESTS OR PROFICIENCY CHECKS.**

(a) **EQUIVALENT PILOT-IN-COMMAND MEDICAL REQUIREMENTS.**—Notwithstanding section 61.23(a)(3)(iv) of title 14, Code of Federal Regulations, an examiner may administer a practical test or proficiency check if such examiner meets the medical qualification requirements under part 68 of title 14, Code of Federal Regulations, if the operation being conducted is in a covered aircraft, as such term is defined in section 2307(j) of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44703 note).

(b) **RULEMAKING.**—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to update part 61 of title 14, Code of Federal Regulations, to implement the requirements under subsection (a), in addition to any related requirements the Administrator finds are in the interest of aviation safety.

#### **SEC. 247. DESIGNEE LOCATOR TOOL IMPROVEMENTS.**

Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that the designee locator search function of the public website of the Designee Management System of the Administration has the functionality to—

(1) filter a search for an Aviation Medical Examiner (as described in section 183.21 of title 14, Code of Federal Regulations) by sex, if such information is available;

(2) display credentials and aircraft qualifications of a designated pilot examiner (as described in section 183.23 of such title); and

(3) display the scheduling availability of a designated pilot examiner (as described in section 183.23 of such title) to administer a test or proficiency check to an airman.

#### **SEC. 248. DEADLINE TO ELIMINATE AIRCRAFT REGISTRATION BACKLOG.**

Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such actions as may be necessary to reduce and maintain the aircraft registration and recordation backlog at the Civil Aviation Registry so that, on average, applications are processed not later than 10 business days after receipt.

#### **SEC. 249. PART 135 AIR CARRIER CERTIFICATE BACKLOG.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall take such actions as may be necessary to achieve the goal of reducing the backlog of air carrier certificate applications under part 135 of title 14, Code of Federal Regulations, to—

(1) not later than 1 year after the date of enactment of this Act, maintain an average certificate decision time of less than 60 days; and

(2) not later than 2 years after the date of enactment of this Act, maintain an average certificate decision time of less than 30 days.



(b) MEASURES.—In meeting the goal under subsection (a), the Administrator may—

(1) assign, as appropriate, additional personnel or support staff, including on a temporary basis, to review, adjudicate, and approve applications;

(2) improve and expand promotion of existing applicant resources which could improve the quality of applications submitted to decrease the need for Administration applicant coordination and communications; and

(3) take into consideration any third-party entity that assisted in the preparation of an application for an air carrier certificate under part 135 of title 14, Code of Federal Regulations.

(c) WORKING GROUP.—The Administrator shall convene a working group comprised of industry stakeholders and aviation experts to—

(1) not later than 1 year after the date of enactment of this Act, study methods and make recommendations to clarify requirements and standardize the process for conducting and completing aircraft conformity processes for existing air carriers and operators under part 135 of title 14, Code of Federal Regulations, in a timely manner, which shall include—

(A) developing a plan to honor or expedite the consideration of previously accepted aircraft configuration evaluations when an aircraft moves from one certificate under part 135 of title 14, Code of Federal Regulations, to another such certificate;

(B) streamlining protocols for operators under such part 135 to add an aircraft that was listed on another certificate under such part 135 immediately prior to moving to the new carrier; and

(C) evaluating non-safety related Federal Aviation Administration policies, guidance, and documentation and identify needed changes to such policies, guidance, and documentation to accomplish subparagraph (B); and

(2) not later than 2 years after the date of enactment of this Act—

(A) study and review methods to modernize and improve the air carrier certification process under part 135 of title 14, Code of Federal Regulations; and

(B) recommend long-term solutions for effective management of Administration resources dedicated to approving air carrier certificate applications under such part 135.

(d) CONGRESSIONAL BRIEFING.—Beginning 6 months after the date of enactment of this Act, and not less than every 6 months thereafter until the Administrator complies with the requirements under subsection (a)(2), the Administrator shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the backlog of air carrier certificate applications under part 135 of title 14, Code of Federal Regulations, any measures the Administrator has put in place under subsection (b), and any recommendations received from the review under subsection (c).

#### SEC. 250. LOGGING FLIGHT TIME ACCRUED IN CERTAIN PUBLIC AIRCRAFT.

(a) COMPLETION OF RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule modifying section 61.51(j)(4) of title 14, Code of Federal Regulations, to include aircraft under the direct operational control of forestry and fire protection agencies, as required by section 517 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44703 note).

(b) FAILURE TO COMPLETE RULEMAKING.—If the Administrator fails to issue a final rule pursuant to subsection (a) by the deadline described in such subsection, beginning on the date that is 18 months after the date of enactment of this Act—

(1) notwithstanding section 61.51(j)(4) of title 14, Code of Federal Regulations, a pilot, while engaged on an official flight for a Federal, State, county, or municipal forestry or fire pro-

tection agency, may log flight time so long as the time acquired is in an aircraft that—

(A) is identified as an aircraft under section 61.5(b) of such title; and

(B) is a public aircraft under the direct operational control of a forestry or fire protection agency; and

(2) the Administrator may not take an enforcement action against the pilot for logging such flight time as described in paragraph (1).

(c) SUNSET.—Subsection (b) shall cease to be effective on the date on which the final rule required under subsection (a) is effective.

#### SEC. 251. FLIGHT INSTRUCTOR CERTIFICATES.

(a) COMPLETION OF RULEMAKING.—Not later than 36 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule for the rulemaking activity titled “Removal of the Expiration Date on a Flight Instructor Certificate”, published in Fall 2022 in the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120-AL25) to, at a minimum, update part 61 of title 14, Code of Federal Regulations, to—

(1) remove the expiration date on a flight instructor certificate; and

(2) replace the requirement that a flight instructor renews their flight instructor certificate with appropriate recent experience requirements for the holder of a flight instructor certificate to exercise the privileges of such certificate.

(b) FAILURE TO COMPLETE RULEMAKING.—If the Administrator fails to issue a final rule pursuant to subsection (a) before the deadline prescribed in that subsection, beginning on the date that is 36 months after the date of enactment of this Act—

(1) notwithstanding sections 61.19(d) and 61.197 of title 14, Code of Federal Regulations, an individual holding a flight instructor certificate that is not expired as of the date that is 36 months after the date of enactment of this Act may exercise the privileges of the certificate regardless of whether the certificate subsequently expires, provided that the individual meets eligibility requirements in accordance with section 61.183 of title 14, Code of Federal Regulations; and

(2) the Administrator—

(A) shall consider a flight instructor certificate described in paragraph (1) as having no expiration date; and

(B) may not enforce any regulation attributed to the renewal of a flight instructor certificate of an individual.

(c) SUNSET.—Subsection (b) shall cease to be effective on the effective date of a final rule issued pursuant to subsection (a).

#### SEC. 252. CONSISTENCY OF POLICY APPLICATION IN FLIGHT STANDARDS AND AIRCRAFT CERTIFICATION.

(a) IN GENERAL.—The inspector general of the Department of Transportation shall initiate audits, as described in subsection (d), of the Flight Standards and Aircraft Certification Services of the Federal Aviation Administration, and the personnel of such offices, on the consistency of—

(1) the interpretation of policies, orders, guidance, and regulations; and

(2) the application of policies, orders, guidance, and regulations.

(b) COMPONENTS.—In completing the audits required under this section, the inspector general shall interview stakeholders, including at a minimum, individuals or entities that—

(1) hold a certificate or authorization related to the issue being audited under subsection (d);

(2) are from different regions of the country with matters before different flight standards district offices or aircraft certification offices of the Administration;

(3) work with multiple flight standards district offices or aircraft certification offices of the Administration; or

(4) hold a single or multiple relevant certificates or authorizations.

(c) REPORTS.—The inspector general of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Secretary of Transportation, and the Administrator of the Federal Aviation Administration a report for each audit required in this section, containing the results of the audit, including findings and recommendations to the Administrator to improve the consistency of decision-making by Flight Standards and Aircraft Certification Services offices of the Administration.

(d) AUDITS.—The inspector general shall complete an audit and issue the associated report required under subsection (c) not later than—

(1) 18 months after the date of enactment of this Act, with regard to supplemental type certificates;

(2) 34 months after the date of enactment of this Act, with regard to repair stations certificated under part 145 of title 14, Code of Federal Regulations; and

(3) 50 months after the date of enactment of this Act, with regard to technical standards orders.

(e) IMPLEMENTATION.—In addressing any recommendations from the inspector general contained in the reports required under subsection (c), the Administrator shall—

(1) maintain an implementation plan; and

(2) broadly adopt any best practices to improve the consistency of interpretation and application of policies, orders, guidance, and regulations by other offices of the Administration and with regard to other activities of the Administration.

(f) BRIEFING.—Not later than 6 months after receiving a report required under subsection (c), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation plan required under subsection (d), the status of any recommendation received pursuant to this section, and any best practices that are being implemented more broadly.

#### SEC. 253. APPLICATION OF POLICIES, ORDERS, AND GUIDANCE.

Section 44701 of title 49, United States Code, is amended by adding at the end the following:

“(g) POLICIES, ORDERS, AND GUIDANCE.—

“(1) CONSISTENCY OF APPLICATION.—The Administrator shall ensure consistency in the application of policies, orders, and guidance of the Administration by—

“(A) regular audits of the application and interpretation of such material by Administration personnel from person to person and office to office;

“(B) updating policies, orders, and guidance to resolve inconsistencies and clarify demonstrated ambiguities, such as through repeated inconsistent interpretation; and

“(C) ensuring officials are properly documenting findings and decisions throughout a project to decrease the occurrence of duplicative work and inconsistent findings by subsequent officials assigned to the same project.

“(2) ALTERATIONS.—The Administrator shall consult as appropriate with regulated entities who will be impacted by proposed changes to the content or application of policies, orders, and guidance before making such changes.

“(3) AUTHORITIES AND REGULATIONS.—The Administrator shall issue policies, orders, and guidance documents that are related to a law or regulation or clarify the intent of or compliance with specific laws and regulations.”.

#### SEC. 254. EXPANSION OF THE REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

Section 224 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44701 note) is amended—

(1) in subsection (c)—

(A) in paragraph (2) by striking “; and” and inserting a semicolon;

(B) in paragraph (3) by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(4) the Office of Airports;

“(5) the Office of Security and Hazardous Materials Safety;

“(6) the Office of Rulemaking and Regulatory Improvement; and

“(7) such other offices as the Administrator determines appropriate.”; and

(2) in subsection (d)(1)—

(A) in subparagraph (A) by striking “anonymous regulatory interpretation questions” and inserting “regulatory interpretation questions, including anonymously.”;

(B) in subparagraph (C) by striking “anonymous regulatory interpretation questions” and inserting “regulatory interpretation questions, including anonymously.”; and

(C) by adding at the end the following:

“(6) Submit recommendations, as needed, to the Assistant Administrator for Rulemaking and Regulatory Improvement for consideration.”.

#### **SEC. 255. EXEMPTION OF FEES FOR AIR TRAFFIC SERVICES.**

(a) IN GENERAL.—Chapter 453 of title 49, United States Code, is amended by adding at the end the following:

##### **“§ 45307. Exemption of fees for air traffic services**

“(a) REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.—The Administrator shall provide or ensure the provisioning of air traffic services and aviation safety support for large, multiday aviation events, including airshows and fly-ins, where the average daily number of manned operations were 1,000 or greater in at least 1 of the preceding 3 years, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Administration.

“(b) DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

“(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

“(2) The anticipated need for services and support at the event.”.

(b) CLERICAL AMENDMENT.—The analysis of chapter 453 of title 49, United States Code, is amended by adding at the end the following:

“Sec. 45307. Exemption of fees for air traffic services.”.

(c) CONFORMING REPEAL.—Section 530 of the FAA Reauthorization of 2018 (49 U.S.C. 40103 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

#### **SEC. 256. MODERNIZATION OF SPECIAL AIRWORTHINESS CERTIFICATION RULEMAKING DEADLINE.**

Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule for the rulemaking activity titled “Modernization of Special Airworthiness Certification”, published in Fall 2022 in the long-term actions of the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120-AL50).

#### **SEC. 257. TERMINATION OF DESIGNEES.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update the Administration’s Designee Management Policy (FAA Order 8000.95B), or any successor order, to ensure due process and increase transparency in Federal Aviation Administration-initiated terminations of designees.

(b) UPDATES TO THE DESIGNEE MANAGEMENT POLICY.—In updating the Administration’s Des-

ignee Management Policy under subsection (a), the Administrator shall, at a minimum, provide for the following:

(1) A process by which a designee—

(A) is notified of the root causes and reasons for a termination initiated by the Administrator;

(B) is notified of the change in a delegated authority to “suspended” or “terminated” during a Federal Aviation Administration-initiated termination;

(C) is provided a point of contact, who is independent of any investigation or termination action involving the designee, within the Administration, to correspond with for purposes of discussing the termination process and the designee’s status, including the handling of correspondence during the investigation process described in paragraph (2), if applicable, and the review panel described in paragraph (3);

(D) is notified of the results of the investigation described in paragraph (2) in a reasonable and timely manner, which shall include notice of additional action by the Administrator, if required; and

(E) may respond within 30 calendar days to the Administrator if the Administrator determines that a termination for cause is the appropriate course of action and initiates such action.

(2) An investigation process to determine the appropriate outcome in situations in which termination is being considered by the Administrator, which shall include the following elements:

(A) The root causes and reasons for the investigation, including any complaints or allegations.

(B) Collection of evidence related to the investigation.

(C) A review of the facts and circumstances surrounding the case.

(D) A review of the designee’s record in the designee management system and any relevant background information in the appropriate Federal Aviation Administration databases to determine if there is a pattern of inappropriate behavior or misconduct.

(E) A review of the designee’s response to the investigation, if provided, to include any documentation provided by the designee.

(F) A decision on the appropriate course of action based on the results of the investigation.

(G) Recording the results of the investigation in the Federal Aviation Administration’s designee management system.

(H) A notification to the designee that an investigation has been initiated, but only after it is determined through an established process that such notification would not adversely impact the investigation or safety.

(3) A review panel to determine whether a termination is appropriate when termination for cause is a possible outcome upon the completion of the investigation described in paragraph (2), of which such review panel shall—

(A) consider the elements of the investigation process provided for under paragraph (2), including the designee’s response to the investigation and any associated documents, if provided; and

(B) complete the review process within 45 calendar days of the Administrator initiating a for cause termination decision of a designee.

(c) SUBSEQUENT REVIEW FOR DESIGNATED PILOT EXAMINERS.—

(1) IN GENERAL.—The Administrator shall set up a process through which a Designated Pilot Examiner terminated for cause may request a subsequent review by the Executive Director of the Flight Standards Service.

(2) REQUEST.—A Designated Pilot Examiner terminated for cause may request a subsequent review described in paragraph (1) not later than 15 calendar days after termination.

(3) REVIEW.—The Executive Director shall review all relevant information and facts by which the decision was made to terminate the designee, including the information considered by the review panel, and issue a final determination.

(4) TIMING.—Such final determination shall be issued by the Director not later than 45 calendar days upon receiving the request.

(d) LIMITATION ON INVESTIGATION AND REVIEW PANEL PARTICIPANTS.—An Administration employee involved in the selection, appointment, or management of a designee the Administrator is investigating or terminating for cause may not be party—

(1) to an investigation described in subsection (b)(2) of such designee; or

(2) participating on a review panel described in subsection (b)(3) pertaining to such designee.

#### **SEC. 258. PART 135 CHECK AIRMEN REFORMS.**

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall assign to the Aviation Rulemaking Advisory Committee (in this section referred to as the “Committee”) the task of reviewing all regulations and policies related to check airmen for air carrier operations conducted under part 135 of title 14, Code of Federal Regulations.

(b) DUTIES.—The Committee shall—

(1) review the processes and requirements by which authorized check airmen are selected, trained, and approved by the Administrator, and provide recommendations with respect to the regulatory and policy changes necessary to ensure efficient training and utilization of such check airmen;

(2) review differences in qualification standards between an inspector of the Federal Aviation Administration and an authorized check airmen in evaluating and certifying the knowledge and skills of pilots; and

(3) make recommendations with respect to the regulatory and policy changes necessary to allow authorized check airmen to perform duties beyond the duties permitted on the date of enactment of this Act.

(c) ACTION BASED ON RECOMMENDATIONS.—Not later than 1 year after receiving recommendations under subsection (a), the Administrator shall take such action as the Administrator considers appropriate with respect to such recommendations.

(d) DEFINITION OF AUTHORIZED CHECK AIRMAN.—In this section, the term “authorized check airman” means an individual employed by an air carrier that meets the qualifications and training requirements of sections 135.337 and 135.339 of title 14, Code of Federal Regulations, and is approved to evaluate and certify the knowledge and skills of pilots employed by such air carrier.

#### **Subtitle D—Other Provisions**

#### **SEC. 261. REQUIRED CONSULTATION WITH NATIONAL PARKS OVERFLIGHTS ADVISORY GROUP.**

Section 40128(b)(4) of title 49, United States Code, is amended—

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

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

(3) by adding at the end the following:

“(E) consult with the advisory group established under section 805 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) and consider all advice, information, and recommendations provided by the advisory group to the Administrator and the Director.”.

#### **SEC. 262. SUPPLEMENTAL OXYGEN REGULATORY REFORM.**

(a) IN GENERAL.—Beginning on the date that is 30 days after the date of enactment of this Act, the following regulations shall cease to apply to any aircraft operating below 41,000 feet above mean sea level:

(1) Paragraphs (3) and (4) of section 135.89(b) of title 14, Code of Federal Regulations (or any successor regulations).

(2) Paragraphs (1)(ii) and (2) of section 91.211(b) of title 14, Code of Federal Regulations (or any successor regulations).

(b) CONFORMING AMENDMENT.—Not later than 1 year after the date of enactment of this Act,

the Administrator of the Federal Aviation Administration shall issue a final regulation revising the provisions of title 14, Code of Federal Regulations, described in paragraphs (1) and (2) of subsection (a) to conform to the limitation in applicability pursuant to subsection (a).

**SEC. 263. EXCLUSION OF GYROPLANES FROM FUEL SYSTEM REQUIREMENTS.**

Section 44737 of title 49, United States Code, is amended—

- (1) by striking “rotorcraft” and inserting “helicopter” each place it appears; and
- (2) by adding at the end the following:

“(d) EXEMPTION.—A helicopter issued an experimental certificate under section 21.191 of title 14, Code of Federal Regulations (or any successor regulations), or operating under a Special Flight Permit issued under section 21.197 of title 14, Code of Federal Regulations (or any successor regulations), is exempt from the requirements of this section.”.

**SEC. 264. AIRSHOW VENUE INFORMATION, AWARENESS, TRAINING, AND EDUCATION PROGRAM.**

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program, in cooperation with the National Center for the Advancement of Aerospace, to be known as the “Airshow Venue Information, Awareness, Training, and Education Program” (in this section referred to as the “AVIATE Program”).

(b) OBJECTIVE.—The objectives of the AVIATE Program shall be—

- (1) to make information available to general aviation airport managers, local government officials, and other relevant stakeholders about how to host an airshow;
- (2) to provide guidance and resources to help organizers plan and execute airshows and aerial events, including—

- (A) compliance with all applicable regulations;
- (B) providing technical assistance in establishing—

- (i) emergency response plans; and
- (ii) communication plans between relevant event stakeholders, including local enforcement and emergency first responders; and
- (C) ensuring protection of the public, performers, and airport personnel;

- (3) to promote public awareness and engagement with airshows and aerial events, including opportunities for community education, outreach, and involvement; and
- (4) to provide access to tools and resources that enable general aviation airport managers, local government officials, and other relevant stakeholders to understand the impact of airshows and aerial events on local economies and communities.

(c) ADMINISTRATION.—In carrying out the AVIATE Program, the Administrator shall consult and coordinate, as appropriate, with relevant stakeholders, including—

- (1) airshow safety experts;
- (2) general aviation aircraft owners and operators, including experimental aircraft owners and operators;
- (3) general aviation airports, including airport officials;
- (4) air traffic control specialists with knowledge of coordinating airshows and aerial events, including experts from the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code; and
- (5) experts from the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code.

**SEC. 265. LOW ALTITUDE ROTORCRAFT AND POWERED-LIFT OPERATIONS.**

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, as appropriate, establish or update low altitude routes and flight procedures to ensure safe rotorcraft and powered-lift aircraft operations within Class B airspace of the national airspace system.

(b) FLIGHT PROCEDURES.—In carrying out subsection (a), the Administrator shall, as appropriate, establish or update approach and departure procedures at public-use airports and heliports within Class B airspace for rotorcraft and powered-lift aircraft operations.

(c) FLIGHT ROUTES.—

(1) IN GENERAL.—In carrying out this section, the Administrator shall revise part 71 of title 14, Code of Federal Regulations, as necessary, to establish or update low altitude routes related to Class B airspace operations for rotorcraft and powered-lift aircraft.

(2) CONSIDERATIONS.—In carrying out this section, the Administrator shall consider the impact of such low altitude flight routes described in paragraph (1) on other airspace users and impacted communities to ensure that such routes are designed to minimize—

- (A) the potential for conflict with existing national airspace system operations;
- (B) the workload of air traffic controllers; and
- (C) negative effects to impacted communities.

(d) CONSULTATION.—In carrying out this section, the Administrator shall develop the procedures and routes required under subsection (b) and (c) in consultation with—

- (1) rotorcraft operators, including air ambulance operators;
- (2) powered-lift operators;
- (3) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and
- (4) any other relevant stakeholders as determined by the Administrator.

**SEC. 266. BASICMED IN NORTH AMERICA.**

The Administrator of the Federal Aviation Administration shall seek to facilitate the recognition of medical qualifications under part 68 of title 14, Code of Federal Regulations, with civil aviation authorities in Canada and such other foreign countries that the Administrator determines are appropriate.

(1) rotorcraft operators, including air ambulance operators;

(2) powered-lift operators;

(3) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(4) any other relevant stakeholders as determined by the Administrator.

**SEC. 267. ELIMINATE AVIATION GASOLINE LEAD EMISSIONS.**

(a) EAGLE INITIATIVE.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue to partner with industry and other Federal Government stakeholders in carrying out the Eliminate Aviation Gasoline Lead Emissions Initiative (in this section referred to as the “EAGLE Initiative”).

(2) FAA RESPONSIBILITIES.—In collaborating with industry and other Government stakeholders to carry out the EAGLE Initiative, the Administrator shall take such actions as may be necessary under the Administrator’s authority to facilitate—

(A) the safe elimination of the use of leaded aviation gasoline by piston-engine aircraft by the end of 2030 without adversely affecting the piston-engine aircraft fleet;

(B) the approval of unleaded alternatives to leaded aviation gasoline for use in all piston-engine aircraft types and piston-engine types;

(C) the implementation of the requirements of section 431 as they relate to the continued availability of aviation gasoline;

(D) efforts to make approved unleaded aviation gasoline widely available at airports; and

(E) the development and implementation of a transition plan to safely expedite the transition of the piston-engine general aviation aircraft fleet to unleaded fuels by 2030.

(3) ACTIVITIES.—In carrying out the Administrator’s responsibilities pursuant to paragraph (2), the Administrator, at a minimum, shall—

(A) develop and publish, as soon as practicable, a fleet authorization process for the efficient approval or authorization of unleaded aviation gasolines;

(B) review, update, and prioritize, as soon as practicable, certification processes and projects

for aircraft engines and modifications to such engines to operate with unleaded aviation gasoline;

(C) evaluate and support programs that accelerate the creation, evaluation, qualification, deployment, and use of unleaded aviation gasolines;

(D) carry out, in partnership with the general aviation community, an ongoing campaign for training and educating aircraft owners and operators on how to safely transition to unleaded aviation gasoline;

(E) evaluate aircraft and aircraft engines to ensure that such aircraft and aircraft engines can operate with unleaded aviation gasoline candidates during cold weather conditions; and

(F) facilitate Government policy, regulatory proposals, and voluntary consensus standards with the objective of achieving the following:

(i) Establishing a commercially viable supply chain for unleaded aviation gasolines.

(ii) Facilitating market-based production and distribution of unleaded aviation gasolines.

(iii) Encouraging procurement of equipment required for the deployment, storage, and dispensing of unleaded aviation gasolines.

(4) CONSULTATION AND COORDINATION WITH RELEVANT STAKEHOLDERS.—In carrying out the EAGLE Initiative, the Administrator shall continue to consult and coordinate, as appropriate, with relevant stakeholders, including—

(A) general aviation aircraft engine, aircraft propulsion, and aircraft airframe manufacturers;

(B) general aviation aircraft users, aircraft owners, aircraft pilots, and aircraft operators;

(C) airports, heliports, and fixed-base operators;

(D) State, local, and Tribal airport officials or public agencies, with representation from both urban and rural areas;

(E) representatives of the petroleum industry, including developers, refiners, producers, and distributors of unleaded aviation gasolines; and

(F) air carriers and commercial operators operating under part 135 of title 14, Code of Federal Regulations.

(5) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(i) contains an updated strategic plan for developing a fleet authorization process for efficient approval and use of unleaded aviation gasolines;

(ii) describes the structure and involvement of all Federal Aviation Administration offices that have responsibilities described in paragraph (2); and

(iii) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely transition to unleaded aviation gasoline for the piston-engine aircraft fleet.

(B) ANNUAL REPORTING.—Not later than 1 year after the date on which the Administrator submits the initial report under subparagraph (A), and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on activities and progress of the EAGLE Initiative.

(C) SUNSET.—Subparagraph (B) shall cease to be effective after December 31, 2030.

(b) TRANSITION PLAN TO UNLEADED FUELS.—

(1) IN GENERAL.—In developing the transition plan under subsection (a)(2)(E), the Administrator shall, at a minimum, assess the following:

(A) Efforts undertaken by the EAGLE Initiative, including progress towards—

(i) safely eliminating the use of leaded aviation gasoline by piston-engine aircraft by the

for aircraft engines and modifications to such engines to operate with unleaded aviation gasoline;

(C) evaluate and support programs that accelerate the creation, evaluation, qualification, deployment, and use of unleaded aviation gasolines;

(D) carry out, in partnership with the general aviation community, an ongoing campaign for training and educating aircraft owners and operators on how to safely transition to unleaded aviation gasoline;

(E) evaluate aircraft and aircraft engines to ensure that such aircraft and aircraft engines can operate with unleaded aviation gasoline candidates during cold weather conditions; and

(F) facilitate Government policy, regulatory proposals, and voluntary consensus standards with the objective of achieving the following:

(i) Establishing a commercially viable supply chain for unleaded aviation gasolines.

(ii) Facilitating market-based production and distribution of unleaded aviation gasolines.

(iii) Encouraging procurement of equipment required for the deployment, storage, and dispensing of unleaded aviation gasolines.

(4) CONSULTATION AND COORDINATION WITH RELEVANT STAKEHOLDERS.—In carrying out the EAGLE Initiative, the Administrator shall continue to consult and coordinate, as appropriate, with relevant stakeholders, including—

(A) general aviation aircraft engine, aircraft propulsion, and aircraft airframe manufacturers;

(B) general aviation aircraft users, aircraft owners, aircraft pilots, and aircraft operators;

(C) airports, heliports, and fixed-base operators;

(D) State, local, and Tribal airport officials or public agencies, with representation from both urban and rural areas;

(E) representatives of the petroleum industry, including developers, refiners, producers, and distributors of unleaded aviation gasolines; and

(F) air carriers and commercial operators operating under part 135 of title 14, Code of Federal Regulations.

(5) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(i) contains an updated strategic plan for developing a fleet authorization process for efficient approval and use of unleaded aviation gasolines;

(ii) describes the structure and involvement of all Federal Aviation Administration offices that have responsibilities described in paragraph (2); and

(iii) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely transition to unleaded aviation gasoline for the piston-engine aircraft fleet.

(B) ANNUAL REPORTING.—Not later than 1 year after the date on which the Administrator submits the initial report under subparagraph (A), and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on activities and progress of the EAGLE Initiative.

(C) SUNSET.—Subparagraph (B) shall cease to be effective after December 31, 2030.

(b) TRANSITION PLAN TO UNLEADED FUELS.—

(1) IN GENERAL.—In developing the transition plan under subsection (a)(2)(E), the Administrator shall, at a minimum, assess the following:

(A) Efforts undertaken by the EAGLE Initiative, including progress towards—

(i) safely eliminating the use of leaded aviation gasoline by piston-engine aircraft by the

end of 2030 without adversely affecting the piston-engine aircraft fleet;

(ii) approving unleaded alternatives to leaded aviation gasoline for use in all piston-engine aircraft types and piston-engine types; and

(iii) facilitating efforts to make approved unleaded aviation gasoline widely available at airports.

(B) The evaluation and development of necessary airport infrastructure, including fuel storage and dispensing facilities, to support the distribution and storage of unleaded aviation gasoline.

(C) The establishment of best practices for piston-engine aircraft owners and operators, airport managers and personnel, aircraft maintenance technicians, and other appropriate personnel for protecting against exposure to lead containment when—

(i) conducting fueling operations;

(ii) disposing of inspected gasoline samples;

(iii) performing aircraft maintenance; and

(iii) conducting engine run-ups.

(D) Efforts to address supply chain and other logistical barriers inhibiting the timely distribution of unleaded aviation gasoline to airports.

(E) Outreach efforts to educate and update piston-engine aircraft owners and operators, airport operators, and other members of the general aviation community on the potential benefits, availability, and safety of unleaded aviation gasoline.

(2) **CONSULTATION.**—In developing such transition plan, the Administrator shall consult, at a minimum, with representatives of entities described in subsection (a)(4).

(3) **PUBLICATION; GUIDANCE.**—Upon completion of developing such transition plan, the Administrator shall—

(A) make the plan available to the public on an appropriate webpage of the Administration; and

(B) provide guidance supporting the implementation of the transition plan.

(4) **COORDINATION WITH EAGLE INITIATIVE.**—In developing such transition plan and associated guidance pertaining to the implementation of such transition plan, the Administrator shall consult and coordinate with individuals carrying out the EAGLE Initiative.

(5) **MAPPING UNLEADED AVIATION GASOLINE.**—The Administrator shall develop and continuously update websites, brochures, and other communication materials associated with such transition plan to clearly convey the availability of unleaded aviation gasoline at airports.

(6) **BRIEFING TO CONGRESS.**—Not later than 60 days after the publication of such transition plan, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology of the Senate on such transition plan and any efforts or actions pertaining to the implementation of such transition plan.

### TITLE III—AEROSPACE WORKFORCE

#### Subtitle A—Growing the Talent Pool

### SEC. 301. EXTENSION OF AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

Section 625(b)(1) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking “section 48105” and all that follows through the period at the end and inserting the following: “section 48105 of title 49, United States Code, not more than—

“(A) \$15,000,000 for each of fiscal years 2024 through 2026 is authorized to be expended to provide grants under the program established under subsection (a)(1); and

“(B) \$15,000,000 for each of fiscal years 2024 through 2026 is authorized to provide grants under the program established under subsection (a)(2).

“(C) \$15,000,000 for each of fiscal years 2024 through 2026 is authorized to be expended to provide grants under the program established under subsection (a)(3).”.

### SEC. 302. IMPROVING AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

(a) **MANUFACTURING PROGRAM.**—Section 625(a) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended—

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

(2) in paragraph (2) by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(3) a program to provide grants for eligible projects to support the education and recruitment of aviation manufacturing workers and the development of the aviation manufacturing workforce.”.

(b) **PROJECT GRANTS.**—Section 625(b) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended—

(1) in paragraph (2) by striking “\$500,000” and inserting “\$750,000”; and

(2) by adding at the end the following:

“(3) **EDUCATION PROJECTS.**—The Secretary shall ensure that not less than 20 percent of the amounts authorized to be expended under this subsection shall be used to carry out a grant program which shall be referred to as the ‘Willa Brown Aviation Education Program’ (in this paragraph referred to as the ‘Program’) under which the Secretary shall provide grants for eligible projects described in subsection (d) that are carried out in communities in counties containing at least 1 qualified opportunity zone (as such term is defined in section 1400Z–1(a) of the Internal Revenue Code of 1986).”.

(c) **ELIGIBLE APPLICATIONS.**—Section 625(c) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) **APPLICATION FOR AIRCRAFT PILOT PROGRAM.**—An application for a grant under the program established under subsection (a)(1) may be submitted, in such form as the Secretary may specify, by—

“(A) an air carrier, as defined in section 40102 of title 49, United States Code;

“(B) an entity that holds management specifications under subpart K of title 91 of title 14, Code of Federal Regulations;

“(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(D) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations;

“(E) a labor organization representing professional pilots;

“(F) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

“(G) a State, local, territorial, or Tribal governmental entity.

“(2) **APPLICATION FOR AVIATION MAINTENANCE PROGRAM.**—An application for a grant under the program established under subsection (a)(2) may be submitted, in such form as the Secretary may specify, by—

“(A) a holder of a certificate issued under part 21, 121, 135, 145, or 147 of title 14, Code of Federal Regulations;

“(B) a labor organization representing aviation maintenance workers;

“(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(D) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

“(E) a State, local, territorial, or Tribal governmental entity.

“(3) **APPLICATION FOR AVIATION MANUFACTURING PROGRAM.**—An application for a grant under the program established under subsection (a)(3) may be submitted, in such form as the Secretary may specify, by—

“(A) an entity that—

“(i) actively designs or manufactures any aircraft, aircraft engine, propeller, or appliance, or a component, part, or system thereof, covered under a type or production certificate issued under section 44704; and

“(ii) has significant operations in the United States and a majority of the employees of such entity that are engaged in aviation manufacturing or development activities and services are based in the United States;

“(B) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(C) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

“(D) a State, local, territorial, or Tribal governmental entity.”.

(d) **ELIGIBLE PROJECTS.**—Section 625(d) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) **AIRCRAFT PILOT PROGRAM.**—For purposes of the program established under subsection (a)(1), an eligible project is a project—

“(A) to create and deliver curriculum that provides high school or secondary school students with meaningful aviation education to become aircraft pilots, aerospace engineers, or unmanned aircraft systems operators, including purchasing and operating a computer-based simulator associated with such curriculum;

“(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

“(C) to create and deliver curriculum that provides certified flight instructors with the necessary instructional, leadership, and communication skills to better educate student pilots;

“(D) to support transition to professional pilot careers, including for members of the Armed Forces; or

“(E) to support robust outreach about careers in the commercial aviation as a professional pilot, including outreach to primary, secondary, and post-secondary school students.

“(2) **AVIATION MAINTENANCE PROGRAM.**—For purposes of the program established under subsection (a)(2), an eligible project is a project—

“(A) to create and deliver curriculum that provides high school and secondary school students with meaningful aviation maintenance education to become an aviation mechanic or aviation maintenance technician, including purchasing and operating equipment associated with such curriculum;

“(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

“(C) to establish or improve apprenticeship, internship, or scholarship programs for individuals pursuing employment in the aviation maintenance industry;

“(D) to support transition to aviation maintenance careers, including for members of the Armed Forces; or

“(E) to support robust outreach about careers in the aviation maintenance industry, including outreach to primary, secondary, and post-secondary school students.

“(3) AVIATION MANUFACTURING PROGRAM.—For purposes of the program established under subsection (a)(3), and eligible project is a project—

“(A) to create and deliver curriculum that provides high school and secondary school students with meaningful aviation manufacturing education, including teaching the technical skills used in the production of components, parts, or systems thereof for inclusion in an aircraft, aircraft engine, propeller, or appliance;

“(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

“(C) to establish apprenticeship, internship, or scholarship programs for individuals pursuing employment in the aviation manufacturing industry;

“(D) to support transition to aviation manufacturing careers, including for members of the Armed Forces; or

“(E) to support robust outreach about careers in the aviation manufacturing industry, including outreach to primary, secondary, and post-secondary school students.”

(e) REPORTING AND MONITORING REQUIREMENTS.—Section 625 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by adding at the end the following:

“(f) REPORTING AND MONITORING REQUIREMENTS.—The Secretary shall establish reasonable reporting and monitoring requirements for grant recipients under this section to measure relevant outcomes for the grant programs established under paragraphs (1), (2), and (3) of subsection (a).

“(g) NOTICE OF GRANTS.—

“(1) TIMELY PUBLIC NOTICE.—The Secretary shall provide public notice of any grant awarded under this section in a timely fashion after the Secretary awards such grant.

“(2) NOTICE TO CONGRESS.—The Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate advance notice of a grant to be made under this section.

“(h) TERMINATION.—The authority of the Secretary to issue grants under this section shall terminate on September 30, 2026.”

#### SEC. 303. NATIONAL CENTER FOR THE ADVANCEMENT OF AEROSPACE.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

##### “§ 120. National Center for the Advancement of Aerospace

“(a) FEDERAL CHARTER AND STATUS.—

“(1) IN GENERAL.—The National Center for the Advancement of Aerospace (in this section referred to as the ‘Center’) is a federally chartered entity which shall be incorporated in the District of Columbia. The Center is a private independent entity, not a department, agency, or instrumentality of the United States Government or a component thereof. Except as provided in subsection (f)(1), an officer or employee of the Center is not an officer or employee of the Federal Government.

“(2) PERPETUAL EXISTENCE.—Except as otherwise provided, the Center shall have perpetual existence.

“(b) GOVERNING BODY.—

“(1) IN GENERAL.—The Board of Directors (in this section referred to as the ‘Board’) is the governing body of the Center.

“(2) AUTHORITY.—

“(A) IN GENERAL.—The Board shall adopt bylaws, policies, and procedures to carry out the purpose of the Center and may take any other action that it considers necessary (in accordance with the duties and powers of the Center) for the management and operation of the Center. The Board is responsible for the general policies and management of the Center and for the control of all funds of the Center.

“(B) POWERS OF BOARD.—The Board shall have the power to do the following:

“(i) Adopt and alter a corporate seal.

“(ii) Establish and maintain offices to conduct its activities.

“(iii) Enter into contracts or agreements as a private entity not subject to the requirements of title 41.

“(iv) Acquire, own, lease, encumber, transfer, and dispose of property as necessary and appropriate to carry out the purposes of the Center.

“(v) Publish documents and other publications in a publicly accessible manner.

“(vi) Incur and pay obligations as a private entity not subject to the requirements of title 31.

“(vii) Perform any other act necessary and proper to carry out the purposes of the Center as described in its bylaws or duties outlined in this section.

“(3) MEMBERSHIP OF THE BOARD.—

“(A) IN GENERAL.—The Board shall have 10 Directors as follows:

“(i) EX-OFFICIO MEMBERSHIP.—The following individuals, or their designees, shall be considered ex-officio members of the Board:

“(I) The Administrator of the Federal Aviation Administration.

“(II) The Executive Director, pursuant to paragraph (5)(D).

“(ii) APPOINTMENTS.—

“(I) IN GENERAL.—From among those members of the public who are highly respected and have exert knowledge and experience in the fields of aviation, finance, or academia—

“(aa) the Secretary of Transportation shall appoint 5 members to the Board;

“(bb) the Secretary of Defense shall appoint 1 member to the Board;

“(cc) the Secretary of Veterans Affairs shall appoint 1 member to the Board; and

“(dd) the Secretary of Education shall appoint 1 member to the Board.

“(II) TERMS.—

“(aa) IN GENERAL.—The members appointed under subclause (I) shall serve for a term of 3 years and may be reappointed.

“(bb) STAGGERING TERMS.—The Board shall stagger the duration of the terms of the initial members appointed to promote the stability of the Board.

“(B) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the initial appointment.

“(C) STATUS.—All Members of the Board shall have equal voting powers, regardless if they are ex-officio members or appointed.

“(4) CHAIR OF THE BOARD.—The Board shall choose a Chair of the Board from among the members of the Board that are not ex-officio members under paragraph (3)(A)(i).

“(5) ADMINISTRATIVE MATTERS.—

“(A) MEETINGS.—

“(i) IN GENERAL.—The Board shall meet at the call of the Chair but not less than 2 times each year and may, as appropriate, conduct business by telephone or other electronic means.

“(ii) OPEN.—

“(I) IN GENERAL.—Except as provided in subclause (II), a meeting of the Board shall be open to the public.

“(II) EXCEPTION.—A meeting, or any portion of a meeting, may be closed if the Board, in public session, votes to close the meeting because the matters to be discussed—

“(aa) relate solely to the internal personnel rules, practices, and matters of the Center;

“(bb) may result in disclosure of commercial or financial information obtained from a person that is privileged or confidential;

“(cc) may disclose information of a personal nature where disclosure would constitute an unwarranted invasion of personal privacy; or

“(dd) are matters that are specifically exempted from disclosure by Federal or District of Columbia law.

“(iii) PUBLIC ANNOUNCEMENT.—At least 1 week before a meeting of the Board, and as soon as practicable thereafter if there are any changes

to the information described in subclauses (I) through (III), the Board shall make a public announcement of the meeting that describes—

“(I) the time, place, and subject matter of the meeting;

“(II) whether the meeting is to be open or closed to the public; and

“(III) the name and appropriate contact information of a person who can respond to requests for information about the meeting.

“(iv) RECORD.—The Board shall keep minutes from each Board meeting. Such minutes shall be made available to the public in an accessible format, except for portions of the meeting that are closed pursuant to subparagraph (A)(ii)(II).

“(B) QUORUM.—A majority of members of the Board shall constitute a quorum.

“(C) CODE OF ETHICS.—The Board shall adopt a code of ethics for Directors, officers, agents, and employees of the Center to—

“(i) prevent inappropriate conflicts of interest and promote good employee conduct; and

“(ii) at a minimum, prohibit any member of the Board from participating in any proceeding, application, ruling, or other determination, contract claim, award, controversy, or other matter in which the member, the member's employer or prospective employer, or the member's immediate family member has a direct financial interest.

“(D) EXECUTIVE DIRECTOR.—The Board shall appoint and fix the pay of an Executive Director of the Center (in this section referred to as the ‘Executive Director’) who shall—

“(i) serve as an ex officio Member of the Board;

“(ii) serve at the pleasure of the Board, under such terms and conditions as the Board shall establish;

“(iii) is subject to removal by the Board at the discretion of the Board; and

“(iv) be responsible for the daily management and operation of the Center and for carrying out the purposes and duties of the Center.

“(E) APPOINTMENT OF PERSONNEL.—The Board shall delegate to the Executive Director the authority to appoint additional personnel as the Board considers appropriate and necessary to carry out the purposes and duties of the Center.

“(6) RECORDS.—The Board shall keep correct and complete records of accounts.

“(7) PUBLIC INFORMATION.—With the exception of the matters described in subsection (b)(5)(A)(ii)(II), nothing in this section may be construed to withhold disclosure of information or records that are subject to disclosure under section 552 of title 5.

“(c) PURPOSE.—The purpose of the Center is to—

“(1) develop a skilled and robust aerospace workforce in the United States;

“(2) provide a forum to support collaboration and cooperation between governmental, non-governmental, and private aerospace sector stakeholders regarding the advancement of the aerospace workforce, including general, business, and commercial aviation, education, labor, manufacturing, international organizations, and commercial space transportation organizations;

“(3) serve as a repository for research conducted by institutions of higher education, research institutions, or other stakeholders regarding the aerospace workforce and related technical and skill development.

“(4) serve as a centralized resource that provides comprehensive and relevant information sources on the following:

“(A) Aviation pathway programs and professional development opportunities.

“(B) Aviation apprenticeship, scholarship, and internship programs.

“(C) Aviation-related curricula and resources about aviation occupations and career pathways developed for students, teachers, and guidance counselors at all levels of education.

“(D) Aviation industry organizations.

“(d) DUTIES.—In order to accomplish the purpose described in subsection (c), the Center shall perform the following duties:

“(1) Improve access to aerospace education and related skills training to help grow the U.S. aerospace workforce, including by—

“(A) assessing the state of the aerospace workforce, including challenges and identifying actions to address such challenges;

“(B) developing a comprehensive workforce strategy to help coordinate workforce development initiatives;

“(C) establishing or supporting apprenticeship, scholarship, internship, and mentorship programs that assist individuals who wish to pursue a career in an aerospace-related field;

“(D) supporting the development of aerospace education curricula, including syllabi, training materials, and lesson plans, for use by an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

“(E) building awareness of youth-oriented aerospace programs and other robust outreach programs, including for primary, secondary, and post-secondary school students.

“(F) supporting the professional development of teachers using the curricula, syllabi, training materials, and lesson plans described in subparagraph (D); and

“(G) developing an array of educational and informative aviation-related educational activities and materials for students of varying ages and levels of education to use in the classroom and at home.

“(2) Support personnel or veterans of the Armed Forces seeking to transition to a career in aerospace through outreach, training, scholarships, apprenticeships, or other means.

“(3) Amplify and support the work carried out at the Centers of Excellence and Technical Centers of the Federal Aviation Administration regarding the aerospace workforce, or related technical and skills advancement, including organizing and hosting symposiums, conferences, and other forums as appropriate.

“(4) Administer on behalf of the Secretary of the Department of Transportation the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program established by subsection (a) of 40131.

“(e) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—The Center shall be operated in a manner and for purposes that qualify the Center for exemption from taxation under the Internal Revenue Code as an organization described in section 501(c)(3) of such Code.

“(f) ADMINISTRATIVE MATTERS OF CENTER.—

“(1) DETAILEES.—

“(A) IN GENERAL.—At the request of the Center, the head of any Federal agency or department may, at the discretion of such agency or department, detail to the Center, on a reimbursable basis, an employee of the agency or department.

“(B) CIVIL SERVANT STATUS.—The detail of an employee under subparagraph (A) shall be without interruption or loss of civil service status or privilege.

“(2) NAMES AND SYMBOLS.—The Center may accept, retain, and use proceeds derived from the Center's use of the exclusive right to use its name and seal, emblems, and badges incorporating such name as lawfully adopted by the Board in furtherance of the purpose and duties of the Center.

“(3) GIFTS, GRANTS, BEQUESTS, AND DEVICES.—The Center may accept, retain, use, and dispose of gifts, grants, bequests, or devises of money, services, or property from any public or private source for the purpose of covering the costs incurred by the Center in furtherance of the purpose and duties of the Center.

“(4) VOLUNTARY SERVICES.—The Center may accept voluntary services from any person that

are provided in furtherance of the purpose and duties of the Center.

“(g) RESTRICTIONS.—

“(1) PROFIT.—The Center may not engage in business activity for profit.

“(2) STOCKS AND DIVIDENDS.—The Center may not issue any shares of stock or declare or pay any dividends.

“(3) POLITICAL ACTIVITIES.—The Center shall be nonpolitical and may not provide financial aid or assistance to, or otherwise contribute to or promote the candidacy of, any individual seeking elective public office or political party. The Center may not engage in activities that are, directly, or indirectly, intended to be or likely to be perceived as advocating or influencing the legislative process.

“(4) DISTRIBUTION OF INCOME OR ASSETS.—The assets of the Center may not inure to the benefit of any member of the Board, or any officer or employee of the Center or be distributed to any person. This paragraph does not prevent the payment of reasonable compensation to any officer, employee, or other person or reimbursement for actual and necessary expenses in amounts approved by the Board.

“(5) LOANS.—The Center may not make a loan to any member of the Board or any officer or employee of the Center.

“(6) NO CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—Except as otherwise provided by section 40131, the Center may not claim approval of Congress or of the authority of the United States for any of its activities.

“(h) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—The Executive Director shall appoint members to an advisory committee subject to approval by the Board. Members of the Board may not sit on the advisory committee.

“(2) MEMBERSHIP.—The advisory committee shall consist of not more than 15 members who represent various aviation industry and labor stakeholders, stakeholder associations, and others as determined appropriate by the Board. The advisory committee shall select a Chair and Vice Chair from among its members by majority vote.

“(3) DUTIES.—The advisory committee shall—

“(A) provide recommendations to the Board on an annual basis regarding the priorities for the activities of the Center;

“(B) consult with the Board on an ongoing basis regarding the appropriate powers of the Board to accomplish the purposes and duties of the Center; and

“(C) provide relevant data and information to the Center in order to carry out the duties set forth in subsection (d).

“(4) MEETINGS.—The provisions for meetings of the Board under subsection (b)(5) shall apply as similarly as is practicable to meetings of the advisory committee.

“(i) WORKING GROUPS.—

“(1) IN GENERAL.—The Board may establish working groups as determined necessary and appropriate to achieve the purpose of the Center under subsection (c).

“(2) MEMBERSHIP.—Any working group established by the Board shall be composed of private sector representatives, stakeholder associations, members of the public, labor representatives, and other relevant parties, as determined appropriate by the Board. Once established, the membership of such working group shall choose a Chair from among the members of the working group by majority vote.

“(j) CAREER COUNCIL.—

“(1) ESTABLISHMENT.—Not later than September 30, 2026, the Executive Director, in coordination with the Secretary, shall establish a council (in this section referred to as the ‘CAREER Council’) for the CAREER Program established under section 40131.

“(2) DUTIES.—The CAREER Council shall aid the Secretary and the Center in carrying out the CAREER Program by reviewing grant applications and recommending grant recipients.

“(3) APPOINTMENT.—The CAREER Council shall be appointed from candidates nominated

by national associations representing various sectors of the aviation industry, including—

“(A) general aviation;

“(B) commercial aviation;

“(C) aviation labor, including collective bargaining representatives of Federal Aviation Administration aviation safety inspectors, aviation safety engineers, and air traffic controllers;

“(D) aviation maintenance, repair, and overhaul; and

“(E) unmanned aviation.

“(4) TERM.—Each council member appointed under paragraph (3) shall serve a term of 4 years.

“(k) ANNUAL REPORT.—The Board shall submit an annual report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that, at minimum, includes a review and examination of—

“(1) the activities performed as set forth in subsection (d) during the prior fiscal year;

“(2) the advisory committee described in subsection (h);

“(3) the working groups described in subsection (i); and

“(4) the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program and related activities established under section 40131, including activities of the CAREER Council established under subsection (j).

“(l) AUDIT BY DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.—

“(1) IN GENERAL.—Not later than 2 years after the date on which the Center is established under subsection (a), the inspector general of the Department of Transportation shall conduct a review of the Center.

“(2) CONTENTS.—The review shall—

“(A) include, at a minimum, an evaluation of the efforts taken at the Center to achieve the purpose set forth in subsection (c); and

“(B) provide any other information that the inspector general determines is appropriate.

“(3) REPORT ON AUDIT.—

“(A) REPORT TO SECRETARY.—Not later than 30 days after the date of completion of the audit, the inspector general shall submit to the Secretary a report on the results of the audit.

“(B) REPORT TO CONGRESS.—Not later than 60 days after the date of receipt of the report under subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a copy of the report, together with, if appropriate, a description of any actions taken or to be taken to address the results of the audit.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the National Center for the Advancement of Aerospace out of the Airport and Airway Trust Fund to carry out this section—

“(1) \$10,000,000 for fiscal year 2024;

“(2) \$10,000,000 for fiscal year 2025;

“(3) \$10,000,000 for fiscal year 2026;

“(4) \$11,000,000 for fiscal year 2027; and

“(5) \$11,000,000 for fiscal year 2028.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by inserting after the item relating to section 119 the following:

“120. National Center for the Advancement of Aerospace.”

#### **SEC. 304. COOPERATIVE AVIATION RECRUITMENT, ENRICHMENT, AND EMPLOYMENT READINESS PROGRAM.**

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by adding at the end the following:

#### **“§40131. Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program**

“(a) ESTABLISHMENT.—Not later than September 30, 2026, the Secretary of Transportation, through the National Center for the Advancement of Aerospace (in this section referred to as the ‘Center’), shall establish an aviation workforce cooperative development program to be



known as the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program (in this section referred to as the 'CAREER Program') to support the education, recruitment, training, and retention of future aviation professionals and the development of a robust United States aviation workforce by—

“(1) using relevant workforce forecasts to predict and identify aviation-related workforce challenges; and

“(2) funding projects that address such challenges and help to sustain the long-term growth of civil aviation.

“(b) IMPLEMENTATION.—

“(1) PARTNERSHIP WITH NCAA.—In implementing the CAREER Program established under subsection (a), the Secretary shall partner with the CAREER Council established in subsection (j) of section 120.

“(2) NONDELEGATION.—Except as provided in paragraph (3), the Secretary may not delegate any of the authorities or responsibilities under this section to the Administrator of the Federal Aviation Administration.

“(3) SUPPORT.—To support the administration of the CAREER Program, the Secretary may assign employees of the Department of Transportation, including employees of the Federal Aviation Administration, on detail to the Center.

“(c) SOLICITATION, REVIEW, AND EVALUATION PROCESS.—In carrying out the CAREER Program, the Secretary shall establish a solicitation, review, and evaluation process that ensures funds made available to carry out this section are awarded to eligible entities with proposals that have adequate merit and relevancy to the mission of the program.

“(d) ELIGIBLE ENTITIES.—An eligible entity under this section is—

“(1) an air carrier;

“(2) an entity that holds management specifications under subpart K of title 91 of title 14, Code of Federal Regulations;

“(3) a holder of a certificate issued under parts 139, 145, or 147 of title 14, Code of Federal Regulations;

“(4) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(5) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations;

“(6) an aviation labor organization;

“(7) a State, local, territorial, or Tribal government, including a political subdivision thereof;

“(8) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

“(9) an entity that—

“(A) actively designs or manufactures any aircraft, aircraft engine, propeller, or appliance, or a component, part, or system thereof, covered under a type or production certificate issued under section 44704; and

“(B) has significant operations in the United States and a majority of the employees of such entity that are engaged in aviation manufacturing or development activities and services are based in the United States.

“(e) REPORTING AND MONITORING REQUIREMENTS.—The Secretary shall establish reasonable reporting and monitoring requirements for grant recipients under this section to measure relevant outcomes of the program maintained pursuant to subsection (a).

“(f) REPORT.—Not later than September 30, 2027, and annually through fiscal year 2028, the Secretary shall submit to the Committee on

Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the program that includes—

“(1) a summary of projects awarded grants under this section and the progress of each recipient towards fulfilling program expectations;

“(2) an evaluation of how such projects cumulatively impact the future supply of individuals in the U.S. aviation workforce, including best practices or programs to incentivize, recruit, and retain individuals in aviation professions; and

“(3) recommendations for better coordinating actions by governmental entities, educational institutions, and businesses, aviation labor organizations, or other stakeholders to support aviation workforce growth.

“(g) NOTICE OF GRANTS.—

“(1) TIMELY PUBLIC NOTICE.—The Secretary shall provide public notice of any grant awarded under the CAREER Program in a timely fashion after the Secretary awards such grant.

“(2) NOTICE TO CONGRESS.—The Secretary shall provide advance notice of a grant to be made under the CAREER Program to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(h) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available under section 48105, \$50,000,000 for each of fiscal years 2027 and 2028 is authorized to be expended to provide grants under the program established under subsection (a).”

“(i) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by adding at the end the following:

“40131. Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program.”

#### SEC. 305. REPEAL OF DUPLICATIVE OR OBSOLETE WORKFORCE PROGRAMS.

(a) REPEAL.—Sections 44510 and 44515 of title 49, United States Code, are repealed.

(b) CLERICAL AMENDMENTS.—The analysis for chapter 445 of title 49, United States Code, is amended by striking the items relating to sections 44510 and 44515.

#### SEC. 306. CIVIL AIRMEN STATISTICS.

(a) PUBLICATION FREQUENCY.—The Administrator of the Federal Aviation Administration shall publish the study commonly referred to as the “U.S. Civil Airmen Statistics” on a monthly basis.

(b) PRESENTATION OF DATA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a web-based dashboard for purposes of presenting the findings of the study described in subsection (a).

(2) DOWNLOADABLE FORMAT.—The Administrator shall make the data publicly available on the website of the Administration in a downloadable format.

(c) EXPANDED DATA CRITERIA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall ensure that data sets and tables published as part of the study described in subsection (a) display information relating to the sex of certificate holders in more instances.

(d) HISTORICAL DATA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall make all previously published annual data from the study described in subsection (a) available on the website of the Administration.

#### SEC. 307. BESSIE COLEMAN WOMEN IN AVIATION ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a Bessie Coleman Women in Aviation Advisory Committee (hereinafter referred to as the “Committee”).

(b) PURPOSE.—The Committee shall advise the Secretary and the Administrator of the Federal Aviation Administration on matters and policies related to the recruitment, retention, employment, education, training, well-being, and treatment of women in the aviation industry and aviation-focused Federal civil service positions.

(c) FORM OF DIRECTIVES.—All activities carried out by the Committee, including special committees, shall be in response to written terms of reference or taskings from the Secretary and may not duplicate the objectives of the Air Carrier Training Aviation Rulemaking Committee.

(d) FUNCTIONS.—In carrying out the directives described in subsection (c), the functions of the Committee are as follows:

(1) Foster industry collaboration in an open and transparent manner by engaging, as prescribed by this section, representatives of the private sector associated with an entity described in subsection (e)(1)(B).

(2) Make recommendations for strategic objectives, priorities, and policies that would improve the recruitment, retention, and training of women in aviation professions.

(3) Evaluate opportunities for the Administration to improve the recruitment and retention of women in the Administration.

(e) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Advisory Committee shall be composed of the following members:

(A) The Administrator, or the designee of the Administrator.

(B) At least 25 individuals, appointed by the Secretary, representing the following:

(i) Transport aircraft and engine manufacturers.

(ii) General aviation aircraft and engine manufacturers.

(iii) Avionics and equipment manufacturers.

(iv) Public and private aviation labor organizations, including collective bargaining representatives of—

(I) aviation safety inspectors and safety engineers of the Federal Aviation Administration;

(II) air traffic controllers;

(III) certified aircraft maintenance technicians; and

(IV) commercial airline pilots.

(v) General aviation operators.

(vi) Air carriers.

(vii) Business aviation operators.

(viii) Unmanned aircraft systems manufacturers and operators.

(ix) Aviation safety management experts.

(x) Aviation maintenance, repair, and overhaul entities.

(xi) Airport owners and operators.

(xii) Advanced air mobility manufacturers and operators.

(xiii) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(xiv) A flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations.

(xv) Aviation maintenance technician schools governed under part 147 of title 14, Code of Federal Regulations.

(2) NONVOTING MEMBERS.—

(A) IN GENERAL.—In addition to the members appointed under paragraph (1), the Committee shall be composed of not more than 5 nonvoting members appointed by the Secretary from among officers or employees of the FAA.

(B) DUTIES.—The nonvoting members may—

(i) take part in deliberations of the Committee; and

(ii) provide subject matter expertise with respect to reports and recommendations of the Committee.

(C) **LIMITATION.**—The nonvoting members may not represent any stakeholder interest other than that of the FAA.

(3) **TERMS.**—Each voting member and nonvoting member of the Committee appointed by the Secretary shall be appointed for a term of 4 years.

(4) **COMMITTEE CHARACTERISTICS.**—The Committee shall have the following characteristics:

(A) The ability to obtain necessary information from additional experts in the aviation and aerospace communities.

(B) A membership size that enables the Committee to have substantive discussions and reach consensus on issues in a timely manner.

(C) Appropriate expertise, including expertise in human resources, human capital management, policy, labor relations, employment training, workforce development, and youth outreach.

(f) **CHAIRPERSON.**—

(1) **IN GENERAL.**—The Chairperson of the Committee shall be appointed by the Secretary from among the voting members of the Committee under subsection (e)(1)(B).

(2) **TERM.**—The Chairperson shall serve a 2-year term.

(g) **MEETINGS.**—

(1) **FREQUENCY.**—The Committee shall meet at least twice each year at the call of the Chairperson or the Secretary.

(2) **PUBLIC ATTENDANCE.**—The meetings of the Committee shall be open and accessible to the public.

(h) **SPECIAL COMMITTEES.**—

(1) **ESTABLISHMENT.**—The Committee may establish special committees composed of private sector representatives, members of the public, labor representatives, and other relevant parties in complying with the consultation and participation requirements under subsection (d).

(2) **AUTHORITIES.**—A special committee established by the Committee may provide rulemaking advice, recommendations, and additional opportunities to obtain firsthand information to the Committee with respect to issues regarding the advancement of women in aviation.

(3) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to a special committee established by the Committee.

(i) **PERSONNEL MATTERS.**—

(1) **NO COMPENSATION OF MEMBERS.**—

(A) **NON-FEDERAL EMPLOYEES.**—A member of the Committee who is not an officer or employee of the Federal Government shall serve without compensation.

(B) **FEDERAL EMPLOYEES.**—A member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) **TRAVEL EXPENSES.**—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(j) **REPORTS.**—The Committee shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report upon completion of each tasking summarizing the Committee's—

(1) findings and associated recommendations to improve the advancement of women in aviation; and

(2) planned activities of the Committee, as tasked by the Secretary, and proposed terms of work to fulfill each activity.

(k) **SUNSET.**—The Committee shall terminate on the last day of the 8-year period beginning on the date of the initial appointment of the members of the Committee.

(l) **FAA DEFINED.**—In this section, the term “FAA” means the Federal Aviation Administration.

#### SEC. 308. ESTABLISHING A COMPREHENSIVE WEB-BASED AVIATION RESOURCE CENTER.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall partner with the National Center for the Advancement of Aerospace (in this section referred to as the “Center”) to establish a high-quality, web-based resource center that provides stream-lined public access to information sources on the following:

(1) Aviation pathway programs and professional development opportunities.

(2) Aviation apprenticeship, scholarship, and internship programs.

(3) Aviation-related curricula and resources about aviation occupations and career pathways developed for students, teachers, and guidance counselors at all levels of education.

(4) Aviation industry organizations.

(b) **LEVERAGING FAA EDUCATION, RESEARCH, AND PARTNERSHIP PROGRAMS.**—In carrying out subsection (a)(3), the Administrator and the Executive Director of the Center, in partnership with museums, nonprofit organizations, and commercial entities, shall, to the maximum extent practicable, leverage field and regional offices of the Federal Aviation Administration, the Mike Monroney Aeronautical Center, the William J. Hughes Technical Center for Advanced Aerospace, Air Transportation Centers of Excellence, and the Aviation and Space Education program of the Federal Aviation Administration to develop an array of educational and informative aviation-related educational activities and materials for students of varying ages and levels of education to use in the classroom, for after-school programs and at home.

(c) **BRIEFING.**—Not later than 2 year after the date of the enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology of the Senate on—

(1) the web-based aviation resource center established under subsection (a); and

(2) the manner in which the education development and engagement activities of the Federal Aviation Administration are organized and funded.

#### SEC. 309. DIRECT HIRE AUTHORITY FROM UAS COLLEGIATE TRAINING INITIATIVE.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration may hire individuals from eligible institutions of higher education under the Unmanned Aircraft System Collegiate Training Initiative (in this section referred to as “UAS CTI”), as established in section 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note), without regard to—

(1) sections 3309 through 3318 of title 5, United States Code;

(2) part 211 of title 5, Code of Federal Regulations; or

(3) subpart A of part 337 of title 5, Code of Federal Regulations.

(b) **ELIGIBILITY.**—Individuals eligible for employment by the Administrator under subsection (a) shall—

(1) be in good standing or have graduated in good standing from an institution of higher education with a signed memorandum of understanding under the UAS CTI;

(2) hold or have completed the majority of a related Bachelors or Associates degree, as described by the eligibility requirements of the UAS CTI;

(3) have completed all requirements for a related minor, concentration, or certificate, as described by the eligibility requirements of the UAS CTI; or

(4) meet any other criteria as considered appropriate by the Administrator.

(c) **DEFINITIONS.**—In this section:

(1) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) **GOOD STANDING.**—The term “good standing” means in good standing, as determined by the applicable institution of higher education.

(d) **SUNSET.**—The authority of the Administrator under this section shall terminate on September 30, 2028.

#### Subtitle B—Improving Training and Rebuilding Talent Pipelines

#### SEC. 311. JOINT AVIATION EMPLOYMENT TRAINING WORKING GROUP.

(a) **ESTABLISHMENT.**—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish an interagency working group (in this section referred to as the “working group”) to advise the Secretary of Transportation and the Secretary of Defense on matters and policies related to the training and certification of a covered aviation professional to improve career transition between the military and civilian workforces.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The working group shall consist of—

(A) 2 co-chairs described in paragraph (2);

(B) not less than 6 representatives of the Federal Aviation Administration, to be appointed by the co-chair described in paragraph (2)(A); and

(C) not less than 1 representative of each component of the armed forces (as such term is defined in section 101 of title 10, United States Code), to be appointed by the co-chair described in paragraph (2)(B).

(2) **CO-CHAIRS.**—The working group shall be co-chaired by—

(A) a representative of the Department of Transportation, to be appointed by the Secretary of Transportation; and

(B) a representative of the Department of Defense, to be appointed by the Secretary of Defense.

(c) **ACTIVITIES.**—The working group shall—

(1) evaluate and compare all regulatory requirements, guidance, and orders affecting covered aviation professionals and identify challenges that inhibit recruitment, training, and retention within the respective workforces of such professionals; and

(2) assess appropriate areas for increased interagency information sharing and harmonization across workforces on matters related to certification pathways and certification requirements, including knowledge testing, affecting covered aviation professionals.

(d) **INITIAL REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date on which the Secretary of Transportation establishes the working group, the working group shall submit to the appropriate committees of Congress an initial report on the activities of the working group.

(2) **CONTENTS.**—The report required under paragraph (1) shall include—

(A) a detailed description of the findings of the working group pursuant to the activities required under subsection (c); and

(B) recommendations for regulatory, policy, or legislative action to improve the training and certification of covered aviation professionals across the civilian and military workforces.

(e) **ANNUAL REPORTING.**—Not later than 1 year after the date on which the working group submits the initial report under subsection (d), and annually thereafter, the working group shall submit to the appropriate committees of Congress a report—

(1) describing the continued activities of the working group;

(2) describing any progress made by the Secretary of Transportation or Secretary of Defense in implementing the recommendations described in subsection (d)(2)(B); and

(3) containing any other recommendations the working group may have with respect to efforts to improve the employment and training of covered aviation professionals in the civilian and military workforces.

(f) **SUNSET.**—The working group shall terminate on the date that is 4 years after the date

on which the working group submits the initial report to Congress pursuant to subsection (d).

(g) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services of the House of Representatives;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Transportation and Infrastructure of the House of Representatives; and

(D) the Committee on Commerce, Science, and Transportation of the Senate.

(2) **COVERED AVIATION PROFESSION.**—The term “covered aviation professional” means—

(A) an airman;

(B) an aircraft maintenance and repair technician;

(C) an air traffic controller; and

(D) any other aviation-related professional that has comparable tasks and duties across the civilian and military workforces, as determined jointly by the co-chairs of the working group.

#### **SEC. 312. AIRMAN KNOWLEDGE TESTING WORKING GROUP.**

(a) **WORKING GROUP.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee to establish a working group to review knowledge testing processes and procedures to improve the facilitation, administration, and accessibility of knowledge tests.

(b) **ACTIVITIES.**—The working group established pursuant to subsection (a) shall—

(1) assess methods to increase knowledge testing capacity, including through—

(A) the adoption of alternative proctoring methods; and

(B) increased utilization of pilot schools that hold a pilot school certificate under part 141 of title 14, Code of Federal Regulations, and aviation maintenance technician schools governed under part 147 of title 14, Code of Federal Regulations; and

(2) evaluate the following:

(A) The management and provision of knowledge tests by testing centers.

(B) The testing registration process for students.

(C) Student access to knowledge tests.

(D) Fees associated with knowledge tests.

(E) The accuracy of public sample knowledge tests available to students.

(F) Development and maintenance of knowledge tests and forms.

(c) **MECHANIC GENERAL KNOWLEDGE TEST.**—In addition to the activities under subsection (b), the Aviation Rulemaking Advisory Committee shall task the working group established pursuant to subsection (a) with assessing opportunities to allow a high school student upon successful completion of an aviation maintenance curriculum to take the general written knowledge portion of the mechanic exam described in section 65.75 of title 14, Code of Federal Regulations, at an Administration-approved testing center.

(d) **REPORT.**—Not later than 18 months after the Aviation Rulemaking Advisory Committee tasks the working group under subsection (a), the working group shall submit to the Administrator a final report making recommendations to improve the facilitation, administration, and accessibility of knowledge tests.

(e) **DEFINITIONS.**—In this section:

(1) **HIGH SCHOOL.**—The term “high school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **KNOWLEDGE TEST.**—The term “knowledge test” means a test prescribed under parts 61 and 65 of title 14, Code of Federal Regulations.

(3) **SECONDARY SCHOOL.**—The term “secondary school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

#### **SEC. 313. AIRMAN CERTIFICATION SYSTEM WORKING GROUP AND TIMELY PUBLICATION OF STANDARDS.**

(a) **WORKING GROUP.**—The Administrator of the Federal Aviation Administration shall task the Airman Certification System Working Group established under the Aviation Rulemaking Advisory Committee of the Administration to review Airman Certification Standards to ensure that airman proficiency and knowledge correlates and corresponds to regulations, procedures, equipment, aviation infrastructure, and safety trends at the time of such review.

(b) **ACS PUBLICATION.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish on the website of the Administration—

(1) the process by which the Airman Certification Standards are to be established, updated, and maintained;

(2) the process by which relevant guidance documents, handbooks, and test materials associated with such standards are to be established, updated, and maintained; and

(3) any anticipated or required updates to such standards, including providing a date by which such modifications can be expected to be completed and made available to the public.

#### **SEC. 314. AIR TRAFFIC CONTROL WORKFORCE STAFFING.**

(a) **RESPONSIBILITY FOR CONTROLLER WORKFORCE PLAN.**—

(1) **AIR TRAFFIC CONTROLLER STAFFING INITIATIVES AND ANALYSIS.**—Section 221 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 44506 note) is amended by striking “Administrator of the Federal Aviation Administration” and inserting “Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration”.

(2) **STAFFING REPORT.**—Section 44506(e) of title 49, United States Code, is amended in the matter before paragraph (1) by striking “Administrator of the Federal Aviation Administration” and inserting “Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration”.

(b) **MAXIMUM HIRING.**—Subject to the availability of appropriations, for each of fiscal years 2024 through 2027, the Administrator of the Federal Aviation Administration shall set as the hiring target for new air traffic controllers (excluding individuals described in section 44506(f)(1)(A) of title 49, United States Code) the maximum number of individuals able to be trained at the Federal Aviation Administration Academy.

(c) **HIRING AND STAFFING.**—The Chief Operating Officer of the Federal Aviation Administration shall revise the air traffic control hiring plans and staffing standards of the Administration to—

(1) provide that the controller and management workforce is adequately staffed to safely and efficiently manage and oversee the air traffic control system to the satisfaction of the Chief Operating Officer;

(2) account for the target number of certified professional controllers able to control traffic at each independent facility; and

(3) avoid any required or requested reduction of national airspace system capacity or aircraft operations as a result of inadequate air traffic control system staffing.

(d) **INTERIM ADOPTION OF COLLABORATIVE RESOURCE WORKGROUP MODELS.**—

(1) **IN GENERAL.**—In carrying out subsection (c) and in submitting a Controller Workforce Plan of the Administration published after the date of enactment of this Act, the Chief Operating Officer shall adopt and utilize the staffing models and methodologies developed by the Collaborative Resource Workgroup that were recommended in a report submitted to the Administrator and referenced in the Controller Workforce Plan submitted to Congress on May 5, 2023.

(2) **SUNSET.**—The requirement under paragraph (1) shall cease to be effective upon the adoption of a staffing model required under subsection (f).

(e) **ASSESSMENT.**—

(1) **REVIEW.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall enter into an agreement with the Transportation Research Board to—

(A) compare the Administration’s staffing models and methodologies in determining staffing standards targets with those developed by the Collaborative Resource Workgroup, including—

(ii) the availability factor multiplier and other formula components; and

(iii) the independent facility staffing targets of certified professional controllers able to control traffic; and

(B) assess future needs of the air traffic control system and potential impacts on staffing standards.

(2) **REPORT.**—

(A) **FINDINGS.**—In carrying out this subsection, the Transportation Research Board shall—

(i) report to the Administrator and Congress on the findings of the review under this subsection; and

(ii) determine which staffing models and methodologies best accounts for the operational staffing needs of the air traffic control system and provide a justification for such determination.

(B) **MODIFICATIONS TO IDENTIFIED MODEL.**—The Transportation Research Board may make recommendations to improve the staffing model described in (2)(A)(ii).

(3) **CONSULTATION.**—In conducting the assessment under this subsection, the Transportation Research Board shall consult with—

(A) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code;

(B) Administration officials and executives;

(C) front line managers of the air traffic control system;

(D) managers and employees responsible for training air traffic controllers;

(E) the MITRE Corporation;

(F) the Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration; and

(G) users of the air traffic control system.

(f) **REQUIRED IMPLEMENTATION OF IDENTIFIED STAFFING MODEL.**—The Administrator shall take such action that may be necessary to adopt and utilize the staffing model identified by the Transportation Research Board pursuant to subsection (e)(2)(A)(ii), including any recommendations for improving such model.

(g) **CONTROLLER TRAINING.**—In any Controller Workforce Plan of the Administration published after the date of enactment of this Act, the Chief Operating Officer shall—

(1) identify all limiting factors on the Administration’s ability to hire and train controllers in line with the staffing standards target set out in such Plan; and

(2) describe what actions the Administration will take to rectify any impediments to meeting staffing standards targets and identify contributing factors that are outside the control of the Administration.

#### **SEC. 315. AVIATION SAFETY WORKFORCE ASSESSMENT.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall assess, on a recurring basis, staffing levels, critical competencies, and skills gaps of safety critical positions in the Flight Standards Service and Aircraft Certification Service and within other offices of the Administration that support such services.

(b) **CONSIDERATIONS.**—In completing the assessment described in subsection (a), the Administrator shall—

(1) evaluate the workload at the time of the assessment, historic workload, and estimated future workload of such personnel;

(2) conduct a critical competency and skills gap analysis to determine the knowledge and skill sets needed for work at the time of the assessment and anticipated work, with an emphasis on work pertaining to—

(A) new and novel aircraft propulsion and power methods;

(B) simplified vehicle operations and human factors; and

(C) autonomy, machine learning, and artificial intelligence;

(3) compare the outcome of such analysis described in paragraph (2) to the competency and skills of the workforce at the time of the assessment; and

(4) review opportunities for employees of the Administration to gain or enhance expertise, knowledge, skills, and abilities through cooperative training with appropriate companies and organizations; and

(5) develop hiring and recruitment plans to—

(A) address hard to fill positions; and

(B) address competency and skill gaps at various levels of experience and management within Flight Standards Service and Aircraft Certification Service.

(c) **REPORT.**—Upon completion of an assessment described in subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the following:

(1) The methodology and findings of the assessment described in subsection (a), including an analysis of hiring authorities of the Administration at the time of the assessment, including direct hiring authorities, by occupation series for inspector, engineer, and other safety critical positions within Flight Standards Service and Aircraft Certification Service.

(2) Action based recommendations the Administration can take to improve—

(A) the Aviation Safety Workforce Plan;

(B) the skill sets and competencies of inspectors, engineers, and other safety critical positions at the time of the assessment;

(C) competition with industry and other non-aviation sectors for candidates with identified competencies and technical skill sets; and

(D) overall hiring and retention of inspectors, engineers, and other critical positions.

(3) Actions Congress can take to improve the recruitment, hiring, upskilling, and retention of inspectors, engineers, and other safety critical positions in Flight Standards Service and Aircraft Certification Service and within other offices of the Administration that support such services.

(d) **SAFETY CRITICAL POSITION DEFINED.**—In this section, the term “safety critical position” means—

(1) an aviation safety inspector, an aviation safety specialist (denoted by the Administration as 1801 series), an aviation safety technician, and an operations support position in the Flight Standards Service; and

(2) a manufacturing safety inspector, a pilots, an engineer, a Chief Scientist Technical Advisor, an aviation safety specialist (denoted by the Administration as 1801 series), a safety technical specialist, and an operational support position in the Aircraft Certification Service.

#### **SEC. 316. MILITARY AVIATION MAINTENANCE.**

(a) **STREAMLINED CERTIFICATION FOR ELIGIBLE MILITARY MAINTENANCE TECHNICIANS.**—Not later than 1 year after the interagency working group in section 311 of this Act is convened, the Administrator of the Federal Aviation Administration shall task such working group with evaluating the appropriateness of revising part 65 of title 14, Code of Federal Regulations, to—

(1) create a mechanic written competency test for eligible military maintenance technicians;

(2) develop, as necessary, a relevant Airman Certification Standard to qualify eligible military maintenance technicians for a mechanic

certificate issued by the Federal Aviation Administration with an airframe rating or a powerplant rating, or both; and

(3) allow a certificate of eligibility from the Joint Services Aviation Maintenance Technician Certification Council (in this section referred to as the “JSAMTCC”) evidencing completion of a training curriculum for any rating sought to serve as a substitute to fulfill the requirement under such part 65 for oral and practical tests administered by a designated mechanic examiner for eligible military maintenance technicians.

(b) **FINAL RULE.**—If the working group finds that revising part 65 of title 14, Code of Federal Regulations, as described in section (a) is appropriate, not later than 1 year after the finding, the Administrator shall issue a final rule that revises part 65 of title 14, Code of Federal Regulations, as described in subsection (a).

#### **(c) AERONAUTICAL KNOWLEDGE SUBJECT AREAS.**

(1) **IN GENERAL.**—The military mechanic written competency test and Airman Certification Standard described in subsection (a)(1) and subsection (a)(2), respectively, shall focus on the aeronautical knowledge subject areas contained in the Aviation Mechanic General, Airframe, and Powerplant Airman Certificate Standards, as appropriate to the rating sought.

(2) **IDENTIFICATION OF SUBJECT AREAS.**—The aeronautical knowledge subject areas described in paragraph (1) shall be identified in consultation with industry stakeholders and the Airman Certification System Working Group.

(d) **EXPANSION OF TESTING LOCATIONS.**—The interagency working group described in subsection (a) shall determine whether an expansion of the number of active testing locations operated within military installation testing centers would increase access to testing, as well as how to implement such expansion.

(e) **OUTREACH AND AWARENESS.**—The interagency working group described in subsection (a) shall develop a plan to increase outreach and awareness regarding—

(1) the services made available by the JSAMTCC; and

(2) the military mechanic written competency test described in subsection (a), if appropriate.

(f) **ELIGIBLE MILITARY MAINTENANCE TECHNICIAN DEFINED.**—In this section, the term “eligible military maintenance technician” means an individual who is a current or former military aviation maintenance technician who was honorably discharged or has retired from the armed forces (as such term is defined in section 101 of title 10, United States Code).

#### **Subtitle C—Engaging and Retaining the Workforce**

#### **SEC. 321. AIRMAN'S MEDICAL BILL OF RIGHTS.**

(a) **IN GENERAL.**—

(1) **DEVELOPMENT.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a document (in this section referred to as the “Airman's Medical Bill of Rights”) detailing the right of an individual before, during, and after a medical exam conducted by an Aviation Medical Examiner.

(2) **CONTENTS.**—The Airman's Medical Bill of Rights required under paragraph (1) shall, at a minimum, contain information about the right of an individual to—

(A) bring a trusted companion or request to have a chaperone present for a medical exam;

(B) terminate an exam at any time and for any reason;

(C) receive care with respect and recognition of the dignity of the individual;

(D) be assured of privacy and confidentiality;

(E) select an Aviation Medical Examiner without interference;

(F) privacy when changing, undressing, and using the restroom;

(G) ask questions about the health status of the individual or any suggested treatments or

evaluations, and to have such questions fully answered;

(H) report an incident of misconduct by an Aviation Medical Examiner to the appropriate authorities, including to the State licensing board of the Aviation Medical Examiner or the Federal Aviation Administration;

(I) report to the Administrator an allegation regarding alleged Aviation Medical Examiner misconduct without fear of retaliation or negative action relating to an airman certificate of the individual; and

(J) be advised of any known conflicts of interest an Aviation Medical Examiner may have with respect to the care of the individual.

(3) **PUBLIC AVAILABILITY.**—The Airman's Medical Bill of Rights required under paragraph (1) shall be—

(A) made available to, and acknowledged by, an individual in the MedXpress system;

(B) made available in a hard-copy format by an Aviation Medical Examiner at the time of exam upon request by an individual; and

(C) displayed in a common space in the office of the Aviation Medical Examiner.

#### **(b) EXPECTATIONS FOR MEDICAL EXAMINATIONS.**

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a simplified document explaining the standard procedures performed during a medical examination conducted by an Aviation Medical Examiner.

(2) **PUBLIC AVAILABILITY.**—The document required under paragraph (1) shall be—

(A) made available to, and acknowledged by, an individual in the MedXpress system;

(B) made available in a hard-copy format by an Aviation Medical Examiner at the time of exam upon request by an individual; and

(C) displayed in a common space in the office of the Aviation Medical Examiner.

#### **SEC. 322. IMPROVED DESIGNEE MISCONDUCT REPORTING PROCESS.**

(a) **IMPROVED DESIGNEE MISCONDUCT REPORTING PROCESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a streamlined process for individuals involved in incidents of alleged misconduct by a designee to report such incidents in a manner that protects the privacy and confidentiality of such individuals.

(2) **PUBLIC ACCESS TO REPORTING PROCESS.**—The process for reporting alleged misconduct by a designee shall be made available to the public on the website of the Administration, including—

(A) the designee locator search webpage; and

(B) the webpage of the Office of Audit and Evaluation of the Federal Aviation Administration.

(3) **OBLIGATION TO REPORT CRIMINAL CHARGES.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall revise the orders and policies governing the Designee Management System to clarify that designees are obligated to report any arrest, indictment, or conviction for violation of a local, State, or Federal law within a period of time specified by the Administrator.

#### **(4) AUDIT OF REPORTING PROCESS BY INSPECTOR GENERAL.**

(A) **IN GENERAL.**—Not later than 3 years after the date on which the Administrator finalizes the update of the reporting process under paragraph (1), the inspector general of the Department of Transportation shall conduct an audit of such reporting process.

(B) **CONTENTS.**—In conducting the audit of the reporting process described in subparagraph (A), the inspector general shall, at a minimum—

(i) review the efforts of the Administration to improve the reporting process and solutions developed to respond to and investigate allegations of misconduct;

(ii) analyze reports of misconduct brought to the Administrator prior to any changes made to

the reporting process as a result of the enactment of this Act, including the ultimate outcomes of those reports and whether any reports resulted in the Administrator taking action against the accused designee;

(iii) determine whether the reporting process results in appropriate action, including reviewing, investigating, and closing out reports; and

(iv) if applicable, make recommendations to improve the reporting process.

(C) **REPORT.**—Not later than 1 year after the date of initiation of the audit described in subparagraph (A), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of such audit, including findings and recommendations.

(b) **DESIGNEE DEFINED.**—In this section, the term “designee” means an individual who has been designated to act as a representative of the Administrator as—

(1) an Aviation Medical Examiner (as described in section 183.21 of title 14, Code of Federal Regulations);

(2) a pilot examiner (as described in section 183.23 of such title); or

(3) a technical personnel examiner (as described in section 183.25 of such title).

**SEC. 323. REPORT ON SAFE UNIFORM OPTIONS FOR CERTAIN AVIATION EMPLOYEES.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall conduct a review to determine whether air carriers operating under part 121 of title 14, Code of Federal Regulations, and repair stations certificated under part 145 of such title have in place uniform policies and uniform offerings that ensure pregnant employees can perform required duties safely.

(b) **CONSULTATION.**—In conducting the review required under subsection (a), the Administrator shall consult with air carriers and repair stations described in subsection (a) and employees of such air carriers and such stations who are required to adhere to a uniform policy.

(c) **BRIEFING.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of the review required under subsection (a).

**SEC. 324. EXTENSION OF SAMYA ROSE STUMO NATIONAL AIR GRANT FELLOWSHIP PROGRAM.**

Section 131(d) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 40101 note) is amended by striking “fiscal years 2021 through 2025” and inserting “fiscal years 2023 through 2028”.

**SEC. 325. PROMOTION OF CIVIL AERONAUTICS AND SAFETY OF AIR COMMERCE.**

Section 40104 of title 49, United States Code, is amended—

(1) in subsection (a) by striking “In carrying out” and all that follows through “other interested organizations.”;

(2) by redesignating subsection (d) as subsection (e);

(3) by redesignating subsection (b) as subsection (d); and

(4) by redesignating subsection (c) as subsection (b) and reordering the subsections accordingly.

**SEC. 326. EDUCATIONAL AND PROFESSIONAL DEVELOPMENT.**

Section 40104 of title 49, United States Code, is further amended by inserting after subsection (b) (as redesignated by section 325) the following:

“(c) **EDUCATIONAL AND PROFESSIONAL DEVELOPMENT.**—

“(1) **IN GENERAL.**—In carrying out subsection (a), the Administrator shall support and under-

take efforts, including through the National Center for the Advancement of Aerospace, to promote and support the education of current and future aerospace professionals.

“(2) **EDUCATION MATERIALS.**—Based on the availability of resources, the Administrator shall distribute civil aviation information, and educational materials, and provide expertise to State and local school administrators, college and university officials, and officers of other interested organizations and entities.

“(3) **SUPPORT FOR PROFESSIONAL DEVELOPMENT AND CONTINUING EDUCATION.**—To the extent a nonprofit organization, association, industry group, educational institution, collective bargaining unit, governmental organization, or other entity that organizes or hosts a lecture, conference, convention, meeting, round table, or any other type of program with the purpose of sharing educational information related to aerospace with a broad audience, the Administrator shall—

“(A) strongly consider accepting an invitation to attend, present, and contribute to content generation; and

“(B) make efforts to share information each year, putting a particular emphasis on reaching audiences consisting of representatives of the Administrator and entities regulated entities by the Administrator.

“(4) **CONTENT.**—In planning for the opportunities under paragraph (3), the Administrator shall maintain presentations and content covering topics of broad relevance, including—

“(A) ethical decision-making and the responsibilities of aerospace professionals;

“(B) managing a workforce, encouraging proper reporting of prospective safety issues, and educating employees on safety management systems; and

“(C) responsibilities as a designee or representative of the Administrator.”.

**SEC. 327. HUMAN FACTORS PROFESSIONALS.**

The Administrator of the Federal Aviation Administration shall establish a new work code for human factors professionals who—

(1) perform work involving the design and testing of technologies, processes, and systems which require effective and safe human performance;

(2) generate and apply theories, principles, practical concepts, systems, and processes related to the design and testing of technologies, systems, and training programs to support and evaluate human performance in work contexts; and

(3) meet education or experience requirements as determined by the Administrator.

**SEC. 328. AEROMEDICAL INNOVATION AND MODERNIZATION WORKING GROUP.**

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a working group (in this section referred to as the “working group”) to review the medical processes, policies, and procedures of the Administration and to make recommendations to the Administrator on modernizing such processes, policies, and procedures to ensure timely and efficient certification of airmen.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The working group shall consist of—

(A) 2 co-chairs described in paragraph (2); and

(B) not less than 15 individuals appointed by the Administrator, each of whom shall have knowledge or a background in aerospace medicine, psychology, neurology, cardiology, or internal medicine.

(2) **CO-CHAIRS.**—The working group shall be co-chaired by—

(A) the Federal Air Surgeon of the Federal Aviation Administration; and

(B) a member described under paragraph (1)(A) to be selected by members of the working group.

(3) **PREFERENCE.**—The Administrator, in appointing members pursuant to paragraph (1)(B), shall give preference to—

(A) Aviation Medical Examiners (as described in section 183.21 of title 14, Code of Federal Regulations);

(B) licensed medical physicians;

(C) practitioners holding a pilot certificate;

(D) individuals having demonstrated research and expertise in aeromedical research or sciences; and

(E) representatives of organizations with memberships affected by the medical processes, policies, and procedures of the Administration.

(c) **ACTIVITIES.**—In reviewing the aeromedical decision-making processes, policies, and procedures of the Administration in accordance with subsection (a), the working group, at a minimum, shall—

(1) assess the medical conditions an Aviation Medical Examiner may issue a medical certificate directly to an individual;

(2) determine the appropriateness of expanding the list of such medical conditions;

(3) assess the special issuance process;

(4) determine whether the renewal of a special issuance can be based on a medical evaluation and treatment plan by the treating medical specialist of the individual with concurrence from an Aviation Medical Examiner;

(5) evaluate advancements in technologies to address forms of red-green color blindness;

(6) determine whether such technologies may be approved for use by airmen;

(7) review policies and guidance relating to Attention-Deficit Hyperactivity Disorder and Attention Deficit Disorder;

(8) evaluate whether medications used to treat such disorders may be safely prescribed to an airman;

(9) review protocols pertaining to the Human Intervention Motivation Study of the Federal Aviation Administration;

(10) review protocols and policies relating to—

(A) neurological disorders; and

(B) cardiovascular conditions to ensure alignment with medical best practices, latest research;

(11) review mental health protocols, including mental health conditions such as depression and anxiety;

(12) evaluate medications approved for treating such mental health conditions;

(13) assess processes and protocols pertaining to recertification of an airman receiving disability insurance post-recovery from the medical condition, injury, or disability that precludes an airman from exercising the privileges of an airman certificate; and

(14) assess processes and protocols pertaining to the certification of veterans reporting a disability rating from the Department of Veterans Affairs.

(d) **PILOT MENTAL HEALTH TASK GROUP.**—

(1) **ESTABLISHMENT.**—Not later than 120 days after the working group pursuant to subsection (a) is established, the co-chairs of such working groups shall establish a pilot mental health task group (referred to in this subsection as the “task group”) to develop and provide recommendations related to supporting the mental health of aircraft pilots.

(2) **COMPOSITION.**—The co-chairs of such working group shall appoint—

(A) a Chair of the task group; and

(B) members of the task group from among the members of the working group appointed by the Administrator under subsection (b)(1).

(3) **DUTIES.**—The duties of the task group shall include—

(A) carrying out the activities described in subsection (c)(11) and subsection (c)(12);

(B) reviewing and evaluating guidance issued by the International Civil Aviation Organization on pilot mental health; and

(C) providing recommendations for—

(i) best practices for detecting, assessing, and reporting mental health conditions and treatment options as part of pilot aeromedical assessments;

(ii) improving the training of aviation medical examiners to identify mental health conditions among pilots, including guidance on referrals to a mental health provider or other aeromedical resource;

(iii) expanding and improving mental health outreach, education, and assistance programs for pilots; and

(iv) reducing the stigma of assistance for mental health in the aviation industry.

(4) **REPORT.**—Not later than 2 years after the date of the establishment of the task group, the task group shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(A) the results of the review and evaluation under paragraph (3)(A); and

(B) recommendations developed pursuant to paragraph (3)(C).

(d) **SUPPORT.**—The Administrator shall seek to enter into one or more agreements with the National Academies to support the activities of the working group described in subsection (c).

(e) **FINDINGS; RECOMMENDATIONS.**—

(1) **FINDINGS.**—The working group shall report annually to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate on findings resulting from the activities carried out pursuant to subsection (c).

(2) **RECOMMENDATIONS.**—Findings reported pursuant to paragraph (1) shall be accompanied by recommendations for regulatory, policy, or legislative action to improve or modernize the medical certification and aeromedical processes, procedures, and policies of the Administration.

(f) **IMPLEMENTATION.**—The Administrator shall implement, as appropriate, the recommendations of the working group.

(g) **SUNSET.**—The working group shall terminate on September 30, 2028.

#### **SEC. 329. FRONTLINE MANAGER WORKLOAD STUDY.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration shall conduct a study on frontline manager workload challenges in air traffic control facilities.

(b) **CONSIDERATIONS.**—In conducting the study required under subsection (a), the Chief Operating Officer may—

(1) consider—

(A) workload challenges including—

(i) the managerial tasks expected to be performed by frontline managers, including employee development, management, and counseling;

(ii) the number of supervisory positions of operations requiring watch coverage in each air traffic control facility;

(iii) the complexity of traffic and managerial responsibilities; and

(iv) proficiency and training requirements;

(B) facility type;

(C) facility staffing levels; and

(D) any other factors as the Chief Operating Officer considers appropriate; and

(2) describe recommendations for updates to the Frontline Manager's Quick Reference Guide that reflect current operational standards.

(c) **BRIEFING.**—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of the study conducted under subsection (a).

#### **SEC. 330. AGE STANDARDS FOR PILOTS.**

Section 44729 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Subject to the limitation in subsection (c), a” and inserting “A”; and

(B) by striking “65” and inserting “67”;

(2) in subsection (b)(1) by striking “; or” and inserting “; unless the operation takes place in airspace where such operations are not permitted; or”;

(3) by striking subsection (c) and redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(4) in subsection (c), as so redesignated—

(A) in the heading by striking “60” and inserting “65”;

(B) by striking “the date of enactment of this section,” and inserting “the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act.”;

(C) by striking “section 121.383(c)” and inserting “subsections (d) and (e) of section 121.383”; and

(D) by inserting “(or any successor regulations)” after “Regulations”;

(5) in subsection (d), as so redesignated—

(A) by striking paragraph (1) and inserting the following:

“(1) **RETROACTIVITY.**—A person who has attained 65 years of age on or before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may return to service as a pilot for an air carrier engaged in covered operations.”; and

(B) in paragraph (2) by striking “section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may” and inserting “section or taken in conformance with a regulation issued to carry out this section, may”;

(6) by adding at the end the following:

“(h) **SAVINGS CLAUSE.**—An air carrier engaged in covered operations described in subsection (b)(1) on or after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may not require employed pilots to serve in such covered operations after attaining 65 years of age.”.

### **TITLE IV—AIRPORT INFRASTRUCTURE**

#### **Subtitle A—Airport Improvement Program Modifications**

##### **SEC. 401. AIP DEFINITIONS.**

(a) **IN GENERAL.**—Section 47102 of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) ‘air carrier’ has the meaning given the term in section 40102.”;

(2) in paragraph (3)—

(A) in subparagraph (A)—

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

(ii) in clause (ii) by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iii) a secondary runway at a nonhub airport that is equivalent in size and type to the primary runway of such airport.”;

(B) in subparagraph (B)(iii) by inserting “and fuel infrastructure” after “surveillance equipment”;

(C) in subparagraph (E) by striking “after December 31, 1991,”;

(D) in subparagraph (K) by striking “if the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)) and if the airport would be able to receive emission credits, as described in section 47139”;

(E) in subparagraph (L) by striking “the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)), if the airport would be able to receive appropriate emission credits (as described in section 47139), and”;

(F) in subparagraph (P) by striking “improve the reliability and efficiency of the airport’s power supply” and inserting “improve reli-

ability and efficiency of the airport’s power supply or meet current and future electrical power demand”;

(G) by adding at the end the following:

“(S) construction or renovation of childcare facilities for the exclusive use of airport employees or other individuals who work on airport property, including for air carriers and airport concessionaires.

“(T) advanced digital construction management systems and related technology used in the planning, design and engineering, construction, operations, and maintenance of airport facilities.

“(U) an improvement of any runway, taxiway, or apron that would be necessary to sustain commercial service flight operations or permit the resumption of flight operations under visual flight rules following a natural disaster at—

“(i) a primary airport; or

“(ii) a general aviation airport that is designated as a Federal staging area by the Administrator of the Federal Emergency Management Agency.

“(V) any other activity that the Secretary concludes will reasonably improve or contribute to the maintenance of the safety, efficiency, or capacity of the airport.”;

(3) in paragraph (5) by inserting after subparagraph (C) the following:

“(D) assessing current and future electrical power demand.”;

(4) by redesignating paragraphs (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), and (28) as paragraphs (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), and (29), respectively;

(5) by inserting after paragraph (8) the following:

“(9) ‘heliport’—

“(A) means an area of land, water, or structure used or intended to be used for the landing or takeoff of aircraft capable of vertical takeoff and landing profiles; and

“(B) includes a vertiport.”;

(6) in paragraph (28) (as so redesignated) by striking “the Trust Territory of the Pacific Islands,”;

(7) in paragraph (29)(B) (as so redesignated) by striking “described in section 47119(a)(1)(B)” and inserting “for moving passengers and baggage between terminal facilities and between terminal facilities and aircraft”;

(8) by adding at the end the following:

“(30) ‘vertiport’ means an area of land, water, or structure used or intended to be used for the landing or takeoff of powered-lift aircraft capable of vertical takeoff and landing profiles.”.

(b) **CONFORMING AMENDMENT.**—Section 47127(a) of title 49, United States Code, is amended by striking “air carrier airport” and inserting “commercial service airport”.

#### **SEC. 402. REVENUE DIVERSION PENALTY ENHANCEMENT.**

(a) **IN GENERAL.**—Section 47107 of title 49, United States Code, is amended—

(1) in subsection (m)(4) by striking “an amount equal to” and inserting “an amount equal to double”; and

(2) in subsection (n)(1) by striking “an amount equal to” and inserting “an amount equal to double”.

(b) **APPLICABILITY.**—The amendments made by subsection (a) shall not apply to any illegal diversion of airport revenues (as described in section 47107(m) of title 49, United States Code) that occurred prior to the date of enactment of this Act.

#### **SEC. 403. EXTENSION OF COMPETITIVE ACCESS REPORT REQUIREMENT.**

Section 47107(r)(3) of title 49, United States Code, is amended by striking “2023” and inserting “2028”.

#### **SEC. 404. RENEWAL OF CERTAIN LEASES.**

Section 47107(t)(2) of title 49, United States Code, is amended—



(1) in subparagraph (A) by striking “the date of enactment of this subsection” and inserting “October 7, 2016”; and

(2) by striking subparagraph (D) and inserting the following:

“(D) that—

“(i) supports the operation of military aircraft by the Air Force or Air National Guard—

“(I) at the airport; or

“(II) remotely from the airport; or

“(ii) is for the use of nonaeronautical land or facilities of the airport by the National Guard.”.

#### SEC. 405. COMMUNITY USE OF AIRPORT LAND.

Section 47107(v) of title 49, United States Code, is amended to read as follows:

“(v) COMMUNITY USE OF AIRPORT LAND.—

“(1) IN GENERAL.—Notwithstanding subsections (a)(13), (b), and (c), and subject to paragraph (2), the sponsor of a public-use airport shall not be considered to be in violation of this subtitle, or to be found in violation of a grant assurance made under this section, or under any other provision of law, as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor has—

“(A) entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value; or

“(B) permanently restricted the use of airport property to compatible recreational and public park use without paying or otherwise obtaining payment of fair market value for the property.

“(2) RESTRICTIONS.—

“(A) INTERIM COMPATIBLE RECREATIONAL PURPOSE.—Paragraph (1) shall apply, with respect to a sponsor that has taken the action described in subparagraph (A) of such paragraph, only—

“(i) to an agreement regarding airport property that was initially entered into before the publication of the Federal Aviation Administration’s Policy and Procedures Concerning the Use of Airport Revenue, dated February 16, 1999;

“(ii) if the agreement between the sponsor and the local government is subordinate to any existing or future agreements between the sponsor and the Secretary, including agreements related to a grant assurance under this section;

“(iii) to airport property that was acquired under a Federal airport development grant program;

“(iv) if the airport sponsor has provided a written statement to the Administrator that the property made available for a recreational purpose will not be needed for any aeronautical purpose during the next 10 years;

“(v) if the agreement includes a term of not more than 2 years to prepare the airport property for the interim compatible recreational purpose and not more than 10 years of use for that purpose;

“(vi) if the recreational purpose will not impact the aeronautical use of the airport;

“(vii) if the airport sponsor provides a certification that the sponsor is not responsible for preparation, startup, operations, maintenance, or any other costs associated with the recreational purpose; and

“(viii) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502.

“(B) PERMANENT RECREATIONAL USE.—Paragraph (1) shall apply, with respect to a sponsor that has taken the action described in subparagraph (B) of such paragraph, only—

“(i) to airport property that was purchased using funds from a Federal grant for acquiring land issued prior to December 30, 1987;

“(ii) to airport property that has been continuously used as a recreational and public park since January 1, 1995;

“(iii) if the airport sponsor has provided a written statement to the Administrator that the property to be permanently restricted for rec-

reational and public park use is not needed for any aeronautical use at the time the written statement is provided and is not expected to be needed for any aeronautical use at any time after such statement is provided;

“(iv) if the recreational and public park use does not impact the aeronautical use of the airport;

“(v) if the airport sponsor provides a certification that the sponsor is not responsible for operations, maintenance, or any other costs associated with the recreational and public park use;

“(vi) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502;

“(vii) if, in the event the airport sponsor leases the property, the lease will be to a local government entity or nonprofit entity to operate and maintain the property at no cost the airport sponsor; and

“(viii) if, in the event the airport sponsor sells the property, the sale will be to a local government entity and subject to a permanent deed restriction ensuring compatible airport use under regulations issued pursuant to section 47502.

“(3) REVENUE FROM CERTAIN SALES OF AIRPORT PROPERTY.—Notwithstanding any other provision of law, an airport sponsor selling a portion of airport property as described in paragraph (2)(B)(viii)(II) may—

“(A) sell such portion of airport property for less than fair market value; and

“(B) subject to the requirements of subsection (b), retain the revenue from the sale of such portion of airport property.

“(4) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as permitting a diversion of airport revenue for the capital or operating costs associated with the community use of airport land.”.

#### SEC. 406. PRICE ADJUSTMENT PROVISIONS.

Section 47108 of title 49, United States Code, is amended—

(1) in subsection (a) by striking “47114(d)(3)(A) of this title” and inserting “47114(d)(2)(A)”;

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

“(b) INCREASING GOVERNMENT SHARE.—

“(1) IN GENERAL.—Except as provided in paragraph (2) or (3), the amount stated in an offer as the maximum amount the Government will pay may not be increased when the offer has been accepted in writing.

“(2) EXCEPTION.—For a project receiving assistance under a grant approved under this chapter or chapter 475, the amount may be increased—

“(A) for an airport development project, by not more than 15 percent; and

“(B) to acquire an interest in land for an airport (except a primary airport), by not more than the greater of the following, based on current creditable appraisals or a court award in a condemnation proceeding:

“(i) 15 percent; or

“(ii) 25 percent of the total increase in allowable project costs attributable to acquiring an interest in land.

“(3) PRICE ADJUSTMENT PROVISIONS.—

“(A) IN GENERAL.—The Secretary may incorporate a provision in a project grant agreement under which the Secretary agrees to pay more than the maximum amount otherwise specified in the agreement if the Secretary finds that commodity or labor prices have increased since the agreement was made.

“(B) DECREASE IN COSTS.—A provision incorporated in a project grant agreement under this paragraph shall ensure that the Secretary realizes any financial benefit associated with a decrease in material or labor costs for the project.”;

(3) by striking subsection (c); and

(4) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

#### SEC. 407. ALLOWABLE PROJECT COSTS AND LETTERS OF INTENT.

Section 47110 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1) by striking “after May 13, 1946, and”; and

(B) in paragraph (1)—

(i) by inserting “or preparing for” after “formulating”; and

(ii) by inserting “utility relocation, work site preparation,” before “and administration”;

(2) in subsection (d)(1) by striking “section 47114(c)(1) or 47114(d)” and inserting “section 47114 or distributed from the small airport fund under section 47116”;

(3) in subsection (e)(2)(C) by striking “commercial service airport having at least 0.25 percent of the boardings each year at all such airports” and inserting “medium hub airport or large hub airport”;

(4) in subsection (h) by striking “section 47114(d)(3)(A)” and inserting “section 47114(c)(1)(D) or section 47114(d)(2)(A)”;

(5) by striking subsection (i).

#### SEC. 408. SMALL AIRPORT LETTERS OF INTENT.

(a) IN GENERAL.—Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

“(i) SMALL AIRPORT LETTERS OF INTENT.—

“(1) IN GENERAL.—The Secretary may issue a letter of intent to a sponsor stating an intention to obligate an amount from future budget authority for an airport development project (including costs of formulating the project) at a nonhub airport or an airport that is not a primary airport. The letter shall establish a schedule under which the Secretary will reimburse the sponsor for the Government’s share of allowable project costs, as amounts become available, if the sponsor, after the Secretary issues the letter, carries out the project without receiving amounts under this subchapter.

“(2) LIMITATIONS.—The amount the Secretary intends to obligate in a letter of intent issued under this subsection shall not exceed the larger of—

“(A) the Government’s share of allowable project costs; or

“(B) \$10,000,000.

“(3) FINANCING.—Allowable project costs under paragraph (1) may include costs associated with making payments for debt service on indebtedness incurred to carry out the project.

“(4) REQUIREMENTS.—The Secretary shall only issue a letter of intent under paragraph (1) if—

“(A) the sponsor notifies the Secretary, before the project begins, of the sponsor’s intent to carry out the project and requests a letter of intent; and

“(B) the sponsor agrees to comply with all statutory and administrative requirements that would apply to the project if it were carried out with amounts made available under this subchapter.

“(5) ASSESSMENT.—In reviewing a request for a letter of intent under this subsection, the Secretary shall consider the grant history of an airport, the airport’s enplanements or operations, and such other factors as the Secretary determines appropriate.

“(6) PRIORITIZATION.—In issuing letters of intent under this subsection, the Secretary shall—

“(A) prioritize projects that—

“(i) cannot reasonably be funded by an airport sponsor using funds apportioned under section 47114(c), 47114(d)(2)(A)(i), or 47114(d)(6), including funds apportioned under those sections in multiple fiscal years pursuant to section 47117(b)(1); and

“(ii) are necessary to an airport’s continued safe operation or development; and

“(B) structure the reimbursement schedules under such letters in a manner that minimizes unnecessary or undesirable project segmentation.

“(7) REQUIRED USE.—

“(A) *IN GENERAL*.—Beginning in fiscal year 2028, and in each fiscal year thereafter, the Secretary shall ensure that not less than \$100,000,000 is committed to be reimbursed in such fiscal year pursuant to letters of intent issued under this subsection.

“(B) *WAIVER*.—The Secretary may waive the requirement under subparagraph (A) for a fiscal year if the Secretary determines there are insufficient letter of intent requests that meet the requirements of paragraph (4). Upon such waiver, the Secretary shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the reasons contributing to the need for such waiver and the actions the Secretary intends to take to ensure that there are sufficient letter of intent requests that meet the requirements of paragraph (4) in the fiscal year succeeding the fiscal year for which the Secretary issued such waiver.

“(C) *RESTRICTION*.—The total estimated amount of future Government obligations covered by all outstanding letters of intent under paragraph (1) may not be more than the amount authorized to carry out section 48103 of this title, less an amount reasonably estimated by the Secretary to be needed for grants under section 48103 that are not covered by a letter.

“(8) *NO OBLIGATION OR COMMITMENT*.—A letter of intent issued under this subsection is not an obligation of the Government under section 1501 of title 31, and the letter is not deemed to be an administrative commitment for financing. An obligation or administrative commitment may be made only as amounts are provided in authorization and appropriation laws.

“(9) *LIMITATION ON STATUTORY CONSTRUCTION*.—Nothing in this section shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this subsection in the same fiscal year as the letter of intent is issued.”.

(b) *CONFORMING AMENDMENTS*.—

(1) *LETTERS OF INTENT*.—Section 47110(e)(7) of title 49, United States Code, is amended by striking “under this section” and inserting “under this subsection”.

(2) *PRIORITY FOR LETTERS OF INTENT*.—Section 47115(h) of title 49, United States Code, is amended by inserting “prior to fulfilling intentions to obligate under section 47110(i)” after “section 47110(e)”.

**SEC. 409. PROHIBITION ON USE OF AIP FUNDS TO PROCURE CERTAIN PASSENGER BOARDING BRIDGES.**

Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

“(j) *ADDITIONAL NONALLOWABLE COSTS*.—

“(1) *IN GENERAL*.—A cost is not an allowable airport development project cost under this chapter if the cost relates to a contract for procurement or installation of a passenger boarding bridge if the contract is with an entity on the list required under paragraph (2).

“(2) *REQUIRED LIST*.—Not later than 30 days after the date of enactment of this subsection, the Secretary shall, based on information provided by the United States Trade Representative and the Attorney General, publish and annually update a list of entities manufacturing airport passenger boarding bridges—

“(A) that are owned, directed, or subsidized by the People's Republic of China; and

“(B) that—

“(i) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States; or

“(ii) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in clause (i).”.

**SEC. 410. FUEL INFRASTRUCTURE.**

Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

“(k) *FUEL INFRASTRUCTURE*.—

“(1) *IN GENERAL*.—Notwithstanding any other provision of law, the Secretary may decide that covered costs are allowable for an airport development project at a primary or nonprimary airport where such costs are paid for with funds apportioned to the sponsor of such airport under section 47114 or provided pursuant to section 47115.

“(2) *PRIORITIZATION*.—If the Secretary makes grants from the discretionary fund under section 47115 for covered costs, the Secretary shall prioritize providing such grants to general aviation airports.

“(3) *COVERED COSTS DEFINED*.—In this subsection, the term ‘covered costs’—

“(A) means construction costs related to an airport-owned—

“(i) aeronautical fueling system for unleaded fuel; and

“(ii) fueling systems for type certificated hydrogen-powered aircraft; and

“(B) may include capital costs for fuel farms and other equipment and infrastructure used for the delivery and storage of fuel.”.

**SEC. 411. APPORTIONMENTS.**

(a) *PRIMARY, COMMERCIAL SERVICE, AND CARGO AIRPORTS*.—

(1) *PRIMARY AND COMMERCIAL SERVICE AIRPORTS*.—Section 47114(c)(1) of title 49, United States Code, is amended to read as follows:

“(1) *PRIMARY AND COMMERCIAL SERVICE AIRPORTS*.—

“(A) *PRIMARY AIRPORT APPORTIONMENT*.—The Secretary shall apportion to the sponsor of each primary airport for each fiscal year an amount equal to—

“(i) \$15.60 for each of the first 50,000 passenger boardings at the airport during the prior calendar year;

“(ii) \$10.40 for each of the next 50,000 passenger boardings at the airport during the prior calendar year;

“(iii) \$5.20 for each of the next 400,000 passenger boardings at the airport during the prior calendar year;

“(iv) \$1.30 for each of the next 500,000 passenger boardings at the airport during the prior calendar year; and

“(v) \$1.00 for each additional passenger boarding at the airport during the prior calendar year.

“(B) *MINIMUM AND MAXIMUM APPORTIONMENTS*.—Not less than \$1,300,000 nor more than \$22,000,000 may be apportioned under subparagraph (A) to an airport sponsor for a primary airport for each fiscal year.

“(C) *NEW AIRPORT*.—Notwithstanding subparagraph (A), the Secretary shall apportion in the first fiscal year following the official opening of a new airport with scheduled passenger air transportation an amount equal to \$1,300,000 to the sponsor of such airport.

“(D) *NONPRIMARY COMMERCIAL SERVICE AIRPORT APPORTIONMENT*.—

“(i) *IN GENERAL*.—The Secretary shall apportion to each commercial service airport that is not a primary airport an amount equal to—

“(I) \$60 for each of the first 2,500 passenger boardings at the airport during the prior calendar year; and

“(II) \$153.33 for each of the next 7,499 passenger boardings at the airport during the prior calendar year.

“(ii) *APPLICABILITY*.—Paragraphs (4) and (5) of subsection (d) shall apply to funds apportioned under this subparagraph.

“(E) *SPECIAL RULE FOR AIR RESERVE STATIONS*.—Notwithstanding section 47102, the Secretary shall consider a public-use airport that is co-located with an air reserve station to be a primary airport for purposes of this chapter.

“(F) *SPECIAL RULE FOR FISCAL YEARS 2024 AND 2025*.—Notwithstanding any other provision of

this paragraph or the absence of scheduled passenger service at an airport, the Secretary shall apportion in fiscal years 2024 and 2025 to the sponsor of an airport an amount based on the number of passenger boardings at the airport during whichever of the following years that would result in the highest apportioned amount under this paragraph:

“(i) Calendar year 2018.

“(ii) Calendar year 2019.

“(iii) The prior full calendar year prior to the current fiscal year.”.

(2) *CARGO AIRPORTS*.—Section 47114(c)(2) of title 49, United States Code, is amended—

(A) in subparagraph (A)—

(i) by striking “3.5” and inserting “4”; and

(ii) by striking “100,000,000 pounds” and inserting “25,000,000 pounds”;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

(b) *GENERAL AVIATION AIRPORTS*.—Section 47114(d) of title 49, United States Code, is amended—

(1) in paragraph (3)—

(A) in the heading by striking “SPECIAL RULE” and inserting “APPORTIONMENT”;

(B) by striking “excluding primary airports but including reliever and nonprimary commercial service airports” each place it appears and inserting “excluding commercial service airports but including reliever airports”;

(C) in the matter preceding subparagraph (A) by striking “20 percent” and inserting “25 percent”; and

(D) by striking subparagraphs (C) and (D) and inserting the following:

“(C) An airport that has previously been listed as unclassified under the national plan of integrated airport systems that has reestablished the classified status of such airport as of the date of apportionment shall be eligible to accrue apportionment funds pursuant to subparagraph (A) so long as such airport retains such classified status.”;

(2) in paragraph (4)—

(A) in the heading by striking “AIRPORTS IN ALASKA, PUERTO RICO, AND HAWAII” and inserting “AIRPORTS IN NONCONTIGUOUS STATES AND TERRITORIES”;

(B) by striking “An amount apportioned under paragraph (2) or (3)” and inserting the following:

“(A) ALASKA, PUERTO RICO, AND HAWAII.—An amount apportioned under this subsection”; and

(C) by adding at the end the following:

“(B) *OTHER TERRITORIES*.—An amount apportioned under paragraph (2)(B)(i) may be made available by the Secretary for any public-use airport in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands if the Secretary determines that there are insufficient qualified grant applications for projects at airports that are otherwise eligible for funding under that paragraph. The Secretary shall prioritize the use of such amounts in the territory the amount was originally apportioned in.”;

(3) in paragraph (5) by inserting “or subsection (c)(1)(D)” after “under this subsection”;

(4) in paragraph (6)—

(A) by striking “provision of this subsection” and inserting “provision of this section”; and

(B) by inserting “or subsection (c)(1)(D)” after “under this subsection”;

(5) by striking paragraph (2); and

(6) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6), respectively.

(c) *CONFORMING AMENDMENT*.—Section 47106(a)(7) of title 49, United States Code, is amended by striking “section 47114(d)(3)(B)” and inserting “section 47114(d)(2)(B)”.

**SEC. 412. PFC TURNBACK REDUCTION.**

(a) *IN GENERAL*.—Section 47114(f) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “sponsor of an airport having at least .25 percent of the total number of boardings each year in the United States and” and inserting “sponsor of a medium or large hub airport”; and

(B) in subparagraph (B) by striking “75 percent” and inserting “60 percent” each place it appears; and

(2) by striking paragraphs (2) and (3) and inserting the following:

“(2) EFFECTIVE DATE OF REDUCTION.—

“(A) NEW CHARGE COLLECTION.—A reduction in an apportionment under paragraph (1) shall not take effect until the first fiscal year following the year in which the collection of the charge imposed under section 40117 has begun.

“(B) NEW CATEGORIZATION.—A reduction in an apportionment under paragraph (1) shall only be applied to an airport if such airport has been designated as a medium or large hub airport for 3 consecutive years.”

(b) APPLICABILITY.—For an airport that increased in categorization from a small hub to a medium hub in any fiscal year beginning after the date of enactment of the FAA Reauthorization Act of 2018 (Public Law 115-254) and prior to the date of enactment of this Act, the amendment to section 47114(f)(2) of title 49, United States Code, under subsection (a) shall be applied as though the airport increased in categorization from a small hub to a medium hub in the calendar year prior to the first fiscal year in which such amendment is applicable.

#### SEC. 413. TRANSFER OF AIP SUPPLEMENTAL FUNDS TO FORMULA PROGRAM.

Section 47115(j) of title 49, United States Code, is amended—

(1) in paragraph (3) by striking subparagraph (B) and inserting the following:

“(B) MINIMUM ALLOCATION.—Not more than 25 percent of the amounts available under this subsection shall be used to provide grants at nonhub and small hub airports.

“(C) PRIORITIZATION.—In making grants under this subsection, the Secretary shall prioritize projects that reduce runway incursions or increase runway or taxiway safety.”;

(2) in paragraph (4)(A) by striking clause (v) and inserting the following:

“(v) \$1,110,000,000 for fiscal year 2023.

“(vi) \$100,000,000 for fiscal year 2024.

“(vii) \$100,000,000 for fiscal year 2025.

“(viii) \$100,000,000 for fiscal year 2026.

“(ix) \$100,000,000 for fiscal year 2027.

“(x) \$100,000,000 for fiscal year 2028.”; and

(3) in paragraph (4)(B) by striking “2 fiscal years” and inserting “3 fiscal years”.

#### SEC. 414. SMALL AIRPORT FUND.

Section 47116 of title 49, United States Code, is amended—

(1) in subsection (b) by striking paragraphs (1) and (2) and inserting the following:

“(1) Not more than 25 percent for grants for projects at small hub airports.

“(2) Not less than 25 percent for grants to sponsors of public-use airports (except commercial service airports).

“(3) Not less than 50 percent for grants to sponsors of commercial service airports that are not larger than a nonhub airport.”;

(2) in subsection (d)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2); and

(3) by striking subsections (e) and (f) and inserting the following:

“(e) GENERAL AVIATION HANGARS AND TRANSIENT APRONS.—In distributing amounts from the fund described in subsection (a) to sponsors described in subsection (b)(2) and (b)(3)—

“(1) 5 percent of each amount shall be used for projects to construct aircraft hangars that are not larger than 5,000 square feet; and

“(2) 5 percent of each amount shall be used for projects to construct or rehabilitate aprons intended to be used for itinerant general aviation aircraft parking.”.

#### SEC. 415. REVISION OF DISCRETIONARY CATEGORIES.

Section 47117 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)(i) by striking “or (3)(A), whichever is applicable”; and

(B) in subparagraph (B)—

(i) by striking “section 47114(d)(3)(A)” and inserting “section 47114(d)(2)(A)”;

(ii) by striking “section 47114(d)(3)(B)” and inserting “section 47114(d)(2)(B)”;

(2) in subsection (c)(2) by striking “47114(d)(3)(A)” and inserting “47114(d)(2)(A)”;

(3) in subsection (d)—

(A) in paragraph (1) by striking “section 47114(d)(2)(A) of this title” and inserting “section 47114(d)(2)(B)(i)”; and

(B) in paragraph (2)—

(i) by striking “section 47114(d)(2)(B) or (C)” and inserting “section 47114(d)(2)(B)(ii) or (iii)” in each place it appears; and

(ii) by striking “of this title”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “\$300,000,000” and inserting “\$200,000,000”;

(II) by striking “for compatible land use planning and projects carried out by State and local governments under section 47141.”;

(III) by striking “section 47102(3)(Q)” and inserting “subparagraphs (O) through (Q) of section 47102(3)”;

(IV) by striking “to comply with the Clean Air Act (42 U.S.C. 7401 et seq.)”; and

(V) by adding at the end the following: “The Secretary shall provide not less than two-thirds of amounts under this subparagraph and paragraph (3) for grants to sponsors of small hub, medium hub, and large hub airports.”; and

(ii) by striking subparagraph (C); and

(B) by striking paragraph (3) and inserting the following:

“(3) SPECIAL RULE.—Beginning in fiscal year 2025, if the amount made available under paragraph (1)(A) was not equal to or greater than \$150,000,000 in the preceding fiscal year, the Secretary shall issue grants for projects eligible under paragraph (1)(A) from apportionments made under section 47114 that are not required during the fiscal year to fund a grant for which such apportionments may be used in an amount that is not less than—

“(A) \$150,000,000; minus

“(B) the amount made available under paragraph (1)(A) in the preceding fiscal year.”; and

(5) in subsection (f)(1) by striking “Subject to paragraph (2)” and inserting “Subject to paragraph (2) and except as provided in section 47116(a)(2)”.

#### SEC. 416. TERMINAL DEVELOPMENT.

Section 47119 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking “in a nonrevenue-producing public-use area of a commercial service airport” and all that follows through “of the Government” and inserting the following:

“at an airport if the sponsor certifies that the airport, on the date the grant application is submitted to the Secretary, has—

“(A) that any necessary airport development project affecting airport safety, security, or capacity will not be deferred if the Secretary approves a terminal development project under this section; and

“(B) provided for access by passengers to the area of the airport for boarding or exiting aircraft that are not air carrier aircraft.”; and

(B) in paragraph (2) by striking “parking lot if” and all that follows through “Secretary’s approval” and inserting “parking lot”;

(2) by striking subsections (b), (e) and (f);

(3) by redesignating subsection (c) and (d) as subsections (b) and (c), respectively; and

(4) in subsection (b) (as so redesignated) by striking paragraphs (1) through (5) and inserting the following:

“(1) any part of amounts apportioned to an airport sponsor under subsection (c) or (d) of section 47114 to pay project costs allowable under subsection (a);

“(2) on the approval of the Secretary, any part of amounts that may be distributed for the fiscal year from the discretionary fund established under section 47115 to the sponsor of an airport to pay project costs allowable under subsection (a);

“(3) on the approval of the Secretary, any part of amounts that may be distributed for the fiscal year from the small airport fund established under section 47116 to the sponsor of an airport eligible to receive funds under section 47116 to pay project costs allowable under subsection (a);”.

#### SEC. 417. STATE BLOCK GRANT PROGRAM.

(a) OFFSETTING ADMINISTRATIVE EXPENSES BURDEN ON STATES.—Section 47109(a)(2) of title 49, United States Code, is amended by striking “90 percent” and inserting “91 percent”.

(b) TRAINING.—Section 47128 of title 49, United States Code, is amended by adding at the end the following:

“(e) TRAINING FOR PARTICIPATING STATES.—

“(1) IN GENERAL.—The Secretary shall provide to each State participating in the block grant program under this section training or updated training materials for the administrative responsibilities assumed by the State under such program at no cost to the State.

“(2) TIMING.—The training or updated training materials provided under paragraph (1) shall be provided at least once during each 2-year period and at any time there is a material change in the program.”.

(c) ADMINISTRATION.—Section 47128 of title 49, United States Code, is further amended by adding at the end the following:

“(f) ROLES AND RESPONSIBILITIES OF PARTICIPATING STATES.—

“(1) AIRPORTS.—Unless a State participating in the block grant program under this section expressly agrees in a memorandum of agreement, the Secretary shall not require the State to manage functions and responsibilities for airport actions or projects that do not relate to such program.

“(2) PROGRAM DOCUMENTATION.—Any grant agreement providing funds to be administered under such program shall be consistent with the most recently executed memorandum of agreement between the State and the Federal Aviation Administration. The Administrator of the Federal Aviation Administration shall provide parity to participating States and shall only require the same type of information and level of detail for any program agreements and documentation that the Administrator would perform with respect to such action if the State did not participate in the program.

“(3) RESPONSIBILITIES.—The Administrator shall retain responsibility for the following, unless expressly agreed to by the State:

“(A) Grant compliance investigations, determinations, and enforcement.

“(B) Obstruction evaluation and airport airspace analysis, determinations, and enforcement off airport property.

“(C) Non-rulemaking analysis, determinations, and enforcement for proposed improvements on airport properties not associated with this subchapter, or off airport property.

“(D) Land use determinations under section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note), compatibility planning, and airport layout plan review and approval for projects not funded by amounts available under this subchapter.

“(E) Nonaeronautical and special event recommendations and approvals.

“(F) Instrument approach procedure evaluations and determinations.

“(G) Environmental review for projects not funded by amounts available under this subchapter.

“(H) Review and approval of land leases, land releases, changes in on-airport land-use designation, and through-the-fence agreements.”.

(d) **REPORT.**—The Comptroller General of the United States shall issue a report on the Office of Airports of the Federal Aviation Administration and the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code, and include in such report a description of—

(1) the responsibilities of States participating in the block grant program under section 47128 of title 49, United States Code; and

(2) the impact of title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) and other Federal administrative funding sources on the ability of such States to disburse and administer airport improvement program funds.

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that Congress supports the disbursement of a percentage of administrative funds made available under the heading “Federal Aviation Administration—Airport Infrastructure Grants” in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) to non-primary airports participating in the State’s block grant program each fiscal year of the Airport Infrastructure Grants program.

#### **SEC. 418. INNOVATIVE FINANCING TECHNIQUES.**

Section 47135 of title 49, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) **AUTHORITY.**—

“(1) **IN GENERAL.**—The Secretary of Transportation may approve an application by an airport sponsor to use grants received under this subchapter for innovative financing techniques related to an airport development project that is located at an airport that is not a large hub airport.

“(2) **APPROVAL.**—The Secretary may approve not more than 30 applications described under paragraph (1) in a fiscal year.

“(b) **PURPOSES.**—The purpose of grants made under this section shall be to—

“(1) provide information on the benefits and difficulties of using innovative financing techniques for airport development projects;

“(2) lower the total cost of an airport development project; or

“(3) expedite the delivery or completion of an airport development project without reducing safety or causing environmental harm.”; and

(2) in subsection (c)(2)—

(A) in subparagraph (C) by striking “and” at the end;

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

(C) by adding at the end the following:

“(E) any other techniques that the Secretary determines are consistent with the purposes of this section.”.

#### **SEC. 419. LONG-TERM MANAGEMENT PLANS.**

Section 47136(c) of title 49, United States Code is amended—

(1) by striking “applicants that will” and inserting the following: “applicants that—

“(1) will”;

(2) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(2) provide a long-term management plan for eligible vehicles and equipment that includes the existing and future infrastructure requirements of the airport related to such vehicles and equipment.”.

#### **SEC. 420. ALTERNATIVE PROJECT DELIVERY.**

(a) **IN GENERAL.**—Section 47142 of title 49, United States Code, is amended—

(1) in the section heading by striking “**Design-build contracting**” and inserting “**Alternative project delivery**”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking “Administrator of the Federal Aviation Administration” and inserting “Secretary of Transportation”; and

(ii) by striking “award a design-build” and inserting “award a covered project delivery”;

(B) in paragraph (2) by striking “design-build” and inserting “covered project delivery”; and

(C) in paragraph (4) by striking “design-build contract will” and inserting “covered project delivery contract is projected to”; and

(3) by striking subsection (c) and inserting the following:

“(c) **COVERED PROJECT DELIVERY CONTRACT DEFINED.**—In this section, the term ‘covered project delivery contract’ means—

“(1) an agreement that provides for both design and construction of a project by a contractor; or

“(2) a single contract for the delivery of a whole project that—

“(A) includes, at a minimum, the sponsor, builder, and architect-engineer as parties that are subject to the terms of the contract;

“(B) aligns the interests of all the parties to the contract with respect to the project costs and project outcomes; and

“(C) includes processes to ensure transparency and collaboration among all parties to the contract relating to project costs and project outcomes.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47142 and inserting the following:

“47142. Alternative project delivery.”.

#### **SEC. 421. NONMOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS PILOT PROGRAM.**

Section 47143(c) of title 49, United States Code, is amended by striking “2023” and inserting “2028”.

#### **SEC. 422. REPEAL OF OBSOLETE CRIMINAL PROVISIONS.**

Section 47306 of title 49, United States Code, and the item relating to such section in the analysis for chapter 473 of such title, are repealed.

#### **SEC. 423. LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.**

(a) **IN GENERAL.**—Section 50101 of title 49, United States Code, is amended—

(1) by striking “(except section 47127)” each place it appears; and

(2) by adding at the end the following:

“(d) **LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.**—

“(1) **IN GENERAL.**—Financial assistance made available under the provisions described in subsection (a) shall not be used in awarding a contract or subcontract to an entity on or after the date of enactment of this subsection for the procurement of rolling stock for use in an airport-related project if the manufacturer of the rolling stock—

“(A) is incorporated in or has manufacturing facilities in the United States; and

“(B) is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

“(i) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this subsection;

“(ii) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a foreign country included on the priority watch list defined in subsection (g)(3) of that section; and

“(iii) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

“(2) **EXCEPTION.**—

“(A) **IN GENERAL.**—For purposes of paragraph (1), the term ‘otherwise related legally or financially’ does not include—

“(i) a minority relationship or investment; or

“(ii) relationship with or investment in a subsidiary, joint venture, or other entity based in a

country described in paragraph (1)(B) that does not export rolling stock or components of rolling stock for use in the United States.

“(B) **CORPORATION BASED IN PEOPLE’S REPUBLIC OF CHINA.**—Notwithstanding subparagraph (A)(i), for purposes of paragraph (1), the term ‘otherwise related legally or financially’ includes a minority relationship or investment if the relationship or investment involves a corporation based in the People’s Republic of China.

“(3) **INTERNATIONAL AGREEMENTS.**—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **RESTRICTING CONTRACT AWARDS BECAUSE OF DISCRIMINATION AGAINST UNITED STATES GOODS OR SERVICES.**—Section 50102 of title 49, United States Code, is amended by striking “(except section 47127)”.

(2) **RESTRICTION ON AIRPORT PROJECTS USING PRODUCTS OR SERVICES OF FOREIGN COUNTRIES DENYING FAIR MARKET OPPORTUNITIES.**—Section 50104(b) of title 49, United States Code, is amended by striking “(except section 47127)”.

(3) **FRAUDULENT USE OF MADE IN AMERICA LABEL.**—Section 50105 of title 49, United States Code, is amended by striking “(except section 47127)”.

#### **SEC. 424. REGULATORY APPLICATION.**

Section 40113(f) of title 49, United States Code, is amended—

(1) by inserting “or in administering the Airport Improvement Program under chapter 471” after “Code of Federal Regulations.”; and

(2) by inserting “or administrative” after “regulatory”.

#### **SEC. 425. NATIONAL PRIORITY SYSTEM FORMULAS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review and update the National Priority System prioritization formulas contained in Federal Aviation Administration Order 5090.5 to account for the amendments to chapter 471 of title 49, United States Code, made by this Act.

(b) **REQUIRED CONSULTATION.**—In revising the formulas under subsection (a), the Secretary shall consult with representatives of the following:

(1) Primary airports, including large, medium, small, and nonhub airports.

(2) Non-primary airports, including general aviation airports.

(3) Airport trade associations, including trade associations representing airport executives.

(4) State aviation officials, including associations representing such officials.

(5) Air carriers, including mainline, regional, and low cost air carriers.

(6) Associations representing air carriers.

(c) **PRIORITY PROJECTS.**—In revising the formulas under subsection (a), the Secretary shall assign the highest priority to projects that increase or maintain the safety, efficiency, and capacity of the aviation system.

#### **SEC. 426. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.**

(a) **FINDINGS.**—Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program under sections 47113 and 47107(e) of title 49, United States Code, respectively, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and

discrimination lawsuits. Such testimony and documentation show that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) The testimony and documentation described in paragraph (2) demonstrate that race and gender discrimination poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and other aspects of airport-related business in the public and private markets.

(4) The testimony and documentation described in paragraph (2) provide a strong basis that there is a compelling need for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

(b) **SUPPORTIVE SERVICES.**—Section 47113 of title 49, United States Code, is amended by adding at the end the following:

“(f) **SUPPORTIVE SERVICES.**—

“(1) **IN GENERAL.**—The Secretary of Transportation, in coordination with the Administrator of the Federal Aviation Administration, may, at the request of an airport sponsor, provide assistance under a grant issued under this subchapter to develop, conduct, and administer training programs and assistance programs in connection with any airport improvement project subject to part 26 of title 49, Code of Federal Regulations, for small business concerns referred to in subsection (b) to achieve proficiency to compete, on an equal basis for contracts and subcontracts related to such projects.

“(2) **ELIGIBLE ENTITIES.**—An entity eligible to receive assistance under this section is—

“(A) a State;

“(B) a political subdivision of a State or local government;

“(C) a Tribal government;

“(D) an airport sponsor;

“(E) a metropolitan planning organization;

“(F) a group of entities described in subparagraphs (A) through (E); or

“(G) any other organization considered appropriate by the Secretary.”

#### **SEC. 427. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.**

Section 162 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47102 note) is amended in the matter preceding paragraph (1) by striking “2023” and inserting “2028”.

#### **SEC. 428. LIMITED REGULATION OF NONFEDERALLY SPONSORED PROPERTY.**

Section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—

“(1) **LIMITED REGULATION.**—Except as provided in subsection (b), the Secretary of Transportation may not require an airport to seek approval for (including in the submission of an airport layout plan), or directly or indirectly regulate (including through any grant assurance)—

“(A) the acquisition, use, lease, encumbrance, transfer, or disposal of land (including any portion of such land) by an airport sponsor; or

“(B) the construction, development, improvement, use, or removal of any facility (including any portion of such facility) upon such land.

“(2) **BURDEN OF DEMONSTRATING APPLICABILITY.**—The burden of demonstrating the nonapplicability of paragraph (1), or the applicability of an exception under subsection (b), shall be on the Secretary.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking “regulation” and inserting “law, regulation, or grant assurance”; and

(ii) in subparagraph (A) by striking “aircraft operations” and inserting “aircraft operations that occur or are projected to occur at an airport as described in an airport’s master plan”;

(B) in paragraph (2) by striking “facility” and inserting “facility that the Secretary demonstrates was”; and

(C) in paragraph (3) by striking “contained” and inserting “that the Secretary demonstrates is contained”; and

(3) by striking subsection (c) and inserting the following:

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

“(1) to affect the applicability of sections 47107(b) or 47133 of title 49, United States Code, to revenues generated by the use, lease, encumbrance, transfer, or disposal of land under subsection (a), facilities upon such land, or any portion of such land or facilities; or

“(2) to limit the Secretary’s authority to approve or regulate airport projects (or portions of airport projects) that are not subject to the provisions of subsection (a).”

#### **SEC. 429. MOTORCOACH ENPLANEMENT PILOT PROGRAM.**

With respect to fiscal years 2024 through 2028, passengers who board a motorcoach at an airport that is chartered or provided by an air carrier to transport such passengers to another airport at which the passengers board an aircraft in service in air commerce, that entered the sterile area of the airport at which such passengers initially boarded the motorcoach, shall be deemed to be included under the term “passenger boardings” in section 47102 of title 49, United States Code.

#### **SEC. 430. POPULOUS COUNTIES WITHOUT AIRPORTS.**

Notwithstanding any other provision of law, the Secretary of Transportation may not deny inclusion in the national plan of integrated airport systems maintained under section 47103 of title 49, United States Code, to an airport or proposed airport if the airport or proposed airport—

(1) is located in the most populous county (as such term is defined in section 2 of title 1, United States Code) of a State that does not have an airport listed in the national plan;

(2) has an airport sponsor that was established before January 1, 2017;

(3) is located more than 15 miles away from another airport listed in the national plan;

(4) demonstrates how the airport will meet the operational activity required, through a forecast validated by the Secretary, within the first 10 years of operation;

(5) meets Federal Aviation Administration airport design standards;

(6) submits a benefit-cost analysis;

(7) presents a detailed financial plan to accomplish construction and ongoing maintenance; and

(8) has the documented support of the State government for the entry of the airport or proposed airport into the national plan.

#### **SEC. 431. CONTINUED AVAILABILITY OF AVIATION GASOLINE.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall ensure that any of such varieties of aviation gasoline as may be necessary to fuel any model of piston-engine aircraft remain available for purchase at each airport listed on the national plan of integrated airport systems (as described in section 47103 of title 49, United States Code) at which aviation gasoline was available for purchase as of October 5, 2018.

(b) **REMOVAL OF AVAILABILITY.**—The Administrator shall consider a prohibition or restriction on the sale of such varieties of aviation gasoline to violate assurance 22 (or any successor assurance related to economic nondiscrimination) of grant assurances associated with the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code.

(c) **AVIATION GASOLINE DEFINED.**—In this section, the term “aviation gasoline” means a gasoline on which a tax is imposed under section 4081(a)(2)(A)(ii) of the Internal Revenue Code of 1986.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to—

(1) affect any airport sponsor found to be out of compliance with the grant assurance described in subsection (b) before the date of enactment of this Act;

(2) affect any investigation of an airport sponsor initiated by the Administrator under parts 13 or 16 of title 14, Code of Federal Regulations, relating to the availability of aviation gasoline; or

(3) require any particular action by the Administrator if the Administrator determines through such investigation that such airport sponsor has violated a grant assurance.

#### **SEC. 432. AIP HANDBOOK UPDATE.**

(a) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise the Airport Improvement Program Handbook (Order 5100.38D) (in this section referred to as the “Handbook”) to account for legislative changes to the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code, and to make such other changes as the Administrator determines necessary.

(b) **REQUIREMENTS.**—In updating the Handbook, the Administrator may not impose any additional requirements or restrictions on the use of Airport Improvement Program funds except as specifically directed by legislation.

(c) **CONSULTATION AND PUBLIC COMMENT.**—

(1) **CONSULTATION.**—In developing the revised Handbook under this section, the Administrator shall consult with aviation stakeholders, including airports and air carriers.

(2) **PUBLIC COMMENT.**—

(A) **IN GENERAL.**—Not later than 30 months after the date of enactment of this Act, the Administrator shall publish a draft revision of the Handbook and make such draft available for public comment for a period of not less than 90 days.

(B) **REVIEW.**—The Administrator shall review all comments submitted during the public comment period described under subparagraph (A) and, as the Administrator considers appropriate, incorporate changes based on such comments into the final revision of the Handbook.

(d) **INTERIM IMPLEMENTATION OF CHANGES.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall issue program guidance letters to provide for the interim implementation of amendments to the Airport Improvement Program made by this Act.

#### **SEC. 433. GAO AUDIT OF AIRPORT FINANCIAL REPORTING PROGRAM.**

(a) **AUDIT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall complete an audit of the airport financial reporting program of the Federal Aviation Administration and provide recommendations to the Administrator of the Federal Aviation Administration on improvements to such program.

(b) **REQUIREMENTS.**—In conducting the audit required under subsection (a), the Comptroller General shall, at a minimum—

(1) review relevant Administration guidance to airports, including the version of Advisory Circular 150/5100–19, titled “Operating and Financial Summary”, that is in effect on the date of enactment of this Act;

(2) evaluate the information requested or required by the Administrator from airports for completeness and usefulness by the Administration and the public;

(3) assess the costs associated with collecting, reporting, and maintaining such information for airports and the Administration;

(4) determine if such information provided is—

(A) updated on a regular basis to make such information useful; and

(B) audited and verified in an appropriate manner;

(5) assess if the Administration has addressed the issues the Administration discovered during the apportionment and disbursement of relief funds to airports under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) using inaccurate and aged airport financial data; and

(6) determine whether the airport financial reporting program as structured as of the date of enactment provides value to the Administration, the aviation industry, or the public.

(c) **REPORT TO CONGRESS.**—Not later than 3 months after the completion of the audit required under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of such audit and any recommendations provided to the Administrator to improve or alter the airport financial reporting program.

#### **SEC. 434. GAO REVIEW OF NONAERONAUTICAL REVENUE STREAMS AT AIRPORTS.**

(a) **REVIEW.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of non-aeronautical revenue streams currently used by hub airports of varying size, assess the impact of nonaeronautical revenue on airports, and evaluate opportunities for revenue that are unused or are underutilized by such airports.

(b) **SCOPE.**—In conducting the review required under subsection (a), the Comptroller General shall, at a minimum—

(1) examine the nonaeronautical revenue streams at a variety of public-use airports in the United States;

(2) examine nonaeronautical revenue streams used by foreign airports;

(3) examine revenue streams used by similar types of infrastructure operators like train stations, bus depots, and shopping malls;

(4) determine the revenue effects of entering into, or choosing not to enter into, concessionaire agreements with companies operating at airports that are not a party to such agreements; and

(5) examine users and beneficiaries of airport services, facilities, property, and passengers, and determine if any such users or beneficiaries could or should be considered as a source of nonaeronautical revenue for an airport.

(c) **CONSULTATION.**—As part of the review required under subsection (a), the Comptroller General shall consult with representatives of airport concessionaires, airport sponsors, airport governance entities, airport financial planning consultants, and any other relevant stakeholders the Comptroller General determines appropriate.

(d) **FINDINGS, BEST PRACTICES, AND RECOMMENDATIONS.**—As part of the review required under subsection (a), the Comptroller General shall produce best practices and recommendations that can be adopted by public-use airports to increase non-aeronautical revenue.

(e) **REPORT TO CONGRESS.**—Not later than 3 months after the completion of the review required under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings, best practices, and recommendations of such review.

#### **SEC. 435. MAINTAINING SAFE FIRE AND RESCUE STAFFING LEVELS.**

(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 Regula-

tions, 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.

(b) **STAFFING REVIEW.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall conduct a review of airport environments and related regulations to evaluate sufficient staffing levels necessary for firefighting and rescue 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 Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the review.

#### **SEC. 436. GAO STUDY OF ONSITE AIRPORT GENERATION.**

(a) **STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the feasibility of installation and adoption of certain power generation property at airports which receive funding from the Federal Government.

(b) **CONTENT.**—In carrying out the study required under subsection (a), the Comptroller General shall examine—

(1) any safety impacts of the installation and operation of such power generation property, either in aggregate or around certain locations or structures at the airport;

(2) regulatory barriers to adoption;

(3) benefits to adoption;

(4) previous examples of adoptions;

(5) impacts on other entities; and

(6) previous examples of adoption and factors pertaining to previous examples of adoption, including—

(A) novel uses beyond supplemental power generation, such as expanding nonresidential property around airports to minimize noise, power generation resilience, and market forces;

(B) challenges identified in the installation process;

(C) upfront and long-term costs, both foreseen and unforeseen;

(D) funding sources used to pay for upfront costs; and

(E) long-term savings.

(c) **REPORT.**—Not later than 2 years after the initiation of the study under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report and recommendations on the results of the study.

(d) **POWER GENERATION PROPERTY DEFINED.**—In this section, the term “power generation property” means equipment defined in section 48(a)(3)(A) of the Internal Revenue Code of 1986.

#### **SEC. 437. TRANSPORTATION DEMAND MANAGEMENT AT AIRPORTS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the efficacy of transportation demand management strategies at United States airports.

(b) **CONSIDERATIONS.**—In conducting the study under subsection (a), the Comptroller General shall examine, at minimum—

(1) whether transportation demand management strategies should be considered by airports when making infrastructure planning and construction decisions;

(2) the impact of transportation demand management strategies on existing multimodal options to and from airports in the United States; and

(3) best practices for developing transportation demand management strategies that can

be used to improve access to airports for passengers and airport and airline personnel.

(c) **REPORT.**—Upon completion of the study conducted under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such study.

(d) **DEFINITION.**—In this section, the term “transportation demand management strategy” means the use of planning, programs, policy, marketing, communications, incentives, pricing, data, and technology to optimize travel modes, routes used, departure times, and number of trips.

#### **SEC. 438. COASTAL AIRPORTS ASSESSMENT.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, in coordination with the Chief of Engineers and Commanding General of the United States Army Corps of Engineers, initiate an assessment on the resiliency of coastal airports in the United States.

(b) **CONTENTS.**—The assessment required under subsection (a) shall—

(1) examine the impact of sea-level rise and other environmental factors that pose risks to coastal airports; and

(2) identify and evaluate current initiatives to prevent and mitigate the impacts of factors described in paragraph (1) on coastal airports.

(c) **REPORT.**—Upon completion of the assessment, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) the results of the assessment required under subsection (a); and

(2) recommendations to improve the resiliency of coastal airports in the United States.

#### **SEC. 439. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.**

Section 47134(b) of title 49, United States Code, is amended by adding at the end the following:

“(4) **BENEFIT-COST ANALYSIS.**—Prior to approving an application submitted under subsection (a), the Secretary may require a benefit-cost analysis. If a benefit-cost analysis is required, the Secretary shall issue a preliminary and conditional finding, which shall—

“(A) be issued not later than 60 days after the date on which the sponsor submits all information required by the Secretary;

“(B) be based upon a collaborative review process that includes the sponsor or sponsor's representative;

“(C) not constitute the issuance of a Federal grant or obligation to issue a grant under this chapter or other provision of law; and

“(D) not constitute any other obligation on the part of the Federal Government until the conditions specified in the final benefit-cost analysis are met.”.

#### **SEC. 440. GAO STUDY ON PER-TRIP AIRPORT FEES FOR TNC CONSUMERS.**

(a) **STUDY.**—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of fees that airports assess against customers of transportation network companies.

(b) **CONTENTS.**—In carrying out the study required under subsection (a), the Comptroller General shall address—

(1) the methodology used by airports to set a fee for customers of TNCs;

(2) expenditures by airports of fees assessed against customers of TNCs; and

(3) a comparison of the fees imposed by airports on customers of TNCs and other comparable modes of for-hire transportation, such as taxi.

(c) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on



Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(d) **TRANSPORTATION NETWORK COMPANY DEFINED; TNC DEFINED.**—In this section, the term “transportation network company” or “TNC”—

(1) means a corporation, partnership, sole proprietorship, or other entity that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and

(2) does not include a shared-expense carpool or vanpool arrangement that is not intended to generate profit for the driver.

**SEC. 441. SPECIAL RULE FOR RECLASSIFICATION OF CERTAIN UNCLASSIFIED AIRPORTS.**

(a) **REQUEST FOR RECLASSIFICATION.**—

(1) **IN GENERAL.**—Not later than September 30, 2024, a privately owned reliever airport (as such term is defined in section 47102 of title 49, United States Code) that is identified as unclassified in the National Plan of Integrated Airport Systems, 2021–2025 (as published under section 47103 of title 49, United States Code) may submit to the Secretary of Transportation a request to reclassify the airport according to the criteria used to classify a publicly owned airport.

(2) **REQUIRED INFORMATION.**—In submitting a request under paragraph (1), a privately owned reliever airport shall include the following information:

(A) A sworn statement and accompanying documentation that demonstrates how the airport would satisfy the requirements of Federal Aviation Administration Order 5090.5, titled “Formulation of the NPIAS and ACIP” (or any successor guidance), to be classified as “Local” or “Basic” if the airport was publicly owned.

(B) A report that—

(i) identifies the role of the airport to the aviation system; and

(ii) describes the long-term fiscal viability of the airport based on demonstrated aeronautical activity and associated revenues relative to ongoing operating and maintenance costs.

(b) **ELIGIBILITY REVIEW.**—

(1) **IN GENERAL.**—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a), the Secretary shall perform an eligibility review with respect to the airport, including an assessment of the airport’s safety, security, capacity, access, compliance with Federal grant assurances, and protection of natural resources and the quality of the environment, as prescribed by the Secretary.

(2) **PUBLIC SPONSOR.**—In performing the eligibility review under paragraph (1), the Secretary—

(A) may require the airport requesting reclassification to provide information regarding the outlook (whether positive or negative) for obtaining a public sponsor; and

(B) may not require the airport to obtain a public sponsor.

(c) **RECLASSIFICATION BY THE SECRETARY.**—

(1) **IN GENERAL.**—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a)(1), the Secretary shall grant such request if the following criteria are met:

(A) The request includes the required information under subsection (a)(2).

(B) The privately owned reliever airport, to the satisfaction of the Secretary—

(i) passes the eligibility review performed under subsection (b); or

(ii) submits a corrective action plan in accordance with paragraph (2).

(2) **CORRECTIVE ACTION PLAN.**—With respect to a privately owned reliever airport that does not, to the satisfaction of the Secretary, pass the eligibility review performed under subsection (b), such airport may resubmit to the Secretary a reclassification request along with a corrective action plan that—

(A) resolves any shortcomings identified in such eligibility review; and

(B) proves that any necessary corrective action has been completed by the airport.

(d) **EFFECTIVE DATE.**—The reclassification of any privately owned reliever airport under this section shall take effect not later than—

(1) September 30, 2026, for any request granted under subsection (c)(1); and

(2) September 30, 2027, for any request granted after the submission of a corrective action plan under subsection (c)(2).

**SEC. 442. PERMANENT SOLAR POWERED TAXIWAY EDGE LIGHTING SYSTEMS.**

Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall produce an engineering brief that describes the acceptable use of permanent solar powered taxiway edge lighting systems at regional, local, and basic nonprimary airports (as categorized in the most recent National Plan of Integrated Airport Systems).

**SEC. 443. SECONDARY RUNWAYS.**

In approving grants for projects with funds made available pursuant to title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) under the heading “Federal Aviation Administration—Airport Infrastructure Grants”, the Administrator of the Federal Aviation Administration shall consider permitting a nonhub or small hub airport to use such funds to extend secondary runways, notwithstanding the level of operational activity as such airport.

**SEC. 444. INCREASING THE ENERGY EFFICIENCY OF AIRPORTS AND MEETING CURRENT AND FUTURE ELECTRICAL POWER DEMANDS.**

(a) **IN GENERAL.**—Section 47140 of title 49, United States Code, is amended to read as follows:

**“§47140. Meeting current and future electrical power demand**

“(a) **IN GENERAL.**—The Secretary of Transportation shall establish a program under which the Secretary shall—

“(1) encourage the sponsor of each public-use airport to—

“(A) conduct airport planning that assesses the airport’s—

“(i) current and future electrical power requirements, including—

“(I) heating and cooling;

“(II) on-road airport vehicles, including ground support equipment;

“(III) gate electrification; and

“(IV) electric aircraft charging; and

“(ii) existing electrical infrastructure condition, location and capacity, including base load and backup power, to meet the current and future electrical power demand as identified in this subparagraph; and

“(B) conduct airport development to increase energy efficiency or meet future electrical power demands as identified in subparagraph (A); and

“(2) reimburse the airport sponsor for the costs incurred in conducting the assessment under paragraph (1).

“(b) **GRANTS.**—The Secretary may make grants from amounts made available under section 48103 to assist airport sponsors that have completed the assessment described in subsection (a)(1)—

“(1) to acquire or construct equipment that will increase energy efficiency at the airport; and

“(2) to pursue an airport development project described in subsection (a)(1)(B).”

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47140 and inserting the following:

“47140. Meeting current and future electrical power demand.”

**SEC. 445. ELECTRIC AIRCRAFT INFRASTRUCTURE PILOT PROGRAM.**

(a) **IN GENERAL.**—The Secretary of Transportation may establish a pilot program under

which the sponsors of public-use airports may use funds made available under chapter 471 or section 48103 of title 49, United States Code, for use at up to 10 airports to carry out—

(1) activities associated with the acquisition, by purchase or lease, operation, and installation of equipment to support the operations of electric aircraft, including interoperable electric vehicle charging equipment; and

(2) the construction or modification of infrastructure to facilitate the delivery of power or services necessary for the use of electric aircraft, including—

(A) on airport utility upgrades; and

(B) associated design costs.

(b) **ELIGIBILITY.**—A public-use airport is eligible for participation in the pilot program under this section if the Secretary finds that funds made available under subsection (a) would support—

(1) electric aircraft operators at such airport, or using such airport; or

(2) electric aircraft operators planning to operate at such airport with an associated agreement in place.

(c) **SUNSET.**—The pilot program established under subsection (a) shall sunset 5 years after the date of enactment of this Act.

**SEC. 446. CURB MANAGEMENT PRACTICES.**

Nothing in this Act shall be construed to—

(1) prevent airports from engaging in curb management practices, including determining and assigning curb designations, regulations, and to install and maintain upon any of the roadways or parts of roadways as many curb zones as necessary to aid in the regulation, control, and inspection of passenger loading and unloading; or

(2) prevent airports from enforcing curb zones using sensor, camera, automated license plate recognition, and software technologies and issuing citations by mail to the registered owner of the vehicle.

**Subtitle B—Passenger Facility Charges**

**SEC. 461. PFC APPLICATION APPROVALS.**

Section 40117(d) of title 49, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) each project is an eligible airport-related project.”

**SEC. 462. PFC AUTHORIZATION PILOT PROGRAM IMPLEMENTATION.**

Section 40117(l) of title 49, United States Code, is amended—

(1) in the subsection heading by striking “PILOT PROGRAM” and inserting “ALTERNATIVE PROCEDURES”; and

(2) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—In lieu of submitting an application under subsection (c), an eligible agency may impose a passenger facility charge in accordance with the procedures under this subsection subject to the limitations of this section.”

**Subtitle C—Noise and Environmental Programs and Streamlining**

**SEC. 471. STREAMLINING CONSULTATION PROCEDURES.**

Section 47101(h) of title 49, United States Code, is amended by striking “shall” and inserting “may”.

**SEC. 472. REPEAL OF BURDENSOME EMISSIONS CREDIT REQUIREMENTS.**

Section 47139 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking “airport sponsors receive” and inserting “airport sponsors may receive”; and

(ii) by striking “carrying out projects” and inserting “carrying out projects, including projects”; and

(iii) by striking “conditions” and inserting “considerations”; and

(B) in paragraph (2)—

(i) by striking "airport sponsor" and inserting "airport sponsor, including for an airport outside of a nonattainment area,";

(ii) by striking "only";

(iii) by striking "or as offsets" and inserting "as offsets"; and

(iv) by striking the period at the end and inserting "; or as part of a State implementation plan.";

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

**SEC. 473. EXPEDITED ENVIRONMENTAL REVIEW AND ONE FEDERAL DECISION.**

Section 47171 of title 49, United States Code, is amended—

(1) in subsection (a) by striking "Secretary of Transportation" and inserting "Administrator of the Federal Aviation Administration";

(2) by striking "Secretary" in each place it appears and inserting "Administrator";

(3) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking "develop and"; and

(ii) by striking "projects at congested airports" and all that follows through "aviation security projects" and inserting "projects, terminal development projects, general aviation airport construction or improvement projects, and aviation safety projects"; and

(B) in paragraph (1) by striking "better" and inserting "streamlined".

(4) by striking subsection (b) and inserting the following:

"(b) AVIATION PROJECTS SUBJECT TO A STREAMLINED ENVIRONMENTAL REVIEW PROCEDURE.—

"(1) IN GENERAL.—Any airport capacity enhancement project, terminal development project, or general aviation airport construction or improvement project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.

"(2) PROJECT DESIGNATION CRITERIA.—

"(A) IN GENERAL.—The Administrator may designate an aviation safety project for priority environmental review. A designated project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.

"(B) PROJECT DESIGNATION CRITERIA.—The Administrator shall establish guidelines for the designation of an aviation safety project or aviation security project for priority environmental review. Such guidelines shall provide for consideration of—

"(i) the importance or urgency of the project;

"(ii) the potential for undertaking the environmental review under existing emergency procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

"(iii) the need for cooperation and concurrent reviews by other Federal or State agencies; and

"(iv) the prospect for undue delay if the project is not designated for priority review.";

(5) in subsection (c) by striking "an airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)" and inserting "a project described or designated under subsection (b)";

(6) in subsection (d) by striking "each airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)" and inserting "a project described or designated under subsection (b)";

(7) in subsection (h) by striking "designated under subsection (b)(3)" and all that follows through "congested airports" and inserting "described in subsection (b)(1)";

(8) in subsection (j)—

(A) by striking "For any" and inserting the following:

"(1) IN GENERAL.—For any"; and

(B) by adding at the end the following:

"(2) DEADLINE.—The Administrator shall define the purpose and need of a project not later than 45 days after receipt of a draft purpose and need statement (or revision thereof that ma-

terially affects a statement previously prepared or accepted by the Administrator) from an airport sponsor. The Administrator shall provide airport sponsors with appropriate guidance to implement any applicable requirements.";

(9) in subsection (k)—

(A) by striking "an airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)" and inserting "a project described or designated under subsection (b)";

(B) by striking "project shall consider" and inserting the following:

"project shall—

"(1) consider";

(C) by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(2) limit the comments of the agency to—

"(A) subject matter areas within the special expertise of the agency; and

"(B) changes necessary to ensure the agency is carrying out the obligations of that agency under the National Environmental Policy Act of 1969 and other applicable law.";

(10) in subsection (l) by striking the period at the end and inserting "and section 1503 of title 40, Code of Federal Regulations."; and

(11) by striking subsection (m) and inserting the following:

"(m) COORDINATION AND SCHEDULE.—

"(1) COORDINATION PLAN.—

"(A) IN GENERAL.—Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the Administrator of the Federal Aviation Administration shall establish a plan for coordinating public and agency participation in and comment on the environmental review process for a project described or designated under subsection (b). The coordination plan may be incorporated into a memorandum of understanding.

"(B) SCHEDULE.—

"(i) IN GENERAL.—The Administration shall establish as part of such coordination plan, after consultation with and the concurrence of each participating agency for the project and with the State in which the project is located (and, if the State is not the project sponsor, with the project sponsor), a schedule for—

"(1) interim milestones and deadlines for agency activities necessary to complete the environmental review; and

"(2) completion of the environmental review process for the project.

"(ii) FACTORS FOR CONSIDERATION.—In establishing the schedule under clause (i), the Administration shall consider factors such as—

"(1) the responsibilities of participating agencies under applicable laws;

"(2) resources available to the cooperating agencies;

"(3) overall size and complexity of the project;

"(4) the overall time required by an agency to conduct an environmental review and make decisions under applicable Federal law relating to a project (including the issuance or denial of a permit or license) and the cost of the project; and

"(5) the sensitivity of the natural and historic resources that could be affected by the project.

"(iii) MAXIMUM PROJECT SCHEDULE.—To the maximum extent practicable and consistent with applicable Federal law, the Administrator shall develop, in concurrence with the project sponsor, a maximum schedule for the project described or designated under subsection (b) that is not more than 2 years for the completion of the environmental review process for such projects, as measured from, as applicable the date of publication of a notice of intent to prepare an environmental impact statement to the record of decision.

"(iv) DISPUTE RESOLUTION.—

"(1) IN GENERAL.—Any issue or dispute that arises between the Administrator and partici-

pating agencies (or amongst participating agencies) during the environmental review process will be addressed expeditiously to avoid delay.

"(II) RESPONSIBILITIES.—The Administrator and participating agencies shall—

"(aa) implement the requirements of this section consistent with any dispute resolution process established in an applicable law, regulation, or legally binding agreement to the maximum extent permitted by law; and

"(bb) seek to resolve issues or disputes at the earliest possible time at the project level through agency employees who have day-to-day involvement in the project.

"(III) ELEVATION FOR MISSED MILESTONE.—If a dispute between the Administrator and participating agencies (or amongst participating agencies) causes a milestone to be missed or extended, or the Administrator anticipates that a permitting timetable milestone will be missed or will need to be extended, then the dispute shall be elevated to an official designated by the relevant agency for resolution. Such elevation should take place as soon as practicable after the Administrator becomes aware of the dispute or potential missed milestone.

"(IV) EXCEPTION.—Disputes that do not impact the ability of an agency to meet a milestone may be elevated as appropriate.

"(V) FURTHER EVALUATION.—Once a dispute has been elevated to the designated official, if no resolution has been reached at the end of 30 days after the relevant milestone date or extension date, then the relevant agencies shall elevate the dispute to senior agency leadership for resolution.

"(C) CONSISTENCY WITH OTHER TIME PERIODS.—A schedule under subparagraph (B) shall be consistent with any other relevant time periods established under Federal law.

"(D) MODIFICATION.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Administrator may lengthen or shorten a schedule established under subparagraph (B) for good cause. A decision by a project sponsor to change, modify, expand, or reduce the scope of a project may be considered as good cause for lengthening or shortening of such schedule as appropriate and based on the nature and extent of the proposed project adjustment.

"(ii) LIMITATIONS.—

"(I) LENGTHENED SCHEDULE.—The Administrator may lengthen a schedule under clause (i) for a cooperating Federal agency by not more than 1 year after the latest deadline established for the project described or designated under subsection (b) by the Administration.

"(II) SHORTENED SCHEDULE.—The Administrator may not shorten a schedule under clause (i) if doing so would impair the ability of a cooperating Federal agency to conduct necessary analyses or otherwise carry out relevant obligations of the Federal agency for the project.

"(E) FAILURE TO MEET DEADLINE.—If a cooperating Federal agency fails to meet a deadline established under subparagraph (D)(i)(I)—

"(i) the cooperating Federal agency shall, not later than 10 days after meeting the deadline, submit to the Administrator a report that describes the reasons why the deadline was not met; and

"(ii) the Secretary shall—

"(I) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the report under clause (i); and

"(II) make the report under clause (i) publicly available on the website of the agency.

"(F) DISSEMINATION.—A copy of a schedule under subparagraph (B), and of any modifications to the schedule, shall be—

"(i) provided to all participating agencies and to the State transportation department of the State in which the project is located (and, if the State is not the project sponsor, to the project sponsor); and

“(ii) made available to the public.

“(2) COMMENT DEADLINES.—The Administrator shall establish the following deadlines for comment during the environmental review process for a project:

“(A) For comments by agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of such statement, unless—

“(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(B) For all other comment periods established by the lead agency for agency or public comments in the environmental review process, a period of no more than 30 days from availability of the materials on which comment is requested, unless—

“(i) a different deadline is established by agreement of the Administrator, the project sponsor, and all participating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project described or designated under subsection (b) (including the issuance or denial of a permit or license) is required to be made by the later of the date that is 180 days after the date on which the Administrator made all final decisions of the lead agency with respect to the project, or 180 days after the date on which an application was submitted for the permit or license, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and publish on the website of the Administration—

“(A) as soon as practicable after the 180-day period, an initial notice of the failure of the Federal agency to make the decision; and

“(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

“(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection shall reduce any time period provided for public comment in the environmental review process under existing Federal law, including a regulation.

“(n) CONCURRENT REVIEWS AND SINGLE NEPA DOCUMENT.—

“(1) CONCURRENT REVIEWS.—Each participating agency and cooperating agency under the expedited and coordinated environmental review process established under this section shall—

“(A) carry out the obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out such obligations; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

“(2) SINGLE NEPA DOCUMENT.—

“(A) IN GENERAL.—Except as inconsistent with subsection (a), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the Administrator of the Federal Aviation Administration.

“(B) USE OF DOCUMENT.—

“(i) IN GENERAL.—To the maximum extent practicable, the Administrator shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

“(ii) COOPERATION OF PARTICIPATING AGENCIES.—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

“(C) TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.—A Federal agency required to make an approval or take an action for a project, as described in this paragraph, shall work with the Administration for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.

“(3) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the expedited and coordinated environmental review process under this section shall—

“(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the agency; and

“(B) use the process to address any environmental issues of concern to the agency.

“(o) ENVIRONMENTAL IMPACT STATEMENT.—

“(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project described or designated under subsection (b), if the Administrator modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the Administrator may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

“(A) cite the sources, authorities, and reasons that support the position of the agency; and

“(B) if appropriate, indicate the circumstances that would trigger agency re-appraisal or further response.

“(2) SINGLE DOCUMENT.—To the maximum extent practicable, for a project subject to a coordinated review process under this section, the Administrator shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

“(A) the final environmental impact statement or record of decision makes substantial changes to the project that are relevant to environmental or safety concerns; or

“(B) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the environmental impacts of the proposed action.

“(3) LENGTH OF ENVIRONMENTAL DOCUMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an environmental impact statement shall not exceed 150 pages, not including any citations or appendices.

“(B) EXTRAORDINARY COMPLEXITY.—An environmental impact statement for a proposed agency action of extraordinary complexity shall not exceed 300 pages, not including any citations or appendices.

“(p) INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.—

“(1) IN GENERAL.—Subject to paragraph (5) and to the maximum extent practicable and appropriate, the following agencies may adopt or incorporate by reference, and use a planning product in proceedings relating to, any class of action in the environmental review process of a project described or designated under subsection (b):

“(A) The lead agency for a project, with respect to an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) A cooperating agency with responsibility under Federal law with respect to the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if consistent with that law.

“(2) IDENTIFICATION.—If the relevant agency makes a determination to adopt or incorporate by reference and use a planning product under paragraph (1), such agency shall identify the agencies that participated in the development of the planning products.

“(3) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The relevant agency may—

“(A) adopt or incorporate by reference an entire planning product under paragraph (1); or

“(B) select portions of a planning project under paragraph (1) for adoption or incorporation by reference.

“(4) TIMING.—The adoption or incorporation by reference of a planning product under paragraph (1) may—

“(A) be made at the time the relevant agencies decide the appropriate scope of environmental review for the project; or

“(B) occur later in the environmental review process, as appropriate.

“(5) CONDITIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference a planning product under this section if the relevant agency determines, with the concurrence of the lead agency and, if the planning product is necessary for a cooperating agency to issue a permit, review, or approval for the project, with the concurrence of the cooperating agency, that the following conditions have been met:

“(A) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(B) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian Tribes.

“(C) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

“(D) The planning process included public notice that the planning products produced in the planning process may be adopted during any subsequent environmental review process in accordance with this section.

“(E) During the environmental review process, the relevant agency has—

“(i) made the planning documents available for public review and comment by members of the general public and Federal, State, local, and Tribal governments that may have an interest in the proposed project;

“(ii) provided notice of the intention of the relevant agency to adopt or incorporate by reference the planning product; and

“(iii) considered any resulting comments.

“(F) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product or portions thereof.

“(G) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(H) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(I) The planning product is appropriate for adoption or incorporation by reference and use in the environmental review process for the project and is incorporated in accordance with, and is sufficient to meet the requirements of, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations.

“(6) EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.—Any planning product or portions thereof adopted or incorporated by reference by the relevant agency in accordance with this subsection may be—

“(A) incorporated directly into an environmental review process document or other environmental document; and

“(B) relied on and used by other Federal agencies in carrying out reviews of the project.

“(g) REPORT ON NEPA DATA.—

“(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall carry out a process to track, and annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on projects described in subsection (b)(1) that contains the information described in paragraph (3).

“(2) TIME TO COMPLETE.—For purposes of paragraph (3), the NEPA process—

“(A) for an environmental impact statement—

“(i) begins on the date on which a notice of intent is published in the Federal Register; and

“(ii) ends on the date on which the Administrator issues a record of decision, including, if necessary, a revised record of decision; and

“(B) for an environmental assessment—

“(i) begins on the date on which the Administrator makes a determination to prepare an environmental assessment; and

“(ii) ends on the date on which the Administrator issues a finding of no significant impact or determines that preparation of an environmental impact statement is necessary.

“(3) INFORMATION DESCRIBED.—The information referred to in paragraph (1) is, with respect to the Federal Aviation Administration—

“(A) the number of proposed actions for which a categorical exclusion was applied by the Administration during the reporting period;

“(B) the number of proposed actions for which a documented categorical exclusion was applied by the Administration during the reporting period;

“(C) the number of proposed actions pending on the date on which the report is submitted for which the issuance of a documented categorical exclusion by the Administration is pending;

“(D) the number of proposed actions for which an environmental assessment was issued by the Administration during the reporting period;

“(E) the length of time the Administration took to complete each environmental assessment described in subparagraph (D);

“(F) the number of proposed actions pending on the date on which the report is submitted for which an environmental assessment is being drafted by the Administration;

“(G) the number of proposed actions for which a final environmental impact statement was completed by the Administration during the reporting period;

“(H) the length of time that the Administration took to complete each environmental impact statement described in subparagraph (G);

“(I) the number of proposed actions pending on the date on which the report is submitted for which an environmental impact statement is being drafted; and

“(J) for the proposed actions reported under subparagraphs (F) and (I), the percentage of those proposed actions for which—

“(i) project funding has been identified; and

“(ii) all other Federal, State, and local activities that are required to allow the proposed action to proceed are completed.

“(4) DEFINITIONS.—In this section:

“(A) ENVIRONMENTAL ASSESSMENT.—The term ‘environmental assessment’ has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

“(B) ENVIRONMENTAL IMPACT STATEMENT.—The term ‘environmental impact statement’ means a detailed statement required under sec-

tion 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

“(C) NEPA PROCESS.—The term ‘NEPA process’ means the entirety of the development and documentation of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the assessment and analysis of any impacts, alternatives, and mitigation of a proposed action, and any inter-agency participation and public involvement required to be carried out before the Administrator undertakes a proposed action.

“(D) PROPOSED ACTION.—The term ‘proposed action’ means an action (within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) under this title that the Administrator proposes to carry out.

“(E) REPORTING PERIOD.—The term ‘reporting period’ means the fiscal year prior to the fiscal year in which a report is issued under subsection (a).”.

#### SEC. 474. SUBCHAPTER III DEFINITIONS.

Section 47175 of title 49, United States Code, is amended—

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

(2) in paragraph (4)—

(A) in subparagraph (A) by striking “and” at the end; and

(B) in subparagraph (B)—

(i) by striking “(B)”;

(ii) by redesignating clauses (i) and (ii) as subparagraphs (B) and (C), respectively;

(3) by striking paragraph (5);

(4) by redesignating paragraphs (3), (1), (4), (2), (6), and (8) as paragraphs (1), (2), (3), (4), (5), and (6), respectively; and

(5) by adding at the end the following:

“(8) TERMINAL DEVELOPMENT.—The term ‘terminal development’ has the same meaning given such term in section 47102.”.

#### SEC. 475. PILOT PROGRAM EXTENSION.

Section 190(i) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note) is amended by striking “5 years” and all that follows through the period at the end and inserting “on October 1, 2028.”.

#### SEC. 476. PART 150 NOISE STANDARDS UPDATE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and revise part 150 of title 14, Code of Federal Regulations, to reflect all relevant laws and regulations, including part 161 of title 14, Code of Federal Regulations.

(b) OUTREACH.—As part of the review conducted under subsection (a), the Administrator shall clarify existing and future noise policies and standards and seek feedback from airports, airport users, and individuals living in the vicinity of airports before implementing any changes to any noise policies or standards.

(c) BRIEFING.—Not later than 90 days after the date of enactment of this Act, and every 6 months thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the review conducted under subsection (a).

(d) SUNSET.—The requirement under subsection (c) shall terminate on September 30, 2028.

#### SEC. 477. REDUCING COMMUNITY AIRCRAFT NOISE EXPOSURE.

In implementing or revising a flight procedure, the Administrator of the Federal Aviation Administration shall seek to take the following actions (to the extent that such actions do not negatively affect aviation safety or efficiency) to reduce undesirable aircraft noise:

(1) Implement flight procedures that can mitigate the impact of aircraft noise.

(2) Work with airport sponsors and potentially impacted neighboring communities in establishing or modifying aircraft arrival and departure routes.

(3) Discourage local encroachment of residential or other buildings near airports that could

create future aircraft noise complaints or impact airport operations or aviation safety.

#### SEC. 478. CATEGORICAL EXCLUSIONS.

(a) CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.—An action by the Administrator of the Federal Aviation Administration to approve, permit, finance, or otherwise authorize any airport project that is undertaken by the sponsor, owner, or operator of a public-use airport shall be presumed to be covered by a categorical exclusion under Federal Aviation Administration Order 1050.1F, or any successor document, if such project—

(1) receives less than \$6,000,000 (as adjusted annually by the Administrator to reflect any increases in the Consumer Price Index prepared by the Department of Labor) of Federal funds or funds from charges collected under section 40117 of title 49, United States Code; or

(2) with a total estimated cost of not more than \$35,000,000 (as adjusted annually by the Administrator to reflect any increases in the Consumer Price Index prepared by the Department of Labor) and Federal funds comprising less than 15 percent of the total estimated project cost.

(b) CATEGORICAL EXCLUSION IN EMERGENCIES.—An action by the Administrator to approve, permit, finance, or otherwise authorize an airport project that is undertaken by the sponsor, owner, or operator of a public-use airport shall be presumed to be covered by a categorical exclusion under Federal Aviation Administration Order 1050.1F, or any successor document, if such project is—

(1) for the repair or reconstruction of any airport facility, runway, taxiway, or similar structure that is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Administrator, or for a disaster or emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) in the same location with the same capacity, dimensions, and design as the original airport facility, runway, taxiway, or similar structure as before the declaration described in this section; and

(3) commenced within a 2-year period beginning on the date of a declaration described in this section.

(c) EXTRAORDINARY CIRCUMSTANCES.—The presumption that an action is covered by a categorical exclusion under subsections (a) and (b) shall not apply if the Administrator determines that extraordinary circumstances exist with respect to such action.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to impact any aviation safety authority of the Administrator.

(e) DEFINITIONS.—In this section:

(1) CATEGORICAL EXCLUSION.—The term “categorical exclusion” has the meaning given the term in section 1508.1(d) of title 40, Code of Federal Regulations.

(2) PUBLIC-USE AIRPORT; SPONSOR.—The terms “public-use airport” and “sponsor” have the meaning given such terms in section 47102 of title 49, United States Code.

#### SEC. 479. CRITICAL HABITAT ON OR NEAR AIRPORT PROPERTY.

(a) FEDERAL AGENCY REQUIREMENTS.—The Administrator of the Federal Aviation Administration, to the maximum extent practicable, shall collaborate with the heads of appropriate Federal agencies to ensure that designations of critical habitat, as such term is defined in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532), on or near airport property do not—

(1) result in conflicting statutory, regulatory, or Federal grant assurance requirements for airports or aircraft operators;

(2) interfere with the safe operation of aircraft; or

(3) occur on airport-owned lands that have become attractive habitat for a threatened or endangered species because such lands—

(A) have been prepared for future development;

(B) have been designated as noise buffer land; or

(C) are held by the airport to prevent encroachment of uses that are incompatible with airport operations.

(b) **STATE REQUIREMENTS.**—In a State in which a State agency is authorized to designate land on or near airport property for the conservation of a threatened or endangered species in the State, the Administrator, to the maximum extent practicable, shall collaborate with the State in the same manner as the Administrator collaborates with the heads of Federal agencies under subsection (a).

#### **SEC. 480. UPDATING PRESUMED TO CONFORM LIMITS.**

Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such actions as are necessary to update the Administration's list of actions that are presumed to conform to a State implementation plan pursuant to section 93.153(f) of title 40, Code of Federal Regulations, to include projects relating to the construction of aircraft hangars.

#### **SEC. 481. RECOMMENDATIONS ON REDUCING ROTORCRAFT NOISE IN DISTRICT OF COLUMBIA.**

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on reducing rotorcraft noise in the District of Columbia.

(b) **CONTENTS.**—The study conducted under subsection (a) shall consider—

(1) the extent to which military operators consider operating over unpopulated areas outside of the District of Columbia for training missions;

(2) the extent to which vehicles or aircraft other than conventional rotorcraft (such as unmanned aircraft) could be used for emergency and law enforcement response; and

(3) the extent to which relevant operators and entities have assessed and addressed, as appropriate, the noise impacts of various factors of operating rotorcraft, including, at a minimum—

(A) altitude;

(B) the number of flights;

(C) flight paths;

(D) time of day of flights;

(E) types of aircraft;

(F) operating procedures; and

(G) pilot training.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on preliminary observations with a report to follow at a date agreed upon at the time of the briefing containing—

(1) the contents of the study conducted under subsection (a); and

(2) any recommendations for the reduction of rotorcraft noise in the District of Columbia.

(d) **RELEVANT OPERATORS AND ENTITIES DEFINED.**—In this section, the term “relevant operators and entities” means—

(1) the Chief of Police of the Metropolitan Police Department of the District of Columbia;

(2) any medical rotorcraft operator that routinely flies a rotorcraft over the District of Columbia; and

(3) any other operator that routinely flies a rotorcraft over the District of Columbia.

#### **SEC. 482. UFP STUDY.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with the National Academies under which the National Research Council shall carry out a study examining airborne ultrafine particles and the effect of such particles on human health.

(b) **SCOPE OF STUDY.**—The study conducted under subsection (a) shall—

(1) summarize the relevant literature and studies done on airborne UFPs worldwide;

(2) focus on large hub airports;

(3) examine airborne UFPs and their potential effect on human health, including—

(A) characteristics of UFPs present in the air;

(B) spatial and temporal distributions of UFP concentrations;

(C) primary sources of UFPs;

(D) the contribution of aircraft and airport operations to the distribution of UFP concentrations compared to other sources;

(E) potential health effects associated with elevated UFP exposures, including outcomes related to cardiovascular disease, respiratory infection and disease, degradation of neurocognitive functions, and other health effects; and

(F) potential UFP exposures, especially to susceptible groups;

(4) identify measures intended to reduce the release of UFPs; and

(5) identify information gaps related to understanding potential relationships between UFP exposures and health effects, contributions of aviation-related emissions to UFP exposures, and the effectiveness of mitigation measures.

(c) **COORDINATION.**—The Administrator may coordinate with the heads of such other agencies that the Administrator considers appropriate to provide data and other assistance necessary for the study.

(d) **REPORT.**—Not later than 180 days after the National Research Council submits the results of the study to the Administrator, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the study carried out under subsection (a), including any recommendations based on such study.

(e) **DEFINITION OF ULTRAFINE PARTICLE.**—In this section, the terms “ultrafine particle” and “UFP” mean particles with diameters less than or equal to 100 nanometers.

#### **SEC. 483. AVIATION AND AIRPORT COMMUNITY ENGAGEMENT.**

(a) **ESTABLISHMENT OF TASK FORCE.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish an airport community of interest task force (in this section referred to as the “Task Force”) to evaluate and improve existing processes and mechanisms for engaging communities impacted by airport development and aviation operations.

(2) **ACTIVITIES.**—The Task Force shall—

(A) review research on aircraft noise impacts to identify potential actions the Administrator could take;

(B) review processes and practices of the Administration for engaging communities prior to or after air traffic pattern changes that impact such communities, including with how such processes and practices compare to best practices from organizations with expertise in grassroots community organizing and collaboration;

(C) assess Federal efforts to mitigate noise impacts on communities, including costs and benefits of such efforts;

(D) assess the various actions that State and local government officials and community planners could take when considering changes to airport infrastructure, including planned airport projects or surrounding airport community developments;

(E) identify potential improvements to Federal, State, and local airport development policy and planning processes to better balance which communities experience negative externalities as a result of airport operations;

(F) consider guidance to airports and airport communities to improve engagement with the Administration, as recommended by the document titled “Aircraft Noise: FAA Could Improve Outreach Through Enhanced Noise Metrics,

Communication, and Support to Communities”, issued in September 2021 (GAO–21–103933);

(G) consider mechanisms and opportunities for the Administration to facilitate better exchange of helicopter noise information with operators in communities adversely impacted by helicopter noise, as recommended by the Comptroller General in the document titled “Aircraft Noise: Better Information Sharing Could Improve Responses to Washington, D.C. Area Helicopter Noise Concerns” (GAO–21–200); and

(H) review air traffic controller guidance on use and development of noise abatement procedures of the Administration to identify areas for improvement or efficiency that do not adversely impact aviation safety.

(3) **COMPOSITION.**—

(A) **APPOINTMENT.**—The Administrator shall appoint the members of the Task Force.

(B) **CHAIRPERSON.**—The Task Force shall be chaired by the Administrator's executive level designee.

(C) **REPRESENTATION.**—The Task Force shall be comprised of representatives from—

(i) airport communities or a representative organization of an airport community;

(ii) airport operators;

(iii) airlines;

(iv) experts with specific knowledge of air traffic planning;

(v) aircraft manufacturers;

(vi) local government officials; and

(vii) such other representatives as the Administrator considers appropriate.

(4) **COMPENSATION.**—Members of the Task Force shall serve without compensation.

(5) **NONAPPLICABILITY OF FACAA.**—Chapter 10 of title 5, United States Code, shall not apply to the Task Force established under this section.

(6) **CONSULTATION.**—The Task Force shall, as appropriate, consult with relevant experts and stakeholders not listed in paragraph (3)(C) in conducting the activities described in paragraph (2).

(7) **REPORTS.**—

(A) **RECOMMENDATIONS.**—Not later than 1 year after the date of the establishment of the Task Force and every year thereafter through fiscal year 2028, the Task Force shall provide to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Administrator recommendations to improve the processes and mechanisms for engaging communities impacted by airport development and aviation operations.

(B) **BRIEFING.**—Not later than 60 days after the submission of the annual recommendations under subparagraph (A), the Administrator shall brief the committees described in such subparagraph on any plans of the Administration to implement the recommendations of the Task Force, including explanations for each of the recommendations the Administrator does not intend to adopt.

(b) **ENGAGEMENT EVENTS.**—

(1) **ANNUAL EVENT.**—The Administrator shall seek to convene at least 1 annual event in each geographic region of the Administration to engage with aviation communities on issues of regional impact.

(2) **PURPOSE.**—The purpose of the engagement events described under paragraph (1) shall be to foster open and transparent communication between the Federal Government and aviation-impacted communities prior to, during, and after decision making at the Federal level.

(3) **TOPICS OF CONSIDERATION.**—The topics of consideration of such engagement events shall be approved by the Regional Administrator or the Regional Community Engagement Officer of the applicable region, in consultation with regional interest groups. Topic areas shall be driven by local and regional feedback and may focus on—

(A) noise concerns from low-flying commercial aircraft;

(B) purchase and installation of aircraft noise reduction measures;

(C) new development projects in close proximity to airports and realistic noise expectations for such projects;

(D) proposed airport expansion projects and the potential noise implications of such projects;

(E) the establishment of new, or changes to existing, approach and departure routes and the community impacts of such changes;

(F) upcoming events with an aviation component; or

(G) any other topic or issue considered relevant by an aviation-impacted community.

(A) PARTICIPATION.—

(A) COORDINATION.—All events described in paragraph (3) shall be convened by or in coordination with the regional offices of the Administration.

(B) ATTENDANCE BY REPRESENTATIVES.—The Administrator shall ensure representatives from relevant program offices of the Administration are in attendance at such events.

(C) APPROPRIATE PARTICIPATION.—The Administrator shall collaborate with community groups at the State, municipal, city, or local government level to ensure appropriate participation by as many relevant parties on a given issue as practicable. Such relevant parties may include—

- (i) State or local government officials;
- (ii) local or municipal planning and zoning officials;
- (iii) neighborhood representatives;
- (iv) aircraft operators, flight school representatives, or other local aviation entities;
- (v) airport operators; and
- (vi) any other parties as appropriate.

(D) COORDINATION.—The Administrator shall coordinate Federal participation that is not under the Administration through the Federal Interagency Committee on Aviation Noise to encourage appropriate Federal representation at all such events, based on the topic areas of consideration.

#### SEC. 484. COMMUNITY COLLABORATION PROGRAM.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Community Collaboration Program (in this section referred to as the “Program”) within the Office for Policy, International Affairs, and Environment of the Administration.

(b) STAFF.—The Program shall be comprised of representatives from—

- (1) the Office for Policy, International Affairs, and Environment of the Administration;
- (2) the Office of Airports of the Administration;
- (3) the Air Traffic Organization of the Administration; and
- (4) other entities as considered appropriate by the Administrator.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Program shall facilitate and harmonize, as appropriate, policies and procedures carried out by the entities listed in subsection (b) pertaining to community engagement relating to—

- (A) airport planning and development;
- (B) noise and environmental policy;
- (C) NextGen implementation;
- (D) air traffic route changes;
- (E) integration of new and emerging entrants; and

(F) other topics with respect to which community engagement is critical to program success.

(2) SPECIFIED RESPONSIBILITIES.—The responsibilities of the Program lead shall include—

- (A) the establishment of, and membership selection for, the Airport Community of Interest Task Force, established under section 483;
- (B) joint execution with Federal Aviation Administration Regional Administrators of regional community engagement events, as described in section 483;
- (C) updating the internal guidance of the Administration for community engagement based

on recommendations from such Task Force and best practices of other Federal agencies and external organizations with expertise in community engagement;

(D) coordinating with the Air Traffic Organization on community engagement efforts related to air traffic procedure changes to ensure that impacted communities are consulted in a meaningful way;

(E) oversight of Regional Ombudsmen of the Administration;

(F) oversight, streamlining, and increasing the responsiveness of the noise complaint process of the Administration by—

- (i) centralizing noise complaint data and improving data collection methodologies;
- (ii) increasing public accessibility to such Regional Ombudsmen;
- (iii) ensuring such Regional Ombudsmen are consulted in local air traffic procedure development decisions;
- (iv) collecting feedback from such Regional Ombudsmen to inform national policymaking efforts; and
- (v) other recommendations made by the Airport Community of Interest Task Force;

(G) timely implementation of the recommendations, as appropriate, made by the Comptroller General of the United States to the Secretary of Transportation contained in the report titled “Aircraft Noise: FAA Could Improve Outreach Through Enhanced Noise Metrics, Communication, and Support to Communities”, issued in September 2021 (GAO-21-103933) to improve the outreach of the FAA to local communities impacted by aircraft noise, including—

- (i) any recommendations to—
  - (I) identify appropriate supplemental metrics for assessing noise impacts and circumstances for their use to aid in the internal assessment of the Administration of noise impacts related to proposed flight path changes;
  - (II) update guidance to incorporate additional tools to more clearly convey expected impacts, such as other noise metrics and visualization tools; and
  - (III) improve guidance to airports and communities on effectively engaging with the Administration; and
- (ii) any other recommendations included in the report that would assist the agency in improving outreach to communities affected by aircraft noise; and

(H) other responsibilities as considered appropriate by the Administrator.

(d) REPORT.—Not later than 2 years after the Administrator implements the recommendations described in subsection (c)(2)(H), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing—

- (1) the implementation of each such recommendation;
- (2) how any recommended actions are assisting the Administrator in improving outreach to communities affected by aircraft noise and other community engagement concerns; and
- (3) any challenges or barriers that limit or prevent the ability of the Administrator to take such actions.

#### SEC. 485. THIRD PARTY STUDY ON AVIATION NOISE METRICS.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with the National Academies to conduct a study on aviation noise metrics.

(b) CONTENTS.—The study required under subsection (a) shall include an assessment of—

- (1) the efficacy of the day-night average sound level (in this section referred to as “DNL”) noise metric compared to other alternative models;
- (2) the disadvantages of the DNL noise metric in effect as of the date of enactment of this Act compared to other alternative models;

(3) any potential changes that should be made to the DNL noise metric in effect as of the date of enactment of this Act; and

(4) the data collected by the Neighborhood Environmental Survey of the Administration using alternative noise metrics.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the National Academies shall submit to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report—

- (1) on the results of the study described in subsection (a); and
- (2) containing recommendations regarding the most appropriate metric to adequately assess the public health impacts of aircraft noise.

#### SEC. 486. INFORMATION SHARING REQUIREMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, shall establish a mechanism to make helicopter noise complaint data accessible to the Federal Aviation Administration, to helicopter operators operating in the Washington, D.C. area, and to the public on a website of the Administration, based on the recommendation of the Government Accountability Office in the report published on January 7, 2021, titled “Aircraft Noise: Better Information Sharing Could Improve Responses to Washington, D.C. Area Helicopter Noise Concerns”.

(b) COOPERATION.—Any helicopter operator operating in the Washington, D.C. area shall provide helicopter noise complaint data to the Federal Aviation Administration through the mechanism established under subsection (a).

(c) DEFINITIONS.—In this section:

(1) HELICOPTER NOISE COMPLAINT DATA.—The term “helicopter noise complaint data”—

(A) means general data relating to a complaint made by an individual about helicopter noise in the Washington, D.C. area and may include—

- (i) the location and description of the event that is the subject of the complaint;
- (ii) the start and end time of such event;
- (iii) a description of the aircraft that is the subject of the complaint; and
- (iv) the airport name associated with such event; and

(B) does not include the personally identifiable information of the individual who submitted the complaint.

(2) WASHINGTON, D.C. AREA.—The term “Washington, D.C. area” means the area inside of a 30-mile radius surrounding Ronald Reagan Washington National Airport.

### TITLE V—AVIATION SAFETY

#### Subtitle A—General Provisions

#### SEC. 501. ZERO TOLERANCE FOR NEAR MISSES, RUNWAY INCURSIONS, AND SURFACE SAFETY RISKS.

(a) POLICY.—

(1) IN GENERAL.—Section 47101(a) of title 49, United States Code, is amended—

(A) by redesignating paragraphs (2) through (13) as paragraphs (3) through (14), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) that projects, activities, and actions that prevent runway incursions serve to—

“(A) improve airport surface surveillance; and

“(B) mitigate surface safety risks that are essential to ensuring the safe operation of the airport and airway system.”.

(2) CONFORMING AMENDMENTS.—Section 47101 of title 49, United States Code, is amended—

- (A) in subsection (g) by striking “subsection (a)(5)” and inserting “subsection (a)(6)”;
- (B) in subsection (h) by striking “subsection (a)(6)” and inserting “subsection (a)(7)”.

(3) CONTINUOUS EVALUATION.—In carrying out section 47101(a) of title 49, United States Code,



as amended by this subsection, the Administrator of the Federal Aviation Administration shall establish a process to continuously track and evaluate ground traffic and air traffic activity and related incidents at airports.

(b) **RUNWAY SAFETY COUNCIL.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a council, to be known as the “Runway Safety Council” (in this section referred to as the “Council”), to develop a systematic proactive management strategy to address surface safety risks.

(2) **DUTIES.**—The duties of the Council shall include, at a minimum, advancing the development of risk-based, data driven, integrated systems solutions and strategies to enhance surface safety risk mitigation.

(3) **MEMBERSHIP.**—

(A) **IN GENERAL.**—In establishing the Council, the Administrator shall appoint at least 1 member from each of the following:

- (i) Airport operators.
- (ii) Air carriers.
- (iii) Aircraft operators.
- (iv) Avionics manufacturers.
- (v) Flight schools.
- (vi) The certified bargaining representative of aviation safety inspectors for the Administration.

(vii) The exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

(viii) Other safety experts the Administrator determines appropriate.

(B) **ADDITIONAL MEMBERS.**—The Administrator may appoint members representing any other stakeholder organization that the Administrator determines appropriate to the Runway Safety Council.

(c) **AIRPORT SURFACE SURVEILLANCE.**—

(1) **IDENTIFICATION.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall, in coordination with the Council, consult with relevant stakeholders to identify technologies, equipment, and systems that—

- (A) may provide airport surface surveillance capabilities at airports lacking such capabilities;
- (B) may augment existing airport surface surveillance systems; or
- (C) may provide onboard situational awareness to pilots.

(2) **CRITERIA.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) based on the information obtained pursuant to paragraph (1), identify airport surface surveillance systems that meet the standards of the Administration and may be able to—

- (i) provide airport surface surveillance capabilities at airports lacking such capabilities; or
- (ii) augment existing airport surface surveillance systems; and

(B) establish clear and quantifiable criteria relating to operational factors, including ground traffic and air traffic activity and the rate of runway and terminal airspace safety events (including runway incursions), that determine when the installation and deployment of an airport surface surveillance system, or other runway safety system (including runway status lights), at an airport is required.

(3) **DEPLOYMENT.**—Not later than 5 years after the date of enactment of this Act, the Administrator shall ensure that airport surface surveillance systems are deployed and operational at—

- (A) all airports described in paragraph (2)(A); and
- (B) all medium and large hub airports.

(4) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of the deployment described in paragraph (3).

(d) **FOREIGN OBJECT DEBRIS DETECTION.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator shall assess, in coordination with the Council, automated foreign object debris monitoring and detection systems at not less than 3 airports that are using such systems.

(2) **CONSIDERATIONS.**—In conducting the assessment under paragraph (1), the Administrator shall consider the following:

- (A) The categorization of an airport.
- (B) The potential frequency of foreign object debris incidents on airport runways or adjacent ramp areas.
- (C) The availability of funding for the installation and maintenance of foreign object debris monitoring and detection systems.
- (D) The impact of such systems on the airfield operations of an airport.
- (E) The effectiveness of available foreign object debris monitoring and detection systems.

(F) Any other factors relevant to assessing the return on investment of foreign object debris monitoring and detection systems.

(3) **CONSULTATION.**—In carrying out this subsection, the Administrator and the Council shall consult with manufacturers and suppliers of foreign object debris detection technology and any other relevant stakeholders.

(e) **RUNWAY SAFETY STUDY.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall seek to enter into an agreement with a federally funded research and development center to conduct a study of runway incursions, surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight to determine how advanced technologies and future airport development projects may be able to reduce the frequency of such events and enhance aviation safety.

(2) **CONSIDERATIONS.**—In conducting the study under paragraph (1), the federally funded research and development center shall—

- (A) examine data relating to recurring runway incursions, surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight at airports to identify the underlying factors that caused such events;
- (B) assess metrics used to identify when such events are increasing at an airport;
- (C) assess available and developmental technologies, including and beyond such technologies considered in subsection (c), that may augment existing air traffic management capabilities of surface surveillance and terminal airspace equipment;

(D) consider growth trends in airport size, staffing and communication complexities to identify—

- (i) future gaps in information exchange between aerospace stakeholders; and
- (ii) methods for meeting future near real-time information sharing needs; and

(E) examine airfield safety training programs used by airport tenants and other stakeholders operating on airfields of airports, including airfield familiarization training programs for employees, to assess scalability to handle future growth in airfield capacity and traffic.

(3) **RECOMMENDATIONS.**—In conducting the study required by paragraph (1), the federally funded research and development center shall develop recommendations for the strategic planning efforts of the Administration to appropriately maintain surface safety considering future increases in air traffic and based on the considerations described in paragraph (2).

(4) **REPORT TO CONGRESS.**—Not later than 90 days after the completion of the study required by paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such study and any recommendations developed under paragraph (3).

(f) **AIRPORT SURFACE DETECTION AND SURVEILLANCE SYSTEM DEFINED.**—In this section, the term “airport surface detection and surveillance system” means an airport surveillance system that is—

- (1) designed to track surface movement of aircraft and vehicles; and
- (2) capable of alerting air traffic controllers or flight crew members of a possible runway incursion, misaligned approach, or other safety event.

**SEC. 502. GLOBAL AVIATION SAFETY.**

(a) **IN GENERAL.**—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is amended—

(1) in the subsection heading by inserting “AND ASSISTANCE” after “INTERNATIONAL ROLE”;

(2) in paragraph (1) by striking “The Administrator” and inserting “In carrying out subsection (a), the Administrator”;

(3) by redesignating paragraph (2) as paragraph (4); and

(4) by inserting after paragraph (1) the following:

“(2) **INTERNATIONAL PRESENCE.**—The Administrator shall maintain an international presence to—

“(A) assist foreign civil aviation authorities in—

“(i) establishing robust aviation oversight practices and policies;

“(ii) training staff, to include inspectors and accident investigators;

“(iii) harmonizing international aviation standards for air traffic management, operator certification, aircraft certification, airports, and certificated or credentialed individuals;

“(iv) validating and accepting foreign aircraft design and production approvals;

“(v) maintaining appropriate levels of air navigation services;

“(vi) preparing for new aviation technologies; and

“(vii) appropriately adopting continuing airworthiness information, such as airworthiness directives;

“(B) encourage the adoption of United States standards, regulations, and policies;

“(C) establish, maintain, and update bilateral or multilateral aviation safety agreements and the aviation safety information contained within such agreements;

“(D) engage in bilateral and multilateral discussions and provide technical assistance as described in paragraph (5);

“(E) validate foreign aviation products and ensure reciprocal validation of products for which the United States is the state of design or production;

“(F) support accident and incident investigations, particularly such investigations that involve United States persons and certified products and such investigations where the National Transportation Safety Board is supporting an investigation pursuant to annex 13 of the International Civil Aviation Organization;

“(G) support the international activities of the United States aviation sector;

“(H) maintain valuable relationships with entities with aviation equities, including civil aviation authorities, other governmental bodies, non-governmental organizations, and foreign manufacturers; and

“(I) perform other activities as determined necessary by the Administrator.”.

(b) **REVIEW OF INTERNATIONAL FIELD OFFICES.**—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (2) the following:

“(3) **INTERNATIONAL OFFICES.**—In carrying out the responsibilities described in subsection (a), the Administrator shall—

“(A) maintain international offices of the Administration;

“(B) every 3 years, review existing international offices to determine—

“(i) the effectiveness of such offices in fulfilling the mission described in paragraph (2); and

“(ii) the adequacy of resources and staffing to achieve the mission described in paragraph (2);

“(C) establish offices to address gaps identified by the review under subparagraph (B) and in furtherance of the mission described in paragraph (2), putting an emphasis on establishing such offices—

“(i) where international civil aviation authorities are located;

“(ii) where regional intergovernmental organizations are located;

“(iii) in countries that have difficulty maintaining a category 1 classification through the International Aviation Safety Assessment program; and

“(iv) in regions that have experienced substantial growth in aviation operations or manufacturing.”.

(c) **BILATERAL AVIATION SAFETY AGREEMENTS.**—

(1) **ESTABLISHMENT.**—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (4) the following:

“(5) **BILATERAL AVIATION SAFETY AGREEMENTS.**—

“(A) **IN GENERAL.**—The Administrator shall negotiate, enter into, promote, enforce, evaluate the effectiveness of, and seek to update bilateral or multilateral aviation safety agreements, and the parts of such agreements, with international aviation authorities.

“(B) **PURPOSE.**—The Administrator shall seek to enter into bilateral aviation safety agreements under this section to, at a minimum—

“(i) improve global aviation safety;

“(ii) increase harmonization of, and reduce duplicative, requirements, processes, and approvals to advance the aviation interests of the United States;

“(iii) ensure access to international markets for operators, service providers, and manufacturers from the United States; and

“(iv) put in place procedures for recourse when a party to such agreements fails to meet the obligations of such party under such agreements.

“(C) **SCOPE.**—The scope of a bilateral aviation safety agreement entered into under this section shall, as appropriate, cover existing aviation users and concepts and establish a process by which bilateral aviation safety agreements can be updated to include new and novel concepts on an ongoing basis.

“(D) **CONTENTS.**—Bilateral aviation safety agreements entered into under this section shall, as appropriate and consistent with United States law and regulation, include topics such as—

“(i) airworthiness, certification, and validation;

“(ii) maintenance;

“(iii) operations and pilot training;

“(iv) airspace access, efficiencies, and navigation services;

“(v) transport category aircraft;

“(vi) fixed-wing aircraft, rotorcraft, and powered-lift aircraft;

“(vii) aerodrome certification;

“(viii) unmanned aircraft and associated elements of such aircraft;

“(ix) flight simulation training devices;

“(x) new or emerging technologies and technology trends; and

“(xi) other topics as determined appropriate by the Administrator.

“(E) **RULE OF CONSTRUCTION.**—Bilateral or multilateral aviation safety agreements entered into under this subsection shall not be construed to diminish or alter any authority of the Administrator under any other provision of law.”.

(2) **AUDIT OF VALIDATION ACTIVITIES UNDER BILATERAL AVIATION SAFETY AGREEMENTS.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the inspector

general of the Department of Transportation shall initiate an audit of bilateral compliance with respect to the validation of aircraft and aircraft parts as set forth in bilateral or multilateral aviation safety agreements between the Federal Aviation Administration and the civil aviation authorities of—

(i) the European Union;

(ii) Canada;

(iii) Brazil;

(iv) China;

(v) the United Kingdom; and

(vi) any other country as determined by the inspector general.

(B) **REVIEW CONTENTS.**—As part of the review required under this subsection, the inspector general shall evaluate the performance of validation programs by assessing—

(i) validation timelines and milestones for individual projects;

(ii) trends relating to the repeated use of nonbasic criteria to review systems and methods of compliance that have been validated previously in similar contexts;

(iii) the extent to which implementation tools such as validation workplans and safety emphasis items have addressed validation issues;

(iv) the perspective of Administration employees;

(v) the perspective of employees of other civil aviation authorities, who wish to provide such perspective, on the validation of products certified in the United States and the validation of products by the United States of products certified abroad; and

(vi) the perspective of domestic and foreign industry applicants seeking validation of aircraft and aircraft parts.

(C) **REPORT AND RECOMMENDATIONS.**—Not later than 14 months after beginning the audit under paragraph (1), the Comptroller General shall provide to the Administrator of the Federal Aviation Administration, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the findings of the audit and any recommendations to increase compliance and improve the validation timeframes of aircraft and aircraft parts.

(d) **INTERNATIONAL ENGAGEMENT STRATEGY.**—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (5) the following:

“(6) **STRATEGIC PLAN.**—The Administrator shall maintain a strategic plan for the international engagement of the Administration that includes—

“(A) all elements of the report required in section 243(b)(1) of the FAA Reauthorization Act of 2018 (49 U.S.C. 44701 note);

“(B) measures to fulfill the mission described in paragraph (2);

“(C) initiatives to attain greater expertise among employees of the Federal Aviation Administration in issues related to dispute resolution, intellectual property, and expert control laws;

“(D) policy regarding the future direction and strategy of the United States engagement with the International Civil Aviation Organization;

“(E) procedures for acceptance of mandatory airworthiness information, such as airworthiness directives, and other safety-related regulatory documents, including procedures to implement the requirements of section 44701(e)(5);

“(F) all factors, including funding and resourcing, necessary for the Administration to maintain leadership in the global activities related to aviation safety and air transportation; and

“(G) establishment of, and a process to regularly track and update, metrics to measure the effectiveness of, and foreign civil aviation authority compliance with, bilateral aviation safety agreements.”.

## SEC. 503. AVAILABILITY OF PERSONNEL FOR INSPECTIONS, SITE VISITS, AND TRAINING.

Section 40104 of title 49, United States Code, is further amended by adding at the end the following:

“(f) **TRAVEL.**—The Administrator and the Secretary of Transportation shall, in carrying out the responsibilities described in subsection (a), delegate to the appropriate supervisors of offices of the Administration the ability to authorize the domestic and international travel of relevant personnel who are not in the Federal Aviation Administration Executive System, without any additional approvals required, for the purposes of—

“(1) promoting aviation safety, aircraft operations, air traffic, airport, unmanned aircraft systems, and other aviation standards and regulations adopted by the United States;

“(2) facilitating the adoption of United States approaches on standards and recommended practices at the International Civil Aviation Organization;

“(3) promoting environmental standards adopted by the United States and standards promulgated under section 44714;

“(4) supporting the acceptance of Administration design and production approvals by other civil aviation authorities;

“(5) training Administration personnel and training provided to other persons;

“(6) engaging with regulated entities, including performing site visits;

“(7) activities associated with subsections (c) through (f) of this section; and

“(8) other activities as determined by the Administrator.”.

## SEC. 504. HELICOPTER AIR AMBULANCE OPERATIONS.

(a) **OUTDATED AIR AMBULANCE RULEMAKING REQUIREMENT.**—Section 44730 of title 49, United States Code, is amended—

(1) in subsection (a)(1) by striking “not later than 180 days after the date of enactment of this section,”;

(2) in subsection (c) by striking “address the following” and inserting “consider, or address through other means, the following”;

(3) in subsection (d) by striking “provide for the following” and inserting “consider, or address through other means, the following”; and

(4) in subsection (e)—

(A) in the heading by striking “SUBSEQUENT RULEMAKING” and inserting “SUBSEQUENT ACTIONS”;

(B) in paragraph (1) by striking “shall conduct a follow-on rulemaking to address the following:” and inserting “shall address through a follow-on rulemaking, or through such other means that the Administrator considers appropriate, the following:”;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

(b) **SAFETY MANAGEMENT SYSTEMS BRIEFING.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on how the proposed rule published on January 11, 2023, titled “Safety Management System” (88 Fed. Reg. 1932) will—

(1) improve helicopter air ambulance operations and piloting; and

(2) consider the use of safety equipment by flight crew and medical personnel on a helicopter conducting an air ambulance operation.

(c) **IMPROVEMENT OF PUBLICATION OF HELICOPTER AIR AMBULANCE OPERATIONS DATA.**—Section 44731 of title 49, United States Code, is amended—

(1) by striking subsection (d);

(2) in subsection (e)—

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

(B) by striking paragraph (2) and inserting the following:

“(2) make publicly available, in part or in whole, on the website of the Federal Aviation Administration website, the database developed pursuant to subsection (c); and

“(3) analyze the data submitted under subsection (a) periodically and use such data to inform efforts to improve the safety of helicopter air ambulance operations.”; and

(3) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

**SEC. 505. GLOBAL AIRCRAFT MAINTENANCE SAFETY IMPROVEMENTS.**

(a) FAA OVERSIGHT OF REPAIR STATIONS LOCATED OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Section 44733 of title 49, United States Code, is amended—

(A) in the heading by striking “*Inspection*” and inserting “*Oversight*”;

(B) in subsection (a) by striking “Not later than 1 year after the date of enactment of this section, the” and inserting “The”;

(C) in subsection (e)—

(i) by inserting “, without prior notice to such repair stations,” after “annually”;

(ii) by inserting “and the applicable laws of the country in which the repair station is located” after “international agreements”; and

(iii) by striking the last sentence and inserting “The Administrator may carry out announced or unannounced inspections in addition to the annual unannounced inspection required under this subsection based on identified risks and in a manner consistent with United States obligations under international agreements and the applicable laws of the country in which the part 145 repair station is located.”;

(D) by redesignating subsection (g) as subsection (j); and

(E) by inserting after subsection (f) the following:

“(g) DATA ANALYSIS.—

“(1) IN GENERAL.—Each fiscal year in which a part 121 air carrier has had heavy maintenance work performed on an aircraft owned or operated by such carrier, such carrier shall provide to the Administrator, not later than the end of the following fiscal year, a report containing the information described in paragraph (2).

“(2) INFORMATION REQUIRED.—A report under paragraph (1) shall contain the following:

“(A) The location where any heavy maintenance work on aircraft was performed outside the United States.

“(B) A description of the work performed at each such location.

“(C) The date of completion of the work performed at each such location.

“(D) A list of all failures, malfunctions, or defects affecting the safe operation of such aircraft identified by the air carrier not later than 30 days after the date on which an aircraft is returned to service, organized by reference to aircraft registration number, that—

“(i) requires corrective action after the aircraft is approved for return to service; and

“(ii) results from such work performed on such aircraft.

“(E) The certificate number of the person approving such aircraft or on-wing aircraft engine, for return to service following completion of the work performed at each such location.

“(3) ANALYSIS.—The Administrator shall—

“(A) analyze information provided under this subsection and sections 121.703, 121.705, 121.707, and 145.221 of title 14, Code of Federal Regulations, or any successor provisions of such title, to detect safety issues associated with heavy maintenance work on aircraft performed outside the United States; and

“(B) require appropriate actions by an air carrier or repair station in response to any safety issue identified by the analysis conducted under subparagraph (A).

“(4) CONFIDENTIALITY.—Information provided under this subsection shall be subject to the same protections given to voluntarily provided

safety or security related information under section 40123.

“(h) APPLICATIONS AND PROHIBITION.—

“(1) IN GENERAL.—The Administrator may not approve any new application under part 145 of title 14, Code of Federal Regulations, from a person located or headquartered in a country that the Administration, through the International Aviation Safety Assessment program, has classified as Category 2.

“(2) EXCEPTION.—Paragraph (1) shall not apply to an application for the renewal of a certificate issued under part 145 of title 14, Code of Federal Regulations.

“(3) MAINTENANCE IMPLEMENTATION PROCEDURES AGREEMENT.—The Administrator may elect not to enter into a new maintenance implementation procedures agreement with a country classified as Category 2, for as long as the country remains classified as Category 2.

“(3) PROHIBITION ON CONTINUED HEAVY MAINTENANCE WORK.—No part 121 air carrier may enter into a new contract for heavy maintenance work with a person located or headquartered in a country that the Administrator, through the International Aviation Safety Assessment program, has classified as Category 2, for as long as such country remains classified as Category 2.

“(i) MINIMUM QUALIFICATIONS FOR MECHANICS AND OTHERS WORKING ON U.S. REGISTERED AIRCRAFT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Administrator shall require that, at each covered repair station—

“(A) all supervisory personnel of such station are appropriately certificated as a mechanic or repairman under part 65 of title 14, Code of Federal Regulations, or under an equivalent certification or licensing regime, as determined by the Administrator; and

“(B) all personnel of such station authorized to approve an article for return to service are appropriately certificated as a mechanic or repairman under part 65 of such title, or under an equivalent certification or licensing regime, as determined by the Administrator.

“(2) AVAILABLE FOR CONSULTATION.—Not later than 2 years after the date of enactment of this subsection, the Administrator shall require any individual who is responsible for approving an article for return to service or who is directly in charge of heavy maintenance work performed on aircraft operated by a part 121 air carrier be available for consultation while work is being performed at a covered repair station.”.

(2) DEFINITIONS.—

(A) IN GENERAL.—Section 44733(j) of title 49, United States Code (as redesignated by this section), is amended—

(i) in paragraph (1) by striking “aircraft” and inserting “aircraft (including on-wing aircraft engines)”;

(ii) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(iii) by inserting before paragraph (2), as so redesignated, the following:

“(1) COVERED REPAIR STATION.—The term ‘covered repair station’ means a facility that—

“(A) is located outside the United States;

“(B) is a part 145 repair station; and

“(C) performs heavy maintenance work on aircraft operated by a part 121 air carrier.”.

(B) TECHNICAL AMENDMENT.—Section 44733(a)(3) of title 49, United States Code, is amended by striking “covered part 145 repair stations” and inserting “part 145 repair stations”.

(3) CONFORMING AMENDMENTS.—The analysis for chapter 447 of title 49, United States Code, is amended by striking the item relating to section 44733 and inserting the following:

“44733. Oversight of repair stations located outside the United States.”.

(b) INTERNATIONAL STANDARDS FOR SAFETY OVERSIGHT OF EXTRATERRITORIAL REPAIR STATIONS.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall invite other civil aviation authorities to convene with the Administration an extraterritorial repair station working group (hereinafter referred to as the “Working Group”) to conduct a review of the certification and oversight of extraterritorial repair stations and to identify any future enhancements or harmonization that might be appropriate to strengthen oversight of such repair stations and improve global aviation safety.

(2) COMPOSITION OF WORKING GROUP.—The Working Group shall consist of—

(A) technical representatives from the FAA; and

(B) such other civil aviation authorities or international intergovernmental aviation safety organizations as the Administrator determines appropriate and are willing to participate, including—

(i) civil aviation authorities responsible for certificating extraterritorial repair stations; and

(ii) civil aviation authorities of countries in which extraterritorial repair stations are located.

(3) CONSULTATION.—In conducting the review under this section, the Working Group shall, as appropriate, consult with relevant experts and stakeholders.

(4) RECOMMENDATIONS.—The Working Group shall make recommendations with respect to any future enhancements that might be appropriate to—

(A) strengthen oversight of extraterritorial repair stations; and

(B) better leverage the resources of other civil aviation authorities to conduct such oversight.

(5) REPORTS.—

(A) REPAIR STATION WORKING GROUP REPORT.—In establishing the Working Group, the Administrator shall task the Working Group with submitting to the participating civil aviation authorities a report containing the findings of the recommendations made under paragraph (4).

(B) FAA REPORT.—

(i) TRANSMISSION OF REPAIR STATION WORKING GROUP REPORT.—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a copy of the report required under subparagraph (A) as soon as is practicable after the receipt of such report.

(ii) FAA BRIEFING TO CONGRESS.—Not later than 45 days after receipt of the report under paragraph (1), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(I) whether the Administrator concurs or does not concur with each recommendation contained in the report required under subparagraph (A);

(II) any recommendation with which the Administrator does not concur, a detailed explanation as to why the Administrator does not concur;

(III) a plan to implement each recommendation with which the Administrator concurs; and

(IV) a plan to work with the international community to implement the recommendations applicable to both the FAA as well as other civil aviation authorities.

(6) TERMINATION.—The Working Group shall terminate 90 days after the date of submission of the report under paragraph (5)(A), unless the Administrator or another participant of the Working Group requests for an extension of the Working Group in order to inform the implementation and harmonization of any recommendation applicable to multiple civil aviation authorities.

(7) DEFINITION OF EXTRATERRITORIAL REPAIR STATION.—In this subsection, the term

“extraterritorial repair station” means a repair station that performs heavy maintenance work on an aircraft (including on-wing engines) and that is located outside of the territory of the country of the civil aviation authority which certificated the repair station.

(c) **ALCOHOL AND DRUG TESTING AND BACKGROUND CHECKS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report updating Congress on the progress and challenges involved with carrying out the requirements of subsection (b) of section 2112 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44733).

(2) **SUNSET.**—The reporting requirement under paragraph (1) shall cease to be effective after a final rule carrying out the requirements of such subsection (b) has been published in the Federal Register.

(3) **RULEMAKING ON ASSESSMENT REQUIREMENT.**—With respect to any employee not covered under the requirements of section 1554.101 of title 49, Code of Federal Regulations, the Administrator shall initiate a rulemaking or request the head of another Federal agency to initiate a rulemaking that requires a covered repair station to confirm that any such employee has successfully completed an assessment commensurate with a security threat assessment described in subpart C of part 1540 of such title.

(d) **DEFINITIONS.**—In this section:

(1) **FAA.**—The term “FAA” means the Federal Aviation Administration.

(2) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the FAA.

(3) **COVERED REPAIR STATION; HEAVY MAINTENANCE WORK.**—The terms “covered repair station” and “heavy maintenance work” have the meaning given those terms in section 44733(j) of title 49, United States Code.

#### **SEC. 506. ODA BEST PRACTICE SHARING.**

Section 44736(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “Not later than 120 days after the date of enactment of this section, the” and insert “The”; and

(2) in paragraph (3)—

(A) in subparagraph (E) by striking “and” at the end;

(B) in subparagraph (F) by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(G) convene a forum not less than every 2 years between ODA holders, unit members, and other organizational representatives and relevant experts, in order to—

“(i) share best practices;

“(ii) instill professionalism, ethics, and personal responsibilities in unit members; and

“(iii) foster open and transparent communication between Administration safety specialists, ODA holders, and unit members.”.

#### **SEC. 507. TRAINING OF ORGANIZATION DELEGATION AUTHORITY UNIT MEMBERS.**

(a) **UNIT MEMBER ANNUAL ETHICS TRAINING.**—Section 44736 of title 49, United States Code, is further amended by adding at the end the following:

“(g) **ETHICS TRAINING REQUIREMENT FOR ODA HOLDERS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, the Administrator of the Federal Aviation Administration shall review and ensure each ODA holder approved under section 44741 has in effect a recurrent training program for all ODA unit members that covers—

“(A) unit member professional obligations and responsibilities;

“(B) the ODA holder’s code of ethics as required to be established under section 102(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44701 note);

“(C) procedures for reporting safety concerns, as described in the respective approved procedures manual for the delegation;

“(D) the prohibition against and reporting procedures for interference from a supervisor or other ODA member described in section 44742; and

“(E) any additional information the Administrator considers relevant to maintaining ethical and professional standards across all ODA holders and unit members.

“(2) **FAA REVIEW.**—

“(A) **REVIEW OF TRAINING PROGRAM.**—The Organization Designation Authorization Office of the Administration shall review each ODA holders’ recurrent training program to ensure such program includes all elements described in paragraph (1).

“(B) **CHANGES TO PROGRAM.**—Such Office may require changes to the training program considered necessary to maintain ethical and professional standards across all ODA holders and unit members.

“(3) **TRAINING.**—As part of the recurrent training required under paragraph (1), not later than 60 business days after being designated as an ODA unit member, and annually thereafter, each ODA unit member shall complete the ethics training required by the ODA holder of the respective ODA unit member in order to exercise the functions delegated under the ODA.

“(4) **ACCOUNTABILITY.**—The Administrator shall establish such processes or requirements as are necessary to ensure compliance with paragraph (3).”.

(b) **DEADLINE.**—An ODA unit member authorized to perform delegated functions under an ODA prior to the date of completion of an ethics training required under section 44736(g) of title 49, United States Code, shall complete such training not later than 30 days after the training program is approved by the Administrator of the Federal Aviation Administration pursuant to such section.

#### **SEC. 508. CLARIFICATION ON SAFETY MANAGEMENT SYSTEM INFORMATION DISCLOSURE.**

Section 44735 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking “; or” and inserting a semicolon;

(B) in paragraph (2) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(3) if the report, data, or other information is submitted for any purpose relating to the development, implementation, and use of a safety management system, including a system required by regulation, that is acceptable to the Administrator.”; and

(2) by adding at the end the following:

“(d) **OTHER AGENCIES.**—

“(1) **IN GENERAL.**—The limitation established under subsection (a) shall apply to the head of any other Federal agency who receives reports, data, or other information described in such subsection from the Administrator.

“(2) **RULE OF CONSTRUCTION.**—This section shall not be construed to limit the accident or incident investigation authority of the National Transportation Safety Board under chapter 11, including the requirement to not disclose voluntarily provided safety-related information under section 1114.”.

#### **SEC. 509. EXTENSION OF AIRCRAFT CERTIFICATION, SAFETY, AND ACCOUNTABILITY ACT REPORTING REQUIREMENTS.**

(a) **APPEALS OF CERTIFICATION DECISIONS.**—Section 44704(g)(1)(C)(ii) of title 49, United States Code, is amended by striking “2025” and inserting “2028”.

(b) **OVERSIGHT OF ORGANIZATION DESIGNATION AUTHORIZATION UNIT MEMBERS.**—Section 44741(f)(2) of title 49, United States Code, is amended by striking “Not later than 90 days” and all that follows through “the Administrator

shall provide a briefing” and inserting “The Administrator shall provide an annual briefing each fiscal year through fiscal year 2028”.

(c) **INTEGRATED PROJECT TEAMS.**—Section 108(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44704 note) is amended by striking “2023” and inserting “2028”.

(d) **VOLUNTARY SAFETY REPORTING PROGRAM.**—Section 113(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44701 note) is amended by striking “2023” and inserting “2028”.

(e) **CHANGED PRODUCT RULE.**—Section 117(b)(1) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44704 note) is amended by striking “2023” and inserting “2028”.

#### **SEC. 510. DON YOUNG ALASKA AVIATION SAFETY INITIATIVE.**

(a) **IN GENERAL.**—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

##### **“§44745. Don Young Alaska Aviation Safety Initiative.**

“(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall redesignate the FAA Alaska Aviation Safety Initiative of the Administration as the Don Young Alaska Aviation Safety Initiative (in this section referred to as the “Initiative”), under which the Administrator shall carry out the provisions of this section and take such other actions as the Administrator determines appropriate to improve aviation safety in covered locations.

“(b) **OBJECTIVE.**—The objective of the Initiative shall be to work cooperatively with aviation stakeholders and other stakeholders towards the goal of—

“(1) reducing the rate of fatal aircraft accidents in covered locations by 90 percent from 2019 to 2033; and

“(2) by January 1, 2033, eliminating fatal accidents of aircraft operated by an air carrier that operates under part 135 of title 14, Code of Federal Regulations.

“(c) **LEADERSHIP.**—

“(1) **IN GENERAL.**—The Administrator shall designate the Regional Administrator for the Alaskan Region of the Administration to serve as the Director of the Initiative.

“(2) **REPORTING CHAIN.**—In all matters relating to the Initiative, the Director of the Initiative shall report directly to the Administrator.

“(3) **COORDINATION.**—The Director of the Initiative shall coordinate with the heads of other offices and lines of business of the Administration, including the other regional administrators, to carry out the Initiative.

“(d) **AUTOMATED WEATHER SYSTEMS.**—

“(1) **REQUIREMENT.**—The Administrator shall ensure, to the greatest extent practicable, that a covered automated weather system is installed and operated at each covered airport not later than December 31, 2030.

“(2) **WAIVER.**—In complying with the requirement under paragraph (1), the Administrator may waive any positive benefit-cost ratio requirement for the installation and operation of a covered automated weather system.

“(3) **PRIORITIZATION.**—In developing the installation timeline of a covered automated weather system at a covered airport pursuant to this subsection, the Administrator shall—

“(A) coordinate and consult with the governments with jurisdiction over covered locations, covered airports, air carriers operating in covered locations, private pilots based in covered locations, and such other members of the aviation community in covered locations; and

“(B) prioritize early installation at covered airports that would enable the greatest number of instrument flight rule operations by air carriers operating under part 121 or 135 of title 14, Code of Federal Regulations.

“(4) **RELIABILITY.**—

“(A) **IN GENERAL.**—Pertaining to both Federal and non-Federal systems, the Administrator shall be responsible for ensuring—

“(i) the reliability of covered automated weather systems; and

“(ii) the availability of weather information from such systems.

“(B) SPECIFICATIONS.—The Administrator shall establish data availability and equipment reliability specifications for covered automated weather systems.

“(C) SYSTEM RELIABILITY AND RESTORATION PLAN.—Not later than 2 years after the date of enactment of this section, the Administrator shall establish an automated weather system reliability and restoration plan. Such plan shall document the Administrator’s strategy for ensuring covered automated weather system reliability, including the availability of weather information from such system, and for restoring service in as little time as possible.

“(D) TELECOMMUNICATIONS OR OTHER FAILURES.—If a covered automated weather system is unable to broadly disseminate weather information due to a telecommunications failure or a failure other than an equipment failure, the Administrator shall take such actions as may be necessary to restore the full functionality and connectivity of the covered automated weather system. The Administrator shall take actions under this subparagraph with the same urgency as the Administrator would take an action to repair a covered automated weather system equipment failure or data fidelity issue.

“(E) RELIABILITY DATA.—In tabulating data relating to the operational status of covered automated weather systems (including individually or collectively), the Administrator may not consider a covered automated weather system that is functioning nominally but is unable to broadly disseminate weather information telecommunications failure or a failure other than an equipment failure as functioning reliably.

“(5) INVENTORY.—The Administrator shall consider storing excess inventory necessary for air traffic control equipment, including commonly required replacement parts, in covered locations to reduce the amount of time necessary to acquire such equipment or such parts necessary to replace or repair air traffic control system components.

“(6) VISUAL WEATHER OBSERVATION SYSTEM.—Not later than 1 year after the date of enactment of this section, the Administrator shall take such actions as may be necessary to—

“(A) deploy visual weather observation systems; and

“(B) ensure that such systems are capable of meeting the definition of covered automated weather systems.

“(e) WEATHER CAMERAS.—

“(1) IN GENERAL.—The Director shall continuously assess the state of the weather camera systems in covered locations to ensure the operational sufficiency and reliability of such systems.

“(2) APPLICATIONS.—The Director shall—

“(A) accept applications from persons to install weather cameras; and

“(B) consult with the governments with jurisdiction over covered locations, covered airports, air carriers operating in covered locations, private pilots based in covered locations, and such other members of the aviation community in covered locations as the Administrator determines appropriate to solicit additional locations at which to install and operate weather cameras.

“(3) PRESUMPTION.—Unless the Director has clear and compelling evidence to the contrary, the Director shall presume that the installation of a weather camera at a covered airport, or that is recommended by a government with jurisdiction over a covered location, is cost beneficial and will improve aviation safety.

“(f) COOPERATION WITH OTHER AGENCIES.—In carrying out this section, the Administrator shall cooperate with the heads of other Federal or State agencies with responsibilities affecting aviation safety in covered locations, including the collection and dissemination of weather data.

“(g) SURVEILLANCE AND COMMUNICATION.—

“(1) IN GENERAL.—The Director shall take such actions as may be necessary to—

“(A) encourage and incentivize the equipage of aircrafts that operate under part 135 of title 14, Code of Federal Regulations, with automatic dependent surveillance and broadcast out equipment; and

“(B) improve aviation surveillance and communications in covered locations.

“(2) REQUIREMENT.—Not later than December 31, 2030, the Administrator shall ensure that automatic dependent surveillance and broadcast coverage is available at 5,000 feet above ground level throughout each covered location.

“(3) WAIVER.—In complying with the requirement under paragraph (2), the Administrator shall waive any positive benefit-cost ratio requirement for the installation and operation of equipment and facilities necessary to implement such requirement.

“(4) SERVICE AREAS.—The Director shall continuously identify additional automatic dependent surveillance-broadcast service areas in which the deployment of automatic dependent surveillance-broadcast receivers and equipment would improve aviation safety.

“(h) OTHER PROJECTS.—The Director shall continue to build upon other initiatives recommended in the reports of the FAA Alaska Aviation Safety Initiative of the Administration published before the date of enactment of this section.

“(i) ANNUAL REPORT.—

“(1) IN GENERAL.—The Director shall submit an annual report on the status and progress of the Initiative to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(2) OBJECTIVES AND REQUIREMENTS.—The report under paragraph (1) shall include a detailed description of the Director’s progress in and plans for meeting the objectives of the Initiative under subsection (b) and the other requirements of this section.

“(3) STAKEHOLDER COMMENTS.—The Director shall append stakeholder comments, organized by topic, to each report submitted under paragraph (1) in the same manner as appendix 3 of the report titled ‘FAA Alaska Aviation Safety Initiative FY21 Final Report’, dated September 30, 2021.

“(j) FUNDING.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in fiscal years 2024 through 2028—

“(A) the Administrator may, upon application from the government with jurisdiction over a covered location, use amounts apportioned to a covered location under subsection (d)(2)(B) or subsection (e)(5) of section 47114 to carry out the Initiative; or

“(B) the sponsor of an airport in a covered location that receives an apportionment under subsection (d)(2)(B) or subsection (e) of section 47114 may use such apportionment for any purpose contained in this section.

“(2) SUPPLEMENTAL FUNDING.—Out of amounts made available under section 106(k) and section 48101, not more than a total of \$25,000,000 for each of fiscal year 2024 through 2028 is authorized to be expended to carry out the Initiative.

“(k) DEFINITIONS.—In this section:

“(1) COVERED AIRPORT.—The term ‘covered airport’ means an airport in a covered location that is included in the national plan of integrated airport systems required under section 47103 and that has a status other than unclassified in such plan.

“(2) COVERED AUTOMATED WEATHER SYSTEM.—The term ‘covered automated weather system’ means an automated or visual weather reporting facility that enables a pilot to begin an instrument procedure approach to an airport under section 91.1039 or 135.225 of title 14, Code of Federal Regulations.

“(3) COVERED LOCATION.—The term ‘covered location’ means Alaska, Hawaii, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the United States Virgin Islands.

“(l) CONFORMITY.—The Administrator shall conduct all activities required under this section in conformity with section 44720.”

(b) REMOTE POSITIONS.—Section 40122(g) of title 49, United States Code, is amended by adding at the end the following:

“(7) REMOTE POSITIONS.—

“(A) IN GENERAL.—If the Administrator determines that a covered position has not been filled after multiple vacancy announcements and that there are unique circumstances affecting the ability of the Administrator to fill such position, the Administrator may consider, in consultation with the appropriate labor union, applicants for the covered position who apply under a vacancy announcement recruiting from the State or territory in which the position is based.

“(B) COVERED POSITION DEFINED.—In this paragraph, the term ‘covered position’ means a safety-critical position based in Alaska, Hawaii, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands.”

(c) RUNWAY LENGTH.—Notwithstanding any other provision of law, the Secretary of Transportation may not require an airport to shorten a runway or prevent airport improvement grants made by the Secretary to be used for reconstructing and rehabilitating a primary runway on the basis that the airport does not have a sufficient number of aircraft operations requiring a certain runway length if—

(1) the airport is located in a covered location;

(2) the airport is not connected to the road transportation network; and

(3) the runway length is utilized by aircraft to deliver necessary cargo, including heating fuel and gasoline, for the community served by the airport.

(d) ALASKAN REGIONAL ADMINISTRATOR.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Regional Administrator for the Alaskan Region is a uniquely important position that contributes to aviation safety in the State of Alaska;

(B) vacancies in any Federal Aviation Administration office have a deleterious effect on the efficacy of the Alaskan Region office;

(C) a prolonged vacancy in the position of Regional Administrator for the Alaskan Region may be detrimental to the effective administration of such region and the Don Young Alaska Aviation Safety Initiative; and

(D) the Administrator of the Federal Aviation Administration should ensure that any vacancy in the position of Regional Administrator for the Alaskan Region is filled will a highly qualified candidate as expeditiously as possible.

(2) VACANCY NOTIFICATION REQUIREMENTS.—

(A) INITIAL VACANCY.—The Administrator of the Federal Aviation Administration shall notify the appropriate committees of Congress when there is a vacancy for the position of Regional Administrator for the Alaskan Region.

(B) STATUS UPDATES.—Not later than 90 days after the notification under subparagraph (A) (and every 30 days thereafter until the vacancy described under subparagraph (A) is filled), the Administrator shall notify the appropriate committees of Congress of any vacancy of such position, if so, provide an estimated timeline for filling such vacancy.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, 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.

(D) SUNSET.—This paragraph shall cease to be effective after September 30, 2028.

(e) IMPLEMENTATION OF NTSB RECOMMENDATIONS.—

(1) *IN GENERAL.*—Not later than 3 years after the date of enactment of this Act, the Administrator shall take such actions as may be necessary to implement National Transportation Safety Board recommendations A–22–25 and A–22–26 (as contained in Aviation Investigation Report AIR–22–09, adopted November 16, 2022).

(2) *COORDINATION.*—In taking actions under paragraph (1), the Administrator shall coordinate with the State of Alaska, airports in Alaska, air carriers operating in Alaska, private pilots (including tour operators) based in Alaska, and such other members of the Alaska aviation community or other stakeholders as the Administrator determines appropriate.

(f) *CLERICAL AMENDMENT.*—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following: “44745. Don Young Alaska Aviation Safety Initiative.”.

#### **SEC. 511. CONTINUED OVERSIGHT OF FAA COMPLIANCE PROGRAM.**

Section 122 of the Aircraft Certification, Safety, and Accountability Act (Public Law 116–260; 134 Stat. 2344) is amended—

(1) in subsection (b) by striking paragraph (2) and inserting the following:

“(2) conduct an annual agency-wide evaluation of the Compliance Program through fiscal year 2028 to assess the functioning and effectiveness of such program and to determine—

“(A) the need for long-term metrics that, to the maximum extent practicable, apply to all program offices to assess the effectiveness of the program;

“(B) if the program ensures the highest level of compliance with safety standards; and

“(C) if the program has met its stated safety goals and purpose.”;

(2) in subsection (c)(4) by striking “2023” and inserting “2028”; and

(3) in subsection (d) by striking “2023” and inserting “2028”.

#### **SEC. 512. SCALABILITY OF SAFETY MANAGEMENT SYSTEMS.**

In conducting any rulemaking to require, or implementing a regulation requiring, a safety management system, the Administrator of the Federal Aviation Administration shall consider the scalability of such safety management system requirements to the full range of entities in terms of size or complexity that may be affected by such rulemaking or regulation, including—

(1) how an entity can demonstrate compliance using various documentation, tools, and methods, including, as appropriate, systems with multiple small operators collectively monitoring for and addressing risks;

(2) a review of traditional safety management techniques and the suitability of such techniques for small entities;

(3) the applicability of existing safety management system programs implemented by an entity;

(4) the suitability of existing requirements under part 5 of title 14, Code of Federal Regulations, for small entities; and

(5) other unique challenges relating to small entities the Administrator determines appropriate to consider.

#### **SEC. 513. FINALIZE SAFETY MANAGEMENT SYSTEM RULEMAKING.**

(a) *IN GENERAL.*—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule relating to the Notice of Proposed Rulemaking of the Federal Aviation Administration titled “Safety Management Systems”, issued on January 11, 2023.

(b) *APPLICABILITY.*—In issuing a final rule under subsection (a), the Administrator shall ensure that the safety management system requirement under the Notice of Proposed Rulemaking described in subsection (a) is applied to all certificate holders operating under the rules for commuter and on-demand operations under part 135 of title 14, Code of Federal Regulations, commercial air tour operators operating under

section 91.147 of such title, production certificate holders that are holders or licensees of a type certificate for the same product, and holders of a type certificate who license out such certificate for production under part 21 of such title.

#### **SEC. 514. IMPROVEMENTS TO AVIATION SAFETY INFORMATION ANALYSIS AND SHARING.**

(a) *IN GENERAL.*—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall implement improvements to the Aviation Safety Information Analysis and Sharing Program with respect to safety data sharing and risk mitigation.

(b) *REQUIREMENTS.*—In carrying out subsection (a), the Administrator shall—

(1) identify methods to increase the rate at which data is collected, processed, and analyzed to expeditiously share safety intelligence;

(2) develop predictive capabilities to anticipate emerging safety risks;

(3) identify methods to improve shared data environments with external stakeholders;

(4) establish a robust process for prioritizing requests for safety information;

(5) establish guidance to encourage regular safety inspector review of non-confidential aviation safety and performance data;

(6) identify industry segments not yet included and conduct outreach to such industry segments to increase the rate of participation, including—

(A) general aviation;

(B) rotorcraft;

(C) air ambulance; and

(D) maintenance facilities; and

(7) establish processes for obtaining and analyzing comprehensive and aggregate data for new and future industry segments.

(c) *RULE OF CONSTRUCTION.*—Nothing in this section shall be construed—

(1) to require the Administrator to share confidential or proprietary information and data to safety inspectors for purposes of enforcement; or

(2) to limit the applicability of section 44735 of title 49, United States Code, to the Aviation Safety Information Analysis and Sharing Program.

(d) *BRIEFING.*—Not later than 180 days after the date of enactment of this Act, and every 6 months thereafter until the improvements under subsection (a) are made, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of implementation of the Aviation Safety Information Analysis and Sharing Program and steps taken to make improvements under subsection (a).

#### **SEC. 515. IMPROVEMENT OF CERTIFICATION PROCESSES.**

(a) *IN GENERAL.*—The Administrator of the Federal Aviation Administration shall continually look for opportunities and methods to improve the processing of applications, consideration of applications, communication with applicants, and quality of feedback provided to applicants, for aircraft certification projects.

(b) *CERTIFICATION IMPROVEMENTS.*—Not later than 270 days after the date of enactment of this Act, the Administrator shall enter into an appropriate arrangement with a qualified third-party organization or consortium to identify and assess digital tools and software systems to allow for efficient and virtual evaluation of an applicant design, associated documentation, and software or systems engineering product, including in digital 3 dimensional formats or using model-based systems engineering design techniques for aircraft certification projects.

(c) *PARTIES TO REVIEW.*—In identifying digital tools and software systems as described in subsection (b), the Administrator shall ensure that the qualified third-party organization or consortium entering into an arrangement under this

section shall, throughout the review, consult with—

(1) the aircraft certification and flight standards offices or services of the Administration; and

(2) at least 3 industry members representing aircraft and aircraft part manufacturing interests.

(d) *DIGITAL TOOL AND SOFTWARE SYSTEM REQUIREMENTS.*—In identifying digital tools and software systems under subsection (b), the qualified third-party organization or consortium shall—

(1) consider the interoperability of such systems to the extent practicable;

(2) consider the scalability and usability of such systems for differing use-cases by aircraft manufacturers, aircraft operators, and the Administration, including cross-office use-cases within the Administration;

(3) consider such systems currently in use by United States manufacturers or other civil aviation authorities for certification and engineering purposes;

(4) consider the—

(A) available technology support for such systems; and

(B) ability for such systems to be updated and adapted over time to improve user interfaces, including providing additional functionalities and addressing gaps;

(5) consider the ability of digital tools and software systems to aid in the electronic review of software components of aircraft and aircraft systems;

(6) consider the ability of the Administration and aircraft designers to use digital tools and software systems for corrective actions and modifications in a more rapid fashion;

(7) determine if each system provides adequate protections for the exchange of information between governmental and nongovernmental entities, including—

(A) intellectual property protections;

(B) cyber and network security protections; and

(C) the ability for governmental and nongovernmental entities to control what is acceptable and what is restricted for other parties;

(8) evaluate the estimated ease of adoption and any impediments to adoption for personnel of the Federal Aviation Administration; and

(9) evaluate the ability for nongovernmental organizations of various sizes to adopt and utilize the digital and software systems identified under subsection (b) to improve the aircraft certification application and coordination processes with the Administration.

(e) *ASSESSMENT.*—After reviewing digital and software systems under subsection (b), the qualified third-party organization or consortium shall provide an assessment to the Administrator as to—

(1) whether or not digital and software systems and tools would improve the coordination of the Administration with industry;

(2) whether or not such systems and tools would improve the ability of the Administration to validate and verify aircraft and software designs in non-paper formats; and

(3) the potential safety benefits or safety risks of using such systems and tools.

(f) *CONTENT OF ASSESSMENT.*—In the event the qualified third-party organization or consortium finds that digital and software systems and tools would assist the work of the Administration and improve certification projects processing, the assessment described under subsection (e) shall also include—

(1) a prioritization, expected costs, and timeline of acquisitions and training based on immediate and future needs and benefits; and

(2) suggest actions the Administration could take in order to institutionalize the use of such technologies at the headquarters and field offices of the Administration, and to protect information shared through such technologies, including recommended updates to orders issued by the Administration.



(g) **IMPLEMENTATION.**—Based on the assessment required in subsections (e) and (f), if the qualified third-party organization finds that the use of digital software systems and tools would assist the work of the agency, the Administrator shall—

(1) provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate with a briefing on the intended actions of the Administrator;

(2) not later than 60 days after receiving such assessment develop a plan to—

(A) work towards the acquisition of the systems and tools recommended, subject to the availability of appropriations;

(B) update any applicable orders and guidance to allow for the use of these new systems and tools by personnel of the Administration and nongovernmental entities applying to or coordinating with the Administration on certification related activities, at the discretion of the applicant or nongovernmental entity;

(C) on an ongoing basis review and modify orders and guidance to improve the use of these systems and tools as well as addressing any intellectual property vulnerabilities; and

(h) **BRIEFING.**—Not later than 30 months after receiving such assessment, the Administrator shall provide the committees described in paragraph (1) with a briefing on the use, benefits, and any drawbacks of the systems and tools, including comparisons between certification programs using and not using digital and software systems and tools.

**SEC. 516. INSTRUCTIONS FOR CONTINUED AIRWORTHINESS AVIATION RULEMAKING COMMITTEE.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to review, and develop findings and recommendations regarding, instructions for continued airworthiness (as described in section 21.50 of title 14, Code of Federal Regulations), and provide to the Administrator a report on such findings and recommendations and for other related purposes as determined by the Administrator.

(b) **COMPOSITION.**—The aviation rulemaking committee established pursuant to subsection (a) shall consist of members appointed by the Administrator, including representatives of—

(1) holders of type certificates (as described in subpart B of part 21, title 14, Code of Federal Regulations);

(2) holders of production certificates (as described in subpart G of part 21, title 14, Code of Federal Regulations);

(3) holders of parts manufacturer approvals (as described in subpart K of part 21, title 14, Code of Federal Regulations);

(4) holders of technical standard order authorizations (as described in subpart O of part 21, title 14, Code of Federal Regulations);

(5) operators under parts 121, 125, or 135 of title 14, Code of Federal Regulations;

(6) holders of repair station certificates (as described in section 145 of title 14, Code of Federal Regulations);

(7) the certified bargaining representative of aviation safety inspectors for the Administration;

(8) general aviation operators;

(9) mechanics certificated under part 65 of title 14, Code of Federal Regulations;

(10) holders of supplemental type certificates (as described in subpart E of part 21 of title 14, Code of Federal Regulations);

(11) designated engineering representatives employed by repair stations; and

(12) aviation safety experts with specific knowledge of instructions for continued airworthiness policies and regulations.

(c) **CONSIDERATIONS.**—The aviation rulemaking committee established pursuant to subsection (a) shall consider—

(1) existing standards, regulations, certifications, assessments, and guidance related to instructions for continued airworthiness and the clarity of such standards, regulations, certifications, assessments, and guidance to all parties;

(2) the sufficiency of safety data used in preparing instructions for continued airworthiness;

(3) the sufficiency of maintenance data used in preparing instructions for continued airworthiness;

(4) the protection of proprietary information and intellectual property in instructions for continued airworthiness;

(5) the availability of instructions for continued airworthiness, as needed, for maintenance activities;

(6) the need to harmonize or deconflict proposed and existing regulations with other Federal regulations, guidance, and policies;

(7) international collaboration, where appropriate and consistent with the interests of safety in air commerce and national security, with other civil aviation authorities, international aviation and standards organizations, and any other appropriate entities; and

(8) any other matter the Administrator determines appropriate.

(d) **DUTIES.**—The Administrator shall—

(1) not later than 1 year after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the aviation rulemaking committee report under subsection (a); and

(2) not later than 180 days after the date of submission of the report under paragraph (1), initiate a rulemaking activity or make such policy and guidance updates necessary to address any consensus recommendations reached by the aviation rulemaking committee established pursuant to subsection (a), as determined appropriate by the Administrator.

**SEC. 517. CLARITY FOR SUPPLEMENTAL TYPE CERTIFICATE REQUIREMENTS.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall issue or update guidance, policy documents, orders, job aids, or regulations to clarify the conditions under which a major alteration will require a supplemental type certificate under part 21 of title 14, Code of Federal Regulations.

(b) **CONTENTS.**—Issuances or updates under subsection (a) shall include providing clarity around—

(1) the terms “might appreciatively effect” and “no appreciable effect pursuant to sections 1.1 and 21.93 of title 14, Code of Federal Regulations, respectively”; and

(2) whether the term “other approved design”, as such term appears in part 21.1 of title 14, Code of Federal Regulations, includes engineering data approved by the Administrator by means other than through a supplemental type certificate.

(c) **CONSIDERATIONS.**—In satisfying subsection (a), the Administrator shall make such updates as necessary to provide consideration for the level of effort required by an applicant to make a major alteration and the associated level of risk to the national airspace system for a single aircraft or multiple aircraft using such alteration.

**SEC. 518. USE OF ADVANCED TOOLS IN CERTIFYING AEROSPACE PRODUCTS.**

(a) **IN GENERAL.**—Not later than 30 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete an assessment of the use of advanced tools during the testing, analysis, and verification stages of aerospace certification projects to reduce the risks associated with high-risk flight profiles and performing limit testing.

(b) **CONSIDERATIONS.**—In carrying out the assessment under subsection (a), the Administrator shall consider—

(1) instances where high risk flight profiles and limit testing have already occurred in the certification process and the applicability of such test data for use in other aspects of flight testing;

(2) the safety of pilots during such testing;

(3) the value and accuracy of data collected using such advanced tools;

(4) the ability to produce more extensive data sets using such advanced tools;

(5) any aspects of testing for which the use of such tools would not be valuable or applicable;

(6) the cost of using such advanced tools; and

(7) the best practices of other civil aviation authorities that permit the use of advanced tools during aerospace certification projects.

(c) **CONSULTATION.**—In carrying out the assessment under subsection (a), the Administrator shall consult with—

(1) aircraft manufacturers, including manufacturers that have designed and certified aircraft under—

(A) part 23 of title 14, Code of Federal Regulations;

(B) part 25 of such title; or

(C) part 27 of such title;

(2) aircraft manufacturers that have designed and certified, or are in the process of certifying, aircraft with a novel design under part 21.17(b) of such title;

(3) associations representing aircraft manufacturers;

(4) researchers and academics in related fields; and

(5) pilots who are experts in flight testing.

(d) **CONGRESSIONAL REPORT.**—Not later than 60 days after the completion of the assessment under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) the results of the assessment conducted under subsection (a); and

(2) how the Administrator plans to implement the findings of the assessment and any changes needed to Administration policy, guidance, and regulations to allow for and optimize the use of advanced tools during the certification of aerospace products in order to reduce risk and improve safety outcomes.

**SEC. 519. TRANSPORT AIRPLANE AND PROPULSION CERTIFICATION MODERNIZATION.**

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a notice of proposed rulemaking for the rulemaking activity titled “Transport Airplane and Propulsion Certification Modernization”, published in Fall 2022 in the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120-AL42).

**SEC. 520. ENGINE FIRE PROTECTION STANDARDS.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish an internal regulatory review team to review and compare domestic and international airworthiness standards and guidance for aircraft engine firewalls.

(b) **REVIEW.**—In completing the review under subsection (a), the regulatory review team shall—

(1) identify any significant differences in standards or guidance with respect to test article selection, fire test boundaries, and pass-fail criteria;

(2) consider if alternative international standards used by peer civil aviation authorities reflect best practices that should be adopted by the Administration;

(3) recommend updates, if appropriate, to the Significant Standards List of the Administration based on any findings;

(4) assess whether a selection of aircraft engine firewalls certified by other civil aviation

authorities, which were validated by the Administration, comply with the requirements of the Administration;

(5) recommend actions the Administration should take during future validation activities or with other civil aviation authorities to address any gaps in requirements; and

(6) consult with industry stakeholders during such review.

(c) **BRIEFING.**—Not later than 120 days after the completion of the review under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings and recommendations stemming from such review.

#### **SEC. 521. RISK MODEL FOR PRODUCTION FACILITY INSPECTIONS.**

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act and periodically thereafter, the Administrator of the Federal Aviation Administration shall—

(1) conduct a review of the risk-based model used by Federal Aviation Administration certification management offices to inform the frequency of aircraft manufacturing or production facility inspections; and

(2) update the model to ensure such model adequately accounts for risk at facilities during periods of increased production.

(b) **BRIEFINGS.**—Not later than 60 days after the date on which the review is conducted under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) the results of the review;

(2) any changes made to the risk-based model described in subsection (a); and

(3) how such changes would help improve the in-plant inspection process.

#### **SEC. 522. SECONDARY COCKPIT BARRIERS.**

(a) **IN GENERAL.**—Not later than 6 months after the issuance of a final rule on the proposed rule of the Federal Aviation Administration titled “Installation and Operation of Flightdeck Installed Physical Secondary Barriers on Transport Category Airlines in Part 121 Service”, and issued on August 1, 2022 (87 Fed. Reg. 46892), the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to review and develop findings and recommendations to require installation of a secondary cockpit barrier on aircraft operated under the provisions of part 121 of title 14, Code of Federal Regulations, that are not captured under another regulation or proposed regulation.

(b) **MEMBERSHIP.**—The Administrator shall appoint the members of the rulemaking committee convened under subsection (a), which shall be comprised of at least 1 representative each of—

(1) mainline air carriers;

(2) regional air carriers;

(3) cargo air carriers;

(4) aircraft manufacturers;

(5) a labor group representing pilots;

(6) a labor group representing flight attendants; and

(7) other stakeholders the Administrator determines appropriate.

(c) **CONSIDERATIONS.**—The aviation rulemaking committee convened under subsection (a) shall consider—

(1) minimum dimension requirements for secondary barriers on all aircraft types operated under part 121 of title 14, Code of Federal Regulations;

(2) secondary barrier performance standards manufacturers and air carriers must meet for such aircraft types;

(3) the availability of certified secondary barriers suitable for use on such aircraft types;

(4) the development, certification, testing, manufacturing, installation, and training for secondary barriers for such aircraft types;

(5) flight duration and stage length;

(6) the location of lavatory on such aircraft as related to operational complexities;

(7) operational complexities;

(8) any risks to safely evacuate passengers of such aircraft; and

(9) other considerations the Administrator determines appropriate.

(d) **REPORT TO CONGRESS.**—Not later than 18 months after the convening of the aviation rulemaking committee described in subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report based on the findings and recommendations of the aviation rulemaking committee convened under subsection (a), to include—

(1) if applicable, any dissenting positions on the findings and the rationale for each position; and

(2) any disagreements, including the rationale for each position and the reasons for the disagreement.

#### **SEC. 523. REVIEW OF FAA USE OF AVIATION SAFETY DATA.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an appropriate arrangement with a qualified third-party organization or consortium to evaluate the Administration’s collection, collation, analysis, and use of aviation data across the Administration.

(b) **CONSULTATION.**—In completing the evaluation under subsection (a), the qualified third-party organization or consortium shall—

(1) seek the input of experts in data analytics, including at least 1 expert in the commercial data services or analytics solutions sector;

(2) consult with the National Transportation Safety Board and the Transportation Research Board; and

(3) consult with appropriate federally funded research and development centers, to the extent that such centers are not already involved in the evaluation.

(c) **SUBSTANCE OF EVALUATION.**—In completing the evaluation under subsection (a), the qualified third-party organization or consortium shall—

(1) compile a list of internal and external sources, databases, and streams of information the Administration receives or has access to that provide the Administration with operational or safety information and data about the national airspace system, its users, and other regulated entities of the Administration;

(2) review data sets to determine completeness and accuracy of relevant information;

(3) identify gaps in information that the Administration could fill through sharing agreements, partnerships, or other means that would add value during safety trend analysis;

(4) assess the Administration’s capabilities, including analysis systems and workforce skillsets, to analyze relevant data and information to make informed decisions;

(5) review data and information for proper storage, identification controls, and data privacy—

(A) as required by law; and

(B) consistent with best practices for data collection, storage, and use;

(6) review the format of such data and identify methods to improve the usefulness of such data;

(7) assess internal and external access to data for—

(A) appropriateness based on data type and level of detail;

(B) proper data access protocols and precautions; and

(C) maximizing availability of safety-related data that could support the improvement of safety management systems of and trend identification by regulated entities and the Administration;

(8) examine the collation and dissemination of data within offices and between offices of the Administration;

(9) review and recommend improvements to the data analysis techniques of the Administration; and

(10) recommend investments the Administration should consider to better collect, manage, and analyze data sets, including within and between offices of the Administration.

(d) **ACCESS TO INFORMATION.**—The Administration shall provide the qualified third-party organization or consortium and the experts described in subsection (b) with adequate access to safety and operational data collected by and held by the agency across all offices of the Administration, except if specific access is otherwise prohibited by law.

(e) **NONDISCLOSURE.**—Prior to participating in the review, the Administrator shall ensure that each person participating in the evaluation under this section enters into an agreement with the Administrator in which the person shall be prohibited from disclosing at any time, except as required by law, to any person, foreign or domestic, any non-public information made accessible to the federally funded research and development center under this section.

(f) **REPORT.**—The qualified third-party organization or consortium carrying out the evaluation under this section shall provide a report of the findings of the center to the Administrator and include recommendations to improve the Administration’s collection, collation, analysis, and use of aviation data, including recommendations to—

(1) improve data access across offices within the Administration, as necessary, to support efficient execution of safety analysis and programs across such offices;

(2) improve data storage best practices;

(3) develop or refine methods for collating data from multiple administration and industry sources; and

(4) procure or use available analytics tools to draw conclusions and identify previously unrecognized trends or miscategorized risks in the aviation system, particularly when identification of such information requires the analysis of multiple sets of data from multiple sources.

(g) **IMPLEMENTATION OF RECOMMENDATIONS.**—Not later than 6 months after the receipt of the report under subsection (f), the Administrator shall review, develop an implementation plan, and begin the implementation of the recommendations received in such report.

(h) **REVIEW OF IMPLEMENTATION.**—The qualified third-party organization or consortium that conducted the initial evaluation, and any experts who contributed to such evaluation pursuant to subsection (b)(1), shall provide regular feedback and advice to the Administrator on the implementation plan developed under subsection (g) and any implementation activities for at least 2 years beginning on the date of the receipt of the report under subsection (f).

(i) **REPORT TO CONGRESS.**—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report described in subsection (f) and the implementation plan described in subsection (g).

(j) **EXISTING REPORTING SYSTEMS.**—Consistent with section 132 of the Aircraft Certification, Safety, and Accountability Act (Public Law 116–260), the Executive Director of the Transportation Research Board, in consultation with the Secretary of Transportation and the Administrator, may further harmonize data and sources following the implementation of recommendations contained in the report required under subsection (g).

#### **SEC. 524. PART 135 DUTY AND REST.**

(a) **PART 91 TAIL-END FERRY RULEMAKING.**—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall require that

any operation conducted by a flightcrew member during an assigned duty period under the operational control of an operator holding a certificate under part 135 of title 14, Code of Federal Regulations, before, during, or after the duty period (including any operations under part 91 of title 14, Code of Federal Regulations), without an intervening rest period, shall count towards the flight time and duty period limitations of such flightcrew member under part 135 of title 14, Code of Federal Regulations.

(b) **RECORD KEEPING.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall update any Administration policy and guidance regarding complete and accurate record keeping practices for operators holding a certificate under part 135 of title 14, Code of Federal Regulations, in order to properly document, at a minimum—

- (1) flightcrew assignments;
- (2) flightcrew rest notifications;
- (3) compliance with flight and duty times limitations and post-duty rest requirements; and
- (4) duty period start and end times.

(c) **SAFETY MANAGEMENT SYSTEM OVERSIGHT.**—The Administrator, in performing oversight of the safety management system of an operator holding a certificate under part 135 of title 14, Code of Federal Regulations, following the implementation of the final rule issued based on the rulemaking titled “Safety Management Systems”, and published on January 11, 2023 (88 Fed. Reg 1932), shall ensure such operator is evaluating and appropriately mitigating aviation safety risks, including, at minimum, risks associated with—

- (1) inadequate flightcrew member duty and rest periods; and
- (2) incomplete records pertaining to flightcrew rest, duty, and flight times.

**SEC. 525. COCKPIT VOICE AND VIDEO RECORDERS.**

(a) **IN GENERAL.**—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

**“§44746. Cockpit recording device**

“(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall complete a rulemaking proceeding to—

“(1) require that, not later than 4 years after the date of enactment of this section, all applicable aircraft are fitted with a cockpit voice recorder and a flight data recorder that are each capable of recording the most recent 25 hours of data;

“(2) prohibit any person from deliberately erasing or tampering with any recording on such a cockpit voice recorder or flight data recorder following a National Transportation Safety Board reportable event under part 830 of title 49, Code of Federal Regulations, and provide for civil and criminal penalties for such deliberate erasing or tampering, which may be assessed in accordance with section 1155 and section 32 of title 18;

“(3) require that such a cockpit voice recorder has the capability for an operator to use an erasure feature, such as an installed bulk erase function, consistent with applicable law and regulations;

“(4) require that, in the case of such a cockpit voice recorder or flight data recorder that uses a solid state recording medium in which activation of a bulk erase function assigns a random discrete code to the deleted recording, only the manufacturer of the recorder and National Transportation Safety Board have access to the software necessary to determine the code in order to extract the deleted recorded data; and

“(5) ensure that data on such a cockpit voice recorder or a flight data recorder, through technical means other than encryption (such as overwriting or the substitution of a blank recording medium before the recorder is returned to the owner) is not disclosed for use other than for accident or incident investigation purposes.

“(b) **PROHIBITED USE.**—A cockpit voice recorder recording shall not be used by the Administrator or any employer for any certificate action, civil penalty, or disciplinary proceedings against flight crewmembers.

“(c) **APPLICABLE AIRCRAFT DEFINED.**—In this section, the term ‘applicable aircraft’ means an aircraft that is—

“(1) operated under part 121 of title 14, Code of Federal Regulations; and

“(2) required by regulation to have a cockpit voice recorder or a flight data recorder.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“44746. Cockpit recording device.”.

**SEC. 526. FLIGHT DATA RECOVERY FROM OVERWATER OPERATIONS.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall direct the Aviation Rulemaking Advisory Committee (hereinafter referred to as the “Committee” in this section) to review regulations regarding flight data recovery for aircraft—

(1) operated under part 121 of title 14, Code of Federal Regulations; and

(2) used in extended overwater operations.

(b) **CONSIDERATIONS.**—In carrying out the review pursuant to subsection (a), the Committee shall provide to the Administrator any consensus recommendations for the equipage of aircraft described in subsection (a) with a cockpit voice recorder and a flight data recorder that—

(1) provide a means, in the event of an accident, to recover mandatory flight data parameters in a manner that does not require the underwater retrieval of the cockpit voice recorder or flight data recorder;

(2) is equipped with a tamper-resistant method to broadcast sufficient information to a ground station to establish the location where an aircraft terminates flight as the result of an accident within 6 nautical miles of the point of impact of the aircraft; and

(3) is equipped with an airframe low-frequency underwater locating device that functions for at least 90 days and that can be detected by appropriate equipment.

(c) **RECOMMENDATIONS.**—Not later than 18 months after tasking the aviation rulemaking advisory committee under subsection (a), the committee shall submit to the Administrator any consensus recommendations developed under subsection (b).

(d) **RULEMAKING.**—Not later than 1 year after receiving any recommendations pursuant to subsection (c), the Administrator shall initiate a rulemaking activity based on such consensus recommendations, if determined appropriate.

(e) **BRIEFING.**—If the Administrator decides not to issue a final rule with respect to the rulemaking initiated under subsection (d), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the justification for such decision.

**SEC. 527. EMERGENCY MEDICAL EQUIPMENT ON PASSENGER AIRCRAFT.**

(a) **IN GENERAL.**—Not later than 12 months after date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and update, as appropriate, part 121 of title 14, Code of Federal Regulations, regarding emergency medical equipment, including the contents of emergency medical kits, and training required for flight crew.

(b) **CONSIDERATION.**—In carrying out subsection (a), the Administrator shall consider—

(1) the benefits and costs (including the costs of flight diversions and emergency landings) of requiring any new medications or equipment necessary to be included in approved emergency medical kits under part 121 of title 14, Code of Federal Regulations; and

(2) whether the contents of the emergency medical kits include the appropriate medications

and equipment that can practicably be administered to address—

(A) the emergency medical needs of children and pregnant women;

(B) opioid overdose;

(C) anaphylaxis; and

(D) cardiac arrest.

(c) **CONSULTATION.**—In conducting the review required under subsection (a), the Administrator shall consult with associations representing aerospace medical professionals.

**SEC. 528. NAVIGATION AIDS STUDY.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate a study examining the effects of reclassifying navigation aids to Design Assurance Level-A from Design Assurance Level-B, including the following navigation aids:

- (1) Distance measuring equipment.
- (2) Very high frequency omni-directional range.

(3) Tactical air navigation.

(4) Wide area augmentation system.

(b) **CONTENTS.**—In conducting the study required under subsection (a), the inspector general shall address—

(1) the cost-benefit analyses associated with the reclassification described in such subsection;

(2) the findings from the operational safety assessments and preliminary hazard analyses of the navigation aids listed in such subsection;

(3) the risks of such reclassification on navigation aid equipment currently in use;

(4) the potential impacts on global interoperability of navigational aids; and

(5) what additional actions should be taken based on the findings of this subsection.

(c) **REPORT.**—Not later than 24 months after the date of enactment of this Act, the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study conducted under subsection (a).

**SEC. 529. REMOTE TOWERS.**

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study examining the viability and feasibility of remote tower technology available on the date of enactment of this Act to accommodate existing air traffic activity at non-towered, public-use airports and airports with a visual flight rule air traffic control tower.

(2) **CONSIDERATIONS.**—In the study conducted under subsection (a), the qualified organization selected under such subsection shall consider and include in such study—

(A) the effectiveness and adequacy of the pilot program established under section 161 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note) in—

(i) assessing the installation, maintenance, and operational costs and benefits of remote tower technology; and

(ii) establishing a clear process for the safety and operational certification of such technology;

(B) a description of actions that the Administration has undertaken to carry out such pilot program;

(C) any barriers related to the safety and operational certification of such technology;

(D) the number and type of non-towered airports in the national airspace system;

(E) the availability and development of remote tower technology;

(F) the potential to use remote tower systems to control air traffic at multiple airports and from a single physical location, similar to a terminal radar approach control facility;

(G) staffing flexibility to support seasonal staffing of remote towers;

(H) safety factors related to the potential need for such remote tower technology;

(I) the potential to use remote tower systems to surveil for unmanned aircraft, in conjunction with unmanned aircraft system traffic management systems, to enhance air traffic management of manned air traffic;

(J) factors related to the demand for remote tower technology;

(K) an examination of remote tower use in other countries;

(L) projected costs associated with installing and maintain remote tower technology at a single airport; and

(M) recommendations regarding the most cost-effective approach to provide air traffic control services at non-towered airports in the national airspace system.

(3) **INPUT.**—In carrying out the study under subsection (a), the qualified organization selected under such subsection shall—

(A) seek coordination with the Air Traffic Organization and other offices of the Administration; and

(B) seek the participation of representatives of—

(i) the exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code;

(ii) manufacturers of remote towers;

(iii) airport operators; and

(iv) other stakeholders that the Administrator determines appropriate.

(4) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the study under subsection (a).

(b) **CERTIFICATION PROCESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the completion of the study required under subsection (a), the Administrator shall establish a process for the certification of system design and operational approval of remote towers for use at public-use airports.

(2) **CONSULTATION.**—In carrying out subsection (b), the Administrator shall consult with the following:

(A) The exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

(B) Manufacturers of remote towers.

(C) Non-towered airport operators.

(3) **REQUIREMENTS.**—In developing the certification process required under subsection (b), the Administrator shall—

(A) establish requirements for the system design and operational approval of remote towers, including—

(i) sensor and camera visual requirements;

(ii) datalink latency requirements; and

(iii) visual presentation design requirements for monitors used to display sensor and camera feeds;

(B) establish tower-closure standards for contingency operations and procedures for remote tower failures and malfunctions; and

(C) consider the use of—

(i) ground- and space-based telecommunications infrastructure; and

(ii) any other wireless telecommunications infrastructure that may enable the operation of a remote tower.

(4) **OPERATIONAL APPROVAL ASSESSMENTS.**—In developing the operational approval process required under this subsection, the Administrator shall—

(A) determine the appropriate number of air traffic controllers necessary to staff a remote tower for safe air traffic control operations at the respective airport based on the existing or projected air traffic activity at the airport;

(B) use a safety risk management panel process to address any safety issues with respect to the remote tower;

(C) if the remote tower is intended to be installed at a non-towered airport, assess the safety benefits of the remote tower against the lack of an existing tower; and

(D) establish, to the satisfaction of the Administrator and using performance-based criteria, to the extent appropriate, published in advance, the level of safety necessary for the operation of the remote tower at the airport.

(5) **AIRPORT OPERATORS.**—An airport operator seeking to install or construct a certified remote tower shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

(6) **IMPLEMENTATION.**—In carrying out this section, the Administrator shall—

(A) identify air traffic control information and data that assists the Administrator in categorically certifying remote towers at different types of airports;

(B) implement processes necessary to collect the information and data identified in subparagraph (A); and

(C) develop criteria from the information and data identified in subparagraph (A) to assess remote towers for widespread use at categories of public-use airports.

(7) **PRIORITIZATION OF REMOTE TOWER CERTIFICATION APPLICANTS.**—With respect to applications submitted as required by paragraph (4), the Administrator shall prioritize—

(A) airports that do not have a permanent air traffic control tower at the time of application;

(B) airports that would provide small and rural community air service; or

(C) airports that have been newly accepted as of the date of enactment of this Act into the Contract Tower Program.

(8) **BRIEFING.**—Not later than 180 days after receiving the report required under subsection (a), and annually thereafter through fiscal year 2028, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the activities required under this section.

(c) **DEFINITIONS.**—In this section:

(1) **AIR TRAFFIC ACTIVITY.**—The term “air traffic activity” means the number of takeoffs, landings, and simulated approaches of an airport and the time of which such takeoffs, landings, and simulated approaches occur.

(2) **CONTRACT TOWER PROGRAM.**—The term “Contract Tower Program” has the meaning given such term in section 47124(e) of title 49, United States Code.

(3) **QUALIFIED ORGANIZATION.**—The term “qualified organization” means an independent non-profit organization that recommends solutions to public policy challenges through objective analysis.

(4) **REMOTE TOWER.**—The term “remote tower” has the meaning given such term in section 161(a)(9) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note).

#### **SEC. 530. WEATHER REPORTING SYSTEMS STUDY.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study to examine how to improve the procurement, functionality, and sustainability of weather reporting systems, including—

(1) automated weather observing systems;

(2) automated surface observing systems;

(3) visual weather observing systems; and

(4) non-Federal weather reporting systems.

(b) **CONTENTS.**—In conducting the study required under section (a), the Comptroller General shall address—

(1) the current state of the supply chain related to weather reporting systems and the components of such systems, including—

(A) the adequacy of suppliers of such systems and components;

(B) the affordability of such systems and components; and

(C) the availability and affordability of replacement parts;

(2) the average age of weather reporting systems infrastructure installed in the national airspace system;

(3) challenges to maintaining and replacing weather reporting systems, including—

(A) root causes of weather reporting system outages, including failures of such systems, and supporting systems such as telecommunications infrastructure; and

(B) the degree to which such outages affect weather reporting in the national airspace system;

(4) mitigation measures to maintain aviation safety during such an outage; and

(5) alternative means of obtaining weather elements at airports, including wind direction, wind speed, barometric pressure setting, and cloud coverage, including visibility.

(c) **CONSULTATION.**—In conducting the study required under subsection (a), the Comptroller General shall consult with the appropriate stakeholders and Federal agencies involved in installing, managing, and supporting weather reporting systems in the national airspace system.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study conducted under subsection (a).

(2) **RECOMMENDATIONS.**—The Comptroller General shall include in the report submitted under paragraph (1) recommendations for—

(A) ways to improve the resiliency and redundancy of weather reporting systems;

(B) alternative means of compliance for obtaining weather elements at airports; and

(C) if necessary, changes to Orders of the Administration, including the following:

(i) Surface Weather Observing, Joint Order 7900.5.

(ii) Notices to Air Missions, Joint Order 7930.2.

#### **SEC. 531. GAO STUDY ON EXPANSION OF THE FAA WEATHER CAMERA PROGRAM.**

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the feasibility and benefits and costs of expanding the Weather Camera Program of the Federal Aviation Administration to locations in the United States that lack weather camera services.

(b) **CONSIDERATIONS.**—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) the potential effects of the existing Weather Camera Program on weather-related aviation accidents and flight interruptions;

(2) the potential benefits and costs associated with expanding the Weather Camera Program;

(3) limitations on the real-time access of weather camera information by pilots and aircraft operators;

(4) non-safety related regulatory structures or barriers to the allowable use of weather camera information for the purposes of aircraft operations;

(5) limitations of existing weather camera systems at the time of the study;

(6) alternative sources of viable weather data;

(7) funding mechanisms for weather camera installation and operations; and

(8) other considerations the Comptroller General determines appropriate.

(c) **REPORT TO CONGRESS.**—Not later than 28 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study required under subsection (a).

**SEC. 532. AUDIT ON AVIATION SAFETY IN ERA OF WIRELESS CONNECTIVITY.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the Federal Aviation Administration's internal processes and procedures to communicate the position of civil aviation operators and the safety of the national airspace system to the National Telecommunications and Information Administration regarding proposed spectrum reallocations or auction decisions.

(b) **ASSESSMENT.**—In conducting the audit described in subsection (a), the inspector general shall assess best practices and policy recommendations for the Federal Aviation Administration to—

(1) improve internal processes by which proposed spectrum reallocations or auctions are thoroughly reviewed in advance to ensure that any comments or technical concerns regarding aviation safety from civil aviation stakeholders are communicated to the National Telecommunications and Information Administration that are to be submitted to the Federal Communications Commission;

(2) develop internal processes and procedures to assess the effects a proposed spectrum reallocation or auction may have on the [National Airspace System/national airspace system] in a timely manner to ensure safety of the national airspace system;

(3) improve external communication processes to better inform civil aviation stakeholders, including owners and operators of civil aircraft, on any comments or technical concerns of the Federal Aviation Administration relating to a proposed spectrum reallocation or auction that may impact the national airspace system; and

(4) better communicate to the National Telecommunications and Information Administration when a proposed spectrum reallocation or auction may pose a potential risk to aviation safety.

(c) **STAKEHOLDER VIEWS.**—In conducting the audit pursuant to subsection (a), the inspector general shall consult with relevant stakeholders, including—

(1) air carriers operating under part 121 of title 14, Code of Federal Regulations;

(2) manufacturers of aircraft and aircraft components;

(3) wireless communication carriers;

(4) labor unions representing pilots;

(5) air traffic system safety specialists;

(6) other representatives of the communications industry;

(7) aviation safety experts;

(8) the National Telecommunications and Information Administration; and

(9) the Federal Communications Commission.

(d) **REPORT.**—Not later than 2 years after the date on which the audit is conducted pursuant to subsection (a), the inspector general shall complete and submit a report on findings and recommendations to—

(1) the Administrator of the Federal Aviation Administration;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Energy and Commerce of the House of Representatives; and

(4) the Committee on Commerce, Science, and Technology of the Senate.

**SEC. 533. RAMP WORKER SAFETY CALL TO ACTION.**

(a) **CALL TO ACTION RAMP WORKER SAFETY REVIEW.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a Call to Action safety review of airport ramp worker safety in order to bring stakeholders together to share best practices and implement actions to address airport ramp worker safety.

(b) **CONTENTS.**—The Call to Action safety review required pursuant to subsection (a) shall include—

(1) a review of Administration regulations, guidance, and directives related to airport ramp worker procedures and oversight of such processes;

(2) a review of reportable accidents and incidents involving airport ramp workers, including any identified contributing factors to the reportable accident or incident;

(3) a review of training and related educational materials for airport ramp workers, including supervisory employees;

(4) a review of devices and methods for communication on the ramp;

(5) a review of markings on the ramp that define restriction, staging, safety, or hazard zones;

(6) a review of aircraft jet blast and engine intake safety markings; and

(7) a process for stakeholders, including airlines, aircraft manufacturers, airports, labor, and aviation safety experts, to provide feedback and share best practices.

(c) **REPORT AND ACTIONS.**—Not later than 180 days after the conclusion of the Call to Action safety review pursuant to subsection (a), the Administrator shall—

(1) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review and any recommendations for actions or best practices to improve airport ramp worker safety, including the identification of risks and possible mitigations to be considered in any applicable safety management system of air carriers and airports; and

(2) initiate such actions as are necessary to act upon the findings of the review under subsection (b).

**SEC. 534. SAFETY DATA ANALYSIS FOR AIRCRAFT WITHOUT TRANSPONDERS.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Chairman of the National Transportation Safety Board, shall collect and analyze data relating to accidents and incidents involving covered exempt aircraft that occurred within 30 nautical miles of an airport.

(b) **REQUIREMENTS.**—The analysis required under subsection (a) shall include with respect to covered exempt aircraft a review of—

(1) incident and accident data since 2006;

(2) incidents and accidents involving midair events, including collisions;

(3) incidents and accidents involving ground proximity warning system alerts;

(4) incidents and accidents involving traffic collision avoidance system alerts;

(5) incidents and accidents involving a loss of separation or near miss; and

(6) the causes of the accidents and incidents described in paragraphs (1) through (5).

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the analysis required under subsection (a) and, if appropriate, recommendations on how to reduce the number of incidents and accidents associated with such covered exempt aircraft.

(d) **COVERED EXEMPT AIRCRAFT DEFINED.**—In this section, the term “covered exempt aircraft” means aircraft, balloons, and gliders exempt from air traffic control transponder and altitude reporting equipment and use requirements under part 91.215(b)(3) of title 14, Code of Federal Regulations.

**SEC. 535. CRASH-RESISTANT FUEL SYSTEMS IN ROTORCRAFT.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee to—

(1) review the data analysis conducted and the recommendations developed by the Aviation

Rulemaking Advisory Committee Rotorcraft Occupant Protection Working Group of the Administration;

(2) update the 2018 report of such working group on rotorcraft occupant protection by—

(A) reviewing National Transportation Safety Board data from 2016 through 2023 on post-crash fires in helicopter accidents; and

(B) determining whether and to what extent crash-resistant fuel systems could have prevented fatalities; and

(3) develop recommendations for either the Administrator or the helicopter industry to encourage helicopter owners and operators to expedite the installation of crash-resistant fuel systems in the aircraft of such owners and operators regardless of original certification and manufacture date.

(b) **SCHEDULE.**—

(1) **DEADLINE.**—Not later than 18 months after the Administrator tasks the Aviation Rulemaking Advisory Committee under subsection (a), the Committee shall submit the recommendations developed under subsection (a)(2) to the Administrator.

(2) **IMPLEMENTATION.**—If applicable, and not later than 180 days after receiving the recommendations under paragraph (1), the Administrator shall—

(A) begin implementing, as appropriate, any consensus safety recommendations the Administrator receives from the Aviation Rulemaking Advisory Committee, and brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on any recommendations the Administrator does not implement; and

(B) partner with the United States Helicopter Safety Team, as appropriate, to facilitate implementation of any recommendations for the helicopter industry pursuant to subsection (a)(2).

**SEC. 536. REDUCING TURBULENCE ON PART 121 AIRCRAFT OPERATIONS.**

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and implement, as appropriate, the recommendations made by the Chair of the National Transportation Safety Board to the Administrator contained in the safety research report titled “Preventing Turbulence-Related Injuries in Air Carrier Operations Conducted Under Title 14 Code of Federal Regulations Part 121”, issued on August 10, 2021 (NTSB/SS-21/01).

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after completing the review under subsection (a), and every 2 years thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the recommendations in the safety research report described in subsection (a) until the earlier of—

(A) the date on which such recommendations have been adopted; or

(B) the date that is 10 years after the date of enactment of this Act.

(2) **CONTENTS.**—If the Administrator decides not to implement a recommendation in the safety research report described in subsection (a), the Administrator shall provide, as a part of the report required under paragraph (1), a description of why the Administrator did not implement such recommendation.

**SEC. 537. STUDY ON RADIATION EXPOSURE.**

(a) **STUDY.**—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Research Council of the National Academies shall conduct a study on radiation exposure onboard various aircraft types operated under part 121 of title 14, Code of Federal Regulations.

(b) **SCOPE OF STUDY.**—In conducting the study under subsection (a), the National Research Council shall assess—

(1) radiation concentrations in such aircraft at takeoff, in-flight at high altitudes, and upon landing;

(2) the health risks and impact of radiation exposure to flight attendants and passengers onboard aircraft operating at high altitudes; and

(3) mitigation measures to prevent and reduce the health and safety impacts of radiation exposure to flight attendants and passengers.

(c) **REPORT TO CONGRESS.**—Not later than 16 months after the initiation of the study required under subsection (a), the Secretary shall submit to the appropriate committees of Congress the study conducted by the National Research Council pursuant to this section.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

#### **SEC. 538. DETERRING CREWMEMBER INTERFERENCE.**

(a) **TASK FORCE.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene a task force to develop voluntary standards and best practices relating to suspected violations of sections 46318, 46503, and 46504 of title 49, United States Code, including—

(A) proper and consistent incident documentation and reporting techniques;

(B) best practices for flight crew and cabin crew response, including de-escalation;

(C) improved coordination between stakeholders, including flight crew and cabin crew, airport staff, other Federal agencies as appropriate, and law enforcement; and

(D) appropriate enforcement actions.

(2) **MEMBERSHIP.**—The task force convened under paragraph (1) shall be comprised representatives of—

(A) air carriers;

(B) airport sponsors and airport law enforcement agencies;

(C) other Federal agencies determined necessary by the Administrator; and

(D) labor organizations representing air carrier pilots;

(E) labor organizations representing flight attendants; and

(F) labor organizations representing ticketing, check-in, or other customer service representatives employed by air carriers.

(b) **ANNOUNCEMENTS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate such actions as may be necessary to include in the briefing of passengers before takeoff required under section 121.571 of title 14, Code of Federal Regulations, a statement informing passengers that it is against Federal law to assault or threaten to assault any individual on an aircraft or interfere with the duties of a crewmember.

(c) **DEFINITIONS.**—For purposes of this section, the definitions in section 40102(a) of title 49, United States Code, shall apply to terms in this section.

#### **SEC. 539. CABIN TEMPERATURE STANDARDS.**

(a) **IN GENERAL.**—Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review existing standards produced by recognized industry standards organizations on safe air temperatures and humidity levels in enclosed environments, including onboard aircraft, and determine the validity of such standards, including the American Society of Heating, Refrigerating and Air-Conditioning Engineers (in this section referred to as “ASHRAE”) standards titled “Air Quality within Commercial Air-

craft” (ASHRAE Guideline 28–2021) and “Thermal Environmental Conditions for Human Occupancy” (ASHRAE Standard 55–2020).

(b) **CONSULTATION.**—In conducting the review under subsection (a), the Administrator shall consult with—

(1) certificate holders under part 121 of title 14, Code of Federal Regulations;

(2) certified labor representatives of flight attendants, pilots, and other crewmembers;

(3) relevant Federal agencies; and

(4) other relevant stakeholders, as appropriate.

(c) **ACADEMIC STUDY.**—In the event that the Administrator determines, through the review carried out under subsection (a), that there is not an appropriate standard to determine unsafe temperatures onboard aircraft operated under part 121 of title 14, Code of Federal Regulations, the Administrator shall enter into an appropriate agreement with the National Academies to—

(1) conduct a study of unsafe aircraft cabin temperatures and aircraft conditions that contribute to such temperatures; and

(2) provide recommendations for air carriers and aircraft manufacturers to improve the management of temperature and related factors onboard aircraft.

(d) **REPORTS.**—

(1) **FAA.**—Not later than 3 months after completing the review required under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings and determination of the review.

(2) **NATIONAL ACADEMIES.**—If a report is produced under subsection (c), not later than 1 month after receiving such report the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate such report.

#### **SEC. 540. CABIN AIR QUALITY.**

(a) **REPORTING OF SMOKE OR FUME EVENTS ONBOARD COMMERCIAL AIRCRAFT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a standardized system for a flight attendants, pilots, and aircraft maintenance technicians of air carriers to voluntarily report fume events onboard passenger-carrying aircraft operating under part 121 of title 14, Code of Federal Regulations.

(2) **INFORMATION SUBMISSION.**—The system developed under paragraph (1) shall include a method of submission, which shall request at least the following information:

(A) Identification of the flight number, type, and registration of the aircraft.

(B) The date of the reported fume event onboard the aircraft.

(C) Description of smoke or fume in the aircraft, including the nature, intensity, and visual consistency or smell (if any).

(D) The location of the smoke or fumes in the aircraft.

(E) The source (if discernible) of the smoke or fumes in the aircraft.

(F) The phase of flight during which smoke or fumes first became present.

(G) The duration of the fume event.

(H) Any required onboard medical attention for passengers or crew members.

(I) Any additional factors as determined appropriate by the Administrator or crew member submitting a report.

(3) **GUIDELINES FOR SUBMISSION.**—The Administrator shall issue guidelines on how to submit the information described in paragraph (2).

(4) **CONFIRMATION OF SUBMISSION.**—Upon submitting the information described in paragraph (2), the submitting party shall receive a dupli-

cate record of the submission and confirmation of receipt.

(5) **USE OF INFORMATION.**—The Administrator—

(A) may not publish any information submitted under this section;

(B) shall maintain a database of such information;

(C) at the request of an air carrier, shall provide to such air carrier any information submitted under this section that is relevant to such air carrier, except any information that may be used to identify the party submitting such information;

(D) may not, without validation, assume that information submitted under this section is accurate for the purposes of initiating rulemaking or taking an enforcement action;

(E) may use information submitted under this section to inform the oversight of the safety management system of an air carrier; and

(F) may use information submitted under this section for the purpose of performing a study or supporting a study sponsored by the Administrator.

(b) **STUDY.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into the appropriate arrangements with the National Academies to conduct a study and issue recommendations to be made publicly available pertaining to cabin air quality and any risk of, and potential for, persistent and accidental fume events onboard a passenger-carrying aircraft operating under part 121 of title 14, Code of Federal Regulations.

(2) **SCOPE.**—In carrying out a study pursuant to paragraph (1), the National Academies shall examine—

(A) the information collected pursuant to subsection (a);

(B) the report issued pursuant to section 326 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) and any identified assumptions or gaps described in such report;

(C) any health risks or impacts of fume events on flight crews, including flight attendants and pilots, and passengers onboard aircraft operating under part 121 of title 14, Code of Federal Regulations;

(D) instances of persistent or regularly occurring (as determined by the National Academies) fume events in such aircraft;

(E) instances of accidental, unexpected, or irregularly occurring (as determined by the National Academies) fume events on such aircraft, including whether such accidental events are more frequent during various phases of operations, including ground operations, taxiing, take off, cruise, and landing;

(F) the likely originating material of, and the air contaminants present during, the situations described in subparagraphs (D) and (E);

(G) the frequencies, durations, and likely causes of the situations described in subparagraphs (D) and (E); and

(H) any additional data on fume events as determined appropriate by the National Academies.

(3) **RECOMMENDATIONS.**—The National Academies shall provide recommendations based on the study conducted under paragraph (1)—

(A) that shall, at minimum, address how to—

(i) improve overall cabin air quality of passenger-carrying aircraft;

(ii) improve the detection, accuracy, and reporting of fume events; and

(iii) reduce the frequency and impact of fume events; and

(B) for any updates to standards, guidelines, or regulations that could help achieve the recommendations described in subparagraph (A).

(4) **REPORT TO CONGRESS.**—Not later than 1 month after the completion of the study conducted under paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science,



and Transportation of the Senate a copy of such study.

(c) **FUME EVENT DEFINED.**—In this section, the term “fume event” means the presence of fumes in the cabin, including smoke.

**SEC. 541. EVACUATION STANDARDS FOR TRANSPORT CATEGORY AIRPLANES.**

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee with reviewing and proposing updates to the evacuation requirements under section 25.803 of title 14, Code of Federal Regulations, and appendix J to part 25 of such title.

(b) **CONSIDERATIONS.**—In tasking the Aviation Rulemaking Advisory Committee under subsection (a), the Administrator shall, at a minimum, task the Committee to—

(1) evaluate whether the representative passenger loads, prescribed in regulation on the date of enactment of this Act, represent a realistic composition of passengers on an aircraft operated under part 121 of title 14, Code of Federal Regulations, including accounting for—

- (A) children, including infants;
- (B) passengers who do not speak English;
- (C) passengers with disabilities; and

(D) service animals (as such term is defined in section 35.104 and 36.104 of title 28, Code of Federal Regulations, or successor regulations); and

(2) determine if there are technologies or techniques that can be used to more accurately represent categories of passengers who are unable to provide consent during evacuation testing, but should be simulated in such testing;

(3) evaluate whether the requirements prescribed in regulation on the date of enactment of this Act adequately consider the varying sizes, weight, and matter or baggage present in an aircraft cabin; and

(4) determine whether the evacuation testing performed, associated with section 25.803 of title 14, Code of Federal Regulations, considers the seat size, seat pitch, seating layout, aisle width, and aisle layout of the aircraft type being tested.

(c) **CONSULTATION.**—In tasking the Aviation Rulemaking Advisory Committee under subsection (a), the Administrator shall allow such Committee to consult with the National Transportation Safety Board, transport category aircraft manufacturers, air carriers certificated under part 121 of title 14, Code of Federal Regulations, crew members of such air carriers, emergency responders, groups representing passengers and passengers with disabilities, and other relevant experts.

(d) **RULEMAKING.**—Not later than 18 months after receiving such recommendations to update section 25.803 of title 14, Code of Federal Regulations, and appendix J to part 25 of such title, the Administrator shall issue a final rulemaking based on the recommendations provided by the aviation rulemaking advisory committee tasked under this section, as necessary.

(e) **PASSENGER WITH DISABILITIES.**—In this section, the term “passenger with disabilities” means any qualified individual with a disability, as such term is defined in section 382.3 of title 14, Code of Federal Regulations, or successor regulations.

**SEC. 542. LITHIUM-ION POWERED WHEELCHAIRS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall task the Air Carrier Access Act Advisory Committee (in this section referred to as the “Committee”) to conduct a review of regulations regarding lithium-ion battery powered wheelchairs and mobility aids and provide recommendations to the Secretary to ensure safe transport of such wheelchairs and mobility aids in air transportation.

(b) **CONSIDERATIONS.**—In conducting the review required under subsection (a), the Committee shall consider the following:

(1) Any existing or necessary standards for lithium-ion batteries, including casings or other

similar components, in such wheelchairs and mobility aids.

(2) The availability of necessary containment or storage devices, including fire containment covers or fire-resistant storage containers, for such wheelchairs and mobility aids.

(3) The policies of each air carrier (as such term is defined in part 121 of title 14, Code of Federal Regulations) pertaining to lithium-ion battery powered wheelchairs and mobility aids (as in effect on the date of enactment of this Act).

(4) Any other considerations the Secretary determines appropriate.

(c) **CONSULTATION REQUIREMENT.**—In conducting the review required under subsection (a), the Committee shall consult with the Administrator of the Pipeline and Hazardous Materials Safety Administration.

(d) **NOTIFICATION.**—

(1) **IN GENERAL.**—Upon completion of the review conducted under subsection (a), the Committee shall notify the Secretary if an air carrier does not have a policy pertaining to lithium-ion battery powered wheelchairs and mobility aids in effect.

(2) **NOTIFICATION.**—The Secretary shall notify an air carrier described in paragraph (1) of the status of such air carrier.

(e) **REPORT TO CONGRESS.**—Not later than 90 days after submission of the recommendations to the Secretary, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate any recommendations under subsection (a), in the form of a report.

(f) **PUBLICATION.**—The Secretary shall publish the report required under subsection (e) on the public website of the Department of Transportation.

**SEC. 543. NATIONAL SIMULATOR PROGRAM POLICIES AND GUIDANCE.**

(a) **REVIEW.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review relevant policies and guidance, including all advisory circulars, information bulletins, and directives, pertaining to part 60 of title 14, Code of Federal Regulations.

(b) **UPDATES.**—Upon completion of the review required under subsection (a), the Administrator shall, at a minimum, update the following:

(1) Advisory Circular 120-40B, issued July 29, 1991.

(2) Advisory Circular 120-45A, issued February 5, 1992.

(3) Advisory Circular 120-50A, issued February 9, 1996.

(4) Advisory Circular 120-63, issued October 11, 1994.

(c) **CONSULTATION.**—In carrying out the review required under subsection (a), the Administrator shall convene and consult with entities required to comply with part 60 of title 14, Code of Federal Regulations, including representatives of—

- (1) air carriers;
- (2) flight schools certificated under part 141 of title 14, Code of Federal Regulations;

(3) training centers certificated under part 142 of title 14, Code of Federal Regulations; and

(4) manufacturers and suppliers of flight simulation training devices (as defined in part 1 of title 14, Code of Federal Regulations, and Appendix F to part 60 of such title).

**SEC. 544. GAO STUDY ON FAA NATIONAL SIMULATOR PROGRAM.**

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study into the National Simulator Program of the Federal Aviation Administration that is part of the Air Transportation Division's Training and Simulation Group.

(b) **CONSIDERATIONS.**—In conducting the study required under subsection (a), the Comptroller General shall, at a minimum, assesses—

(1) how the program described under subsection (a), is maintained to reflect and account for advancement in technologies pertaining to flight simulation training devices (as defined in part 1 of title 14, Code of Federal Regulations, and appendix F to part 60 of such title);

(2) the staffing levels, critical competencies, and skills gaps of Administration personnel responsible for carrying out and supporting the program described in subsection (a); and

(3) how the program described in subsection (a) engages air carriers and relevant industry stakeholders, including flight schools, to ensure efficient compliance with part 60 of such title.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study conducted under subsection (a).

**SEC. 545. GAO STUDY ON FAA ALIGNMENT WITH BEST AVAILABLE TECHNOLOGIES AND STANDARDS.**

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study on the incorporation of best available technologies by the Federal Aviation Administration to increase aviation safety and improve the health and safety of aviation workers.

(b) **SCOPE.**—In conducting the study under subsection (a), the Comptroller General shall—

(1) analyze the degree to which the Administrator of the Federal Aviation Administration is enabling the use or adoption of technologies used by other air navigation service providers to meet ICAO standards; and

(2) identify any barriers to adoption of such technologies.

(c) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings of the study.

(d) **ICAO DEFINED.**—In this section, the term “ICAO” means the International Civil Aviation Organization.

**SEC. 546. ADVANCED SIMULATION TRAINING.**

(a) **IN GENERAL.**—Notwithstanding section 61.159(a)(6) of title 14, Code of Federal Regulations (or any successor regulations), a person who is applying for an airline transport certificate with an airplane category and class rating may obtain up to 150 additional hours of the total aeronautical experience requirement in a full flight simulator representing an airplane that provides six-degrees of freedom motion, provided the aeronautical experience—

(1) was accomplished as part of a Federal Aviation Administration approved training course in parts 121, 135, 141, or 142 of such title; and

(2) does not qualify for flight credit hours for an individual applying for an airline transport pilot certificate with restricted privileges under paragraphs (a), (b), (c), and (d) of section 61.160 of such title (or any successor regulation).

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the ability of a person to also obtain 100 hours of aeronautical experience in a flight training device or full flight simulator under section 61.159(a)(6) of title 14, Code of Federal Regulations (or any successor regulations).

(c) **RULEMAKING.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to update part 61 of title 14, Code of Federal Regulations, to reflect changes made by this section.

(2) **CONSULTATION.**—The Administrator shall consult with the Air Carrier Training Aviation Rulemaking Committee—

(A) in developing the rule under paragraph (1), and

(B) in evaluating, notwithstanding subsection (a), whether the additional 150 hours allowed under subsection (a) may be accrued in a full flight simulator representing an airplane that provides three-degrees of freedom motion.

(3) **APPLICABILITY.**—Nothing in this subsection, nor any potential failure of the Administrator to issue a final rule under paragraph (1), shall be construed to prohibit the immediate applicability of subsection (a).

(d) **DEFINITIONS.**—In this section, the terms “flight training device” and “full flight simulator” have the meanings given such terms in section 1.1 of title 14, Code of Federal Regulations.

#### **SEC. 547. INCREMENTAL SAFETY IMPROVEMENT.**

Section 44704 of title 49, United States Code, is amended by adding at the end the following:

“(h) **INCREMENTAL SAFETY IMPROVEMENT.**—

“(1) **IN GENERAL.**—The Administrator may consider and approve a proposed incremental design change request from a type certificate holder, if such holder is required by the Administrator to make a safety-related design change to bring a product into compliance, even if the proposed incremental design change does not eliminate all noncompliant conditions.

“(2) **PROPOSED INCREMENTAL DESIGN CHANGE.**—A proposed incremental design change under paragraph (1) shall—

“(A) be related to the required safety-related change described in this subsection; and

“(B) improve safety.

“(3) **FULL COMPLIANCE.**—An approval issued under this subsection shall not be construed to relieve a type certificate holder from addressing all noncompliant conditions under paragraph (1).”.

#### **Subtitle B—Aviation Cybersecurity**

#### **SEC. 571. FINDINGS.**

Congress finds the following:

(1) Congress has repeatedly tasked the Federal Aviation Administration with responsibility for securing the national airspace system, including the air traffic control system and other air navigation services, civil aircraft, and aeronautical products and articles through safety regulation and oversight. These mandates have routinely included protecting against associated cyber threats affecting aviation safety or the Administration’s provision of safe, secure, and efficient air navigation services and airspace management.

(2) In 2016, Congress passed the FAA Extension, Safety, and Security Act of 2016, which established requirements for the Federal Aviation Administration to enhance the national airspace system’s cybersecurity and included mandates for the Administration to—

(A) develop a cybersecurity strategic plan;

(B) coordinate with other Federal agencies to identify cyber vulnerabilities;

(C) develop a cyber threat model; and

(D) complete a comprehensive, strategic policy framework to identify and mitigate cybersecurity risks to the air traffic control system.

(3) In 2018, Congress passed the FAA Reauthorization Act of 2018 which—

(A) authorized funding for the construction of Federal Aviation Administration facilities dedicated to improving the cybersecurity of the national airspace system;

(B) required the Federal Aviation Administration to review and update its comprehensive, strategic policy framework for cybersecurity to assess the degree to which the framework identifies and addresses known cybersecurity risks associated with the aviation system, and evaluate existing short- and long-term objectives for addressing cybersecurity risks to the national airspace system;

(C) created a Chief Technology Officer position within the Federal Aviation Administration to be responsible for, among other things, coordinating the implementation, operation, main-

tenance, and cybersecurity of technology programs relating to the air traffic control system with the aviation industry and other Federal agencies; and

(D) directed the National Academy of Sciences to study the cybersecurity workforce of the Federal Aviation Administration in order to develop recommendations to increase the size, quality, and diversity of such workforce.

(4) Congress has tasked the Federal Aviation Administration with being the primary Federal agency to assess and address the threats posed from cyber incidents relating to Federal Aviation Administration-provided air traffic control and air navigation services and the threats posed from cyber incidents relating to civil aircraft, aeronautical products and articles, aviation networks, aviation systems, services, and operations, and the aerospace industry affecting aviation safety or the provision of safe, secure, and efficient air navigation services and airspace management by the Administration.

(5) Since 2005, the Federal Aviation Administration has been addressing cyber vulnerabilities in civil aircraft and aeronautical products and articles during the safety certification process.

#### **SEC. 572. AEROSPACE PRODUCT SAFETY.**

(a) **CYBERSECURITY STANDARDS.**—Section 44701(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting “cybersecurity,” after “quality of work,”; and

(2) in paragraph (5)—

(A) by inserting “cybersecurity and” after “standards for”; and

(B) by striking “procedure” and inserting “procedures”.

(b) **EXCLUSIVE RULEMAKING AUTHORITY.**—Section 44701 of title 49, United States Code, is amended by adding at the end the following:

“(h) **EXCLUSIVE RULEMAKING AUTHORITY.**—Notwithstanding any other provision of law and except as provided in section 40132, the Administrator, in consultation with the heads of such other agencies as the Administrator determines necessary, shall have exclusive authority to prescribe regulations for purposes of assuring civil aircraft, including unmanned aircraft systems, aircraft engine, propeller, and appliance cybersecurity.”.

#### **SEC. 573. FEDERAL AVIATION ADMINISTRATION REGULATIONS, POLICY, AND GUIDANCE.**

(a) **IN GENERAL.**—Chapter 401 of title 49, United States Code, is further amended by adding at the end the following:

##### **“§40132. National airspace system cyber threat management process**

“(a) **ESTABLISHMENT.**—The Administrator of the Federal Aviation Administration, in consultation with other agencies as the Administrator determines necessary, shall establish a national airspace system cyber threat management process to protect the national airspace system cyber environment, including the safety, security, and efficiency of the air navigation services provided by the Administration.

“(b) **ISSUES TO BE ADDRESSED.**—In establishing the national airspace system cyber threat management process under subsection (a), the Administrator shall, at a minimum—

“(1) monitor the national airspace system for cybersecurity incidents;

“(2) in consultation with appropriate Federal agencies, evaluate the cyber threat landscape for the national airspace system, including updating such evaluation on both annual and threat-based timelines;

“(3) conduct national airspace system cyber incident analyses;

“(4) create a cyber common operating picture for the national airspace system cyber environment;

“(5) coordinate national airspace system cyber incident responses with other appropriate Federal agencies;

“(6) track cyber incident detection, response, mitigation implementation, recovery, and closure;

“(7) establish a process, or utilize existing processes, to collect relevant interagency and stakeholder national airspace system cyber incident data, including data from other Federal agencies and private persons; and

“(8) consider any other matter the Administrator determines appropriate.

“(c) **DEFINITIONS.**—In this section:

“(1) **CYBER COMMON OPERATING PICTURE.**—The term ‘cyber common operating picture’ means the correlation of a detected cyber incident or cyber threat in the national airspace system and other operational anomalies to provide a holistic view of potential cause and impact.

“(2) **CYBER ENVIRONMENT.**—The term ‘cyber environment’ means the information environment consisting of the interdependent networks of information technology infrastructures and resident data, including the internet, telecommunications networks, computer systems, and embedded processors and controllers.

“(3) **CYBER INCIDENT.**—The term ‘cyber incident’ means an action that creates noticeable degradation, disruption, or destruction to the cyber environment and causes a safety or other negative impact on operations of—

“(A) the national airspace system;

“(B) civil aircraft; or

“(C) aeronautical products and articles.

“(4) **CYBER THREAT.**—The term ‘cyber threat’ means the threat of an action that, if carried out, would constitute a cyber incident or an electronic attack.

“(5) **ELECTRONIC ATTACK.**—The term ‘electronic attack’ means the use of electromagnetic spectrum energy to impede operations in the cyber environment, including through techniques such as jamming or spoofing.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 401 of title 49, United States Code, is further amended by adding at the end the following:

“40132. National airspace system cyber threat management process.”.

#### **SEC. 574. CIVIL AVIATION CYBERSECURITY RULEMAKING COMMITTEE.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee on civil aircraft cybersecurity to conduct a review and develop findings and recommendations on cybersecurity standards for civil aircraft, aircraft ground support information systems, airports, air traffic control mission systems, and aeronautical products and articles.

(b) **DUTIES.**—The Administrator shall—

(1) not later than 2 years after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report based on the findings of the aviation rulemaking committee convened under subsection (a); and

(2) not later than 180 days after the date of submission of the report under paragraph (1) and, in consultation with other agencies as the Administrator determines necessary, for consensus recommendations reached by such aviation rulemaking committee—

(A) undertake a rulemaking, if appropriate, based on such recommendations; and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a supplemental report with explanations for each consensus recommendation not addressed, if applicable, by a rulemaking under subparagraph (A).

(c) **COMPOSITION.**—The aviation rulemaking committee convened under subsection (a) shall consist of members appointed by the Administrator, including representatives of—

(1) aircraft manufacturers, to include at least 1 manufacturer of transport category aircraft;

(2) air carriers;  
 (3) unmanned aircraft system stakeholders, including operators, service suppliers, and manufacturers of hardware components and software applications;

(4) manufacturers of powered-lift aircraft;

(5) airports;

(6) original equipment manufacturers of ground and space based aviation infrastructure;  
 (7) aviation safety experts with specific knowledge of aircraft cybersecurity; and

(8) a non-profit which operates 1 or more federally funded research and development centers with specific knowledge of aviation and cybersecurity.

(d) **MEMBER ELIGIBILITY.**—Prior to a member's appointment under subsection (c), the Administrator shall determine if there is cause for such member to be restricted from possessing sensitive security information. Upon a determination of no cause being found regarding the member, and upon the member voluntarily signing a non-disclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's duties on the aviation rulemaking committee. The member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

(e) **PROHIBITION ON COMPENSATION.**—The members of the aviation rulemaking committee convened under subsection (a) shall not receive pay, allowances, or benefits from the Government by reason of their service on such committee.

(f) **CONSIDERATIONS.**—The Administrator shall direct such committee to consider—

(1) existing cybersecurity standards, regulations, policies, and guidance, including those from other Federal agencies;

(2) threat- and risk-based security approaches used by the aviation industry, including the assessment of the potential costs and benefits of cybersecurity actions;

(3) data gathered from cybersecurity reporting;

(4) data gathered from safety reporting;

(5) the diversity of operations and systems on aircraft and amongst air carriers;

(6) security of design data;

(7) the need to harmonize or deconflict proposed and existing standards, regulations, policies, and guidance with other Federal standards, regulations, policies, and guidance;

(8) design approval holder aircraft network security guidance for operators;

(9) the need for such standards, regulations, policies, and guidance as applied to civil aircraft information, data, networks, systems, services, operations, and technology;

(10) Federal Aviation Administration services, aviation industry services, and aircraft use of positioning, navigation, and timing data in the context of Executive Order 13905, as in effect on the date of enactment of this Act;

(11) updates needed to airworthiness regulations and systems safety assessment methods used to show compliance with airworthiness requirements for design, function, installation, and certification of civil aircraft, aeronautical products and articles, and aircraft networks;

(12) updates needed to air carrier operating and maintenance regulations to ensure continued adherence with processes and procedures established in airworthiness regulations to provide cybersecurity protections for aircraft systems, including for continued airworthiness;

(13) policies and procedures to coordinate with other Federal agencies, including intelligence agencies, and the aviation industry in sharing information and analyses related to cyber threats to civil aircraft information, data, networks, systems, services, operations, and technology and aeronautical products and articles;

(14) the response of the Administrator and aviation industry to, and recovery from, cyber incidents, including by coordinating with other Federal agencies, including intelligence agencies;

(15) processes for members of the aviation industry to voluntarily report to the Federal Aviation Administration cyber incidents that may affect aviation safety in a manner that protects trade secrets and confidential business information;

(16) the unique nature of the aviation industry, including aircraft networks, aircraft systems, and aeronautical products, and the interconnectedness of cybersecurity and aviation safety;

(17) appropriate cybersecurity controls for aircraft networks, aircraft systems, and aeronautical products and articles to protect aviation safety, including airworthiness;

(18) appropriate cybersecurity controls for airports relative to the size and nature of airside operations of such airports to ensure aviation safety;

(19) minimum standards for protecting civil aircraft, aeronautical products and articles, aviation networks, aviation systems, services, and operations from cyber threats and cyber incidents;

(20) international collaboration, where appropriate and consistent with the interests of aviation safety in air commerce and national security, with other civil aviation authorities, international aviation and standards organizations, and any other appropriate entities to protect civil aviation from cyber incidents and cyber threats;

(21) the recommendations and implementation of the Aircraft System Information Security/Protection report of the aviation rulemaking advisory committee submitted on August 22, 2016; and

(22) any other matter the Administrator determines appropriate.

(g) **DEFINITIONS.**—The definitions set forth in section 40132 of title 49, United States Code (as added by this subtitle), shall apply to this section.

## **TITLE VI—AEROSPACE INNOVATION**

### **Subtitle A—Unmanned Aircraft Systems**

#### **SEC. 601. DEFINITIONS.**

(a) **DEFINITION.**—Section 44801(1) of title 49, United States Code, is amended—

(1) in subparagraph (B) by striking “and” at the end;

(2) in subparagraph (C) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(D) is able to maintain safe flight control in the event of a power or flight control failure during flight; and

“(E) is programmed to initiate a controlled landing in the event of a tether separation.”.

#### **SEC. 602. UNMANNED AIRCRAFT SYSTEM TEST RANGES.**

(a) **IN GENERAL.**—Section 44803 of title 49, United States Code, is amended to read as follows:

##### **“§44803. Unmanned aircraft system test ranges**

“(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall carry out and update, as appropriate, a program to enable a broad variety of testing and evaluation activities at unmanned aircraft system test ranges, as in effect on the day before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act, to the extent consistent with aviation safety and efficiency, and for purposes of the safe integration of unmanned aircraft systems into the national airspace system.

“(b) **AIRSPACE REQUIREMENTS.**—In carrying out the program under subsection (a)—

“(1) the Administrator may establish non-regulatory special use airspace areas upon the request of a test range sponsor selected by the Administrator under subsection (a), for purposes of accommodating hazardous testing and evaluation activities to inform the safe integration of unmanned aircraft systems into the national

airspace system, or for purposes of other activities authorized by the Administrator under subsection (g);

“(2) each selected test range sponsor for a designated test range shall be considered the using agency for purposes of the respective nonregulatory special use airspace areas established by the Administrator under this section; and

“(3) the Administrator may require that each selected test range sponsor for a designated test range provide a draft environmental review consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), subject to the supervision and adoption of the Administrator, with respect to any request for the establishment of a nonregulatory special use airspace area under this section.

“(c) **PROGRAM REQUIREMENT.**—In carrying out the program under subsection (a), the Administrator—

“(1) may develop operational standards and air traffic requirements for flight operations at test ranges;

“(2) shall coordinate with, and leverage the resources of, other Federal agencies, as the Administrator considers appropriate;

“(3) shall address both civil and public aircraft operations;

“(4) shall provide for verification of the safety of flight systems and related navigation procedures as it relates to continued development of standards for integration into the national airspace system;

“(5) shall engage test range sponsors, as necessary and within available resources, in projects for testing and evaluation of flight systems to facilitate the validation of standards by the Administration for the safe integration of unmanned aircraft systems into the national airspace system, which may include solutions for—

“(A) developing and enforcing geographic and altitude limitations;

“(B) providing for alerts regarding any hazards or limitations on flight, including prohibitions on flight;

“(C) sense and avoid capabilities;

“(D) technology to support communications, navigation, and surveillance;

“(E) unmanned aircraft system operations beyond visual line of sight, at nighttime, or over people;

“(F) operation of multiple unmanned aircraft systems by a single remote pilot;

“(G) unmanned aircraft systems traffic management capabilities or services;

“(H) counter unmanned aircraft system capabilities;

“(I) improving privacy protections through the use of advances in unmanned aircraft systems; and

“(J) other critical priority areas for which testing and evaluation is needed.

“(6) shall coordinate periodically with all test range sponsors to ensure test range sponsors know which data should be collected, how data can be de-identified to flow more readily to the Administration, what procedures should be followed, and what testing and evaluations would advance efforts to safely integrate unmanned aircraft systems into the national airspace system; and

“(7) shall allow test range sponsors to receive Federal funding, other than from the Federal Aviation Administration, including in-kind contributions, from test range participants in the furtherance of testing and evaluation objectives.

“(d) **EXEMPTION.**—Except as provided in subsection (g), the requirements of section 44711, including related implementing regulations, shall not apply to persons approved by the test range sponsor for operation at a designated test range under this section.

“(e) **RESPONSIBILITIES OF TEST RANGE SPONSOR.**—The sponsor of each test range under subsection (a) shall—

“(1) provide access to all interested private and public entities seeking to carry out testing

and evaluation activities at the test range designated pursuant to this section, to the greatest extent practicable, consistent with safety and any operating procedures established by the test range sponsor, including access by small business concerns (as that term is described in section 3(a) of the Small Business Act (15 U.S.C. 632(a));

“(2) ensure all activities remain within the geographical boundaries and altitude limitations established for the nonregulatory special use airspace area covering the test range;

“(3) ensure no activity is conducted at the designated test range in a careless or reckless manner;

“(4) establish safe operating procedures for all operators approved for activities at the test range, including provisions for maintaining operational control and ensuring protection of persons and property on the ground, subject to approval by the Administrator;

“(5) exercise direct oversight of all operations conducted at the test range;

“(6) consult with the Administrator on the nature of planned activities at the test range and whether temporary segregation through the use of a nonregulatory special use airspace area is required to contain such activities is consistent with aviation safety;

“(7) protect proprietary technology, sensitive data, or sensitive research of any civil or private entity when using the test range;

“(8) maintain detailed records of all ongoing and completed testing and evaluation activities conducted at the test range and all operators conducting such activities, for inspection by, and reporting to, the Administrator, as required by agreement between the Administrator and the test range sponsor;

“(9) make all original records available for inspection upon request by the Administrator; and

“(10) provide recommendations to the Administrator to further enable public and private testing and evaluation activities at the test ranges that contribute to the safe integration of unmanned aircraft systems by the Administration into the national airspace system, on a quarterly basis until the program terminates.

“(f) TESTING.—

“(1) IN GENERAL.—The Administrator may authorize a sponsor of a test range designated under subsection (a) to host testing and evaluation activities other than those directly related to the integration of unmanned aircraft systems into the national airspace system, provided that the activity is necessary to inform the development of standards or policy for integrating new types of flight systems into the national airspace system.

“(2) WAIVER.—In carrying out this subsection, the Administrator may waive the requirements of section 44711, including related regulations, to the extent consistent with aviation safety.

“(g) AGREEMENTS.—The Administrator may use the transaction authority under section 106(l)(6) to enter into appropriate agreements to direct testing and evaluation activities related to unmanned aircraft systems at any test range designated under subsection (a).

“(h) TERMINATION.—The program under this section shall terminate on September 30, 2028.”.

(b) CONFORMING AMENDMENT.—Section 44801(10) of title 49, United States Code, is amended by striking “any of the 6 test ranges” and all that follows through “January 1, 2009” and inserting “the test ranges established by the Administrator under section 44803”.

#### SEC. 603. UNMANNED AIRCRAFT IN THE ARCTIC.

(a) IN GENERAL.—Section 44804 of title 49, United States Code, is amended—

(1) in section heading by striking “Small unmanned” and inserting “Unmanned”; and

(2) by striking “small” each place it appears.

(b) CLERICAL AMENDMENT.—The analysis for chapter 448 of title 49, United States Code, is amended by striking the item relating to section 44804 and insert the following:

“44804. Unmanned aircraft in the Arctic.”.

#### SEC. 604. PUBLIC SAFETY USE OF TETHERED UAS.

(a) IN GENERAL.—Section 44806 of title 49, United States Code, is amended—

(1) in the section heading by inserting “and public safety use of unmanned aircraft systems” after “systems”; and

(2) in subsection (c)—

(A) in the subsection heading by inserting “SAFETY USE OF” after “PUBLIC”; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “Not later than 180 days after the date of enactment of this Act, the” and inserting “The”; and

(II) by striking “permit the use of” and inserting “permit”; and

(III) by striking “public”; and

(IV) by inserting “by a public safety organization for such systems” after “systems”; and

(ii) by striking subparagraph (A) and inserting the following:

“(A) operated—

“(i) at or below an altitude of 150 feet above ground level within class B, C, D, E, or G airspace, but not at a greater altitude than the ceiling depicted on the UAS facility maps published by the Federal Aviation Administration, where applicable;

“(ii) within zero-grid airspaces as depicted on such UAS facility maps, only if operated in life-saving or emergency situations and with prior notification to the Administrator in a manner determined by the Administrator; or

“(iii) above 150 feet above ground level within class B, C, D, E, or G airspace only with prior authorization from the Administrator;”;

(iii) by striking subparagraph (B); and

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively; and

(C) in paragraph (3) by striking “Public actively” and inserting “Actively”; and

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

“(e) DEFINITION.—In this section, the term ‘public safety organization’ means an entity that primarily engages in activities related to the safety and well-being of the general public, including law enforcement, fire departments, emergency medical services, and other organizations that protect and serve the public in matters of safety and security.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 448 of title 49, United States Code, is amended by striking the item relating to section 44806 and inserting the following:

“44806. Public unmanned aircraft systems and public safety use of unmanned aircraft systems.”.

#### SEC. 605. SPECIAL AUTHORITY FOR UNMANNED AIRCRAFT SYSTEMS.

Section 44807 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting “or chapter 447” after “this chapter”; and

(B) by striking “the Secretary of Transportation” and inserting “the Administrator of the Federal Aviation Administration”; and

(C) by striking “if certain” and inserting “how”; and

(2) in subsection (b)—

(A) by striking “the Secretary” and inserting “the Administrator”; and

(B) in paragraph (1)—

(i) by striking “which types of unmanned aircraft systems, if any, as a result of their size” and inserting “how the unmanned aircraft, as a result of such aircraft’s size”; and

(ii) by striking “do not create” and inserting “does not create”; and

(3) in subsection (c) to read as follows:

“(c) REQUIREMENTS FOR SAFE OPERATION.—

“(1) IN GENERAL.—For unmanned aircraft systems that the Administrator determines under this section may operate safely in the national airspace system, the Administrator shall estab-

lish risk-based requirements, or a process to accept risk-based proposed requirements, for the safe operation of such aircraft systems in the national airspace system, including operation related to testing and evaluation of proprietary systems.

“(2) TREATMENT OF MITIGATION MEASURES.—To the extent that a proposed operation will be conducted exclusively within the airspace of a Mode C Veil during the entirety of the operation, such operation shall be treated as satisfying the requirements of section 91.113(b) of title 14, Code of Federal Regulations, so long as the operation employs—

“(A) ADS-B In-based detect and avoid capabilities;

“(B) air traffic control communication and coordination; and

“(C) aeronautical information management systems to notify other aircraft operators of such operations.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to give an unmanned aircraft operating pursuant to this section the right of way over a manned aircraft.”.

(4) in subsection (d) by striking “2023” and inserting “2033”; and

(5) by adding at the end the following:

“(e) LIMITATION.—In making determinations under this section, the Administrator may not consider unmanned aircraft systems to the extent that such systems may meet the requirements of established regulations applicable to the proposed operation of a system.

“(f) EXEMPTION.—The Administrator may exercise the authorities described in this section without requiring a rulemaking or imposing the requirements of part 11 of title 14, Code of Federal Regulations, to the extent consistent with aviation safety.”.

#### SEC. 606. RECREATIONAL OPERATIONS OF DRONE SYSTEMS.

(a) SPECIFIED EXCEPTION FOR LIMITED RECREATIONAL OPERATIONS OF UNMANNED AIRCRAFT.—Section 44809 of title 49, United States Code, is amended—

(1) in subsection (a) by striking paragraph (6) and inserting the following:

“(6) Except for circumstances when the Administrator establishes alternative altitude ceilings or as otherwise authorized in section (c), in Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace and flight restrictions and prohibitions established under this subtitle, such as special use airspace designations and temporary flight restrictions.”;

(2) by striking subsection (c) and inserting the following:

“(c) OPERATIONS AT FIXED SITES.—

“(1) IN GENERAL.—The Administrator shall establish a process to approve, and publicly disseminate the location of, fixed sites at which a person may carry out recreational unmanned aircraft system operations.

“(2) OPERATING PROCEDURES.—

“(A) CONTROLLED AIRSPACE.—Persons operating unmanned aircraft under paragraph (1) from a fixed site within Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, or a community-based organization sponsoring operations within such airspace, shall make the location of the fixed site known to the Administrator and shall establish a mutually agreed upon operating procedure with the air traffic control facility.

“(B) ALTITUDE.—The Administrator, in coordination with community-based organizations sponsoring operations at fixed sites, shall develop a process to approve requests for recreational unmanned aircraft systems operations at fixed sites that exceed the maximum altitude contained in a UAS Facility Map.

“(C) CLASS G AIRSPACE.—Subject to compliance with all airspace and flight restrictions and prohibitions established under this subtitle, such as special use airspace designations and

temporary flight restrictions, persons operating drones under paragraph (1) from a fixed site at which the operations are sponsored by a community-based organization may operate within Class G airspace—

“(i) up to 400 feet above ground level, without prior authorization from the Administrator; and

“(ii) above 400 feet above ground level, with prior authorization from the Administrator.

“(3) UNMANNED AIRCRAFT WEIGHING 55 POUNDS OR GREATER.—A person may operate an unmanned aircraft weighing 55 pounds or greater, including the weight of anything attached to or carried by the aircraft, under paragraph (1) if—

“(A) the unmanned aircraft complies with standards and limitations developed by a community-based organization and approved by the Administrator; and

“(B) the aircraft is operated from a fixed site as described in paragraph (1).

“(4) FAA-RECOGNIZED IDENTIFICATION AREAS.—In implementing subpart C of part 89 of title 14, Code of Federal Regulations, the Administrator shall prioritize the review and adjudication of requests to establish FAA Recognized Identification Areas at fixed sites established under this section.”;

(3) in subsection (d) by striking the subsection heading and all that follows through “(3) SAVINGS CLAUSE.—” and inserting “(d) SAVINGS CLAUSE.—”;

(4) in subsection (d) by striking “subsection (a) of”;

(5) in subsection (f)(1) by striking “updates to”;

(6) by striking subsection (g)(1) and inserting the following:

“(1) IN GENERAL.—The Administrator, in consultation with manufacturers of unmanned aircraft systems, community-based organizations, and other industry stakeholders, shall develop, maintain, and update, as necessary, an aeronautical knowledge and safety test. Such test shall be administered electronically by the Administrator or a person designated by the Administrator.”; and

(7) in subsection (h)—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) is recognized by the Administrator of the Federal Aviation Administration.”;

(b) USE OF UNMANNED AIRCRAFT SYSTEMS FOR EDUCATIONAL PURPOSES.—Section 350 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44809 note) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting before paragraph (3) (as so redesignated) the following:

“(2) operated by an elementary school or secondary school for educational or research purposes.”; and

(2) in subsection (d)—

(A) in paragraph (2) by inserting “an elementary school, or a secondary school,” after “with respect to the operation of an unmanned aircraft system by an institution of higher education.”; and

(B) by inserting after paragraph (2) the following:

“(3) ELEMENTARY SCHOOL.—The term ‘elementary school’ has the meaning given to that term by section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(19)).

“(4) SECONDARY SCHOOL.—The term ‘secondary school’ has the meaning given to that term by section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(45)).”.

#### SEC. 607. AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION AND ENFORCEMENT.

Section 44810(h) of title 49, United States Code, is amended by striking “2023” and inserting “2028”.

#### SEC. 608. APPLICATIONS FOR DESIGNATION.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190) is further amended—

(1) in subsection (a)—

(A) by inserting “, including temporarily,” after “restrict”; and

(B) by inserting “or eligible outdoor gathering” after “fixed site facility”;

(2) in subsection (b)(1)(C)—

(A) in clause (iv), by striking “Other locations that warrant such restrictions” and inserting “State correctional facilities”; and

(B) by adding at the end the following:

“(v) Eligible outdoor gatherings.”; and

(3) by adding at the end the following:

“(f) ELIGIBLE OUTDOOR GATHERING DEFINED.—In this section, the term ‘eligible outdoor gathering’ means an event that—

“(1) is primarily outdoors;

“(2) has an estimated daily attendance of 20,000 or greater in at least 1 of the preceding 3 years;

“(3) has defined and static geographical boundaries; and

“(4) is advertised in the public domain.

“(f) DEADLINES.—

“(1) Not later than March 1, 2024, the Administrator shall publish a notice of proposed rulemaking to carry out the requirements of this section.

“(2) Not later than 16 months after publishing the notice of proposed rulemaking under paragraph (1), the Administrator shall issue a final rule.”.

#### SEC. 609. BEYOND VISUAL LINE OF SIGHT RULE-MAKING.

(a) IN GENERAL.—Not later than 4 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking establishing performance-based airworthiness criteria and risk-based operational regulations for unmanned aircraft systems operated beyond visual line of sight that are intended to operate primarily at or below 400 feet above ground level.

(b) CONTENTS.—In carrying out subsection (a), the Administrator shall—

(1) establish a means to accept proposed—

(A) airworthiness standards for unmanned aircraft;

(B) standards for associated elements of unmanned aircraft; and

(C) qualification standards for remote pilots operating unmanned aircraft beyond visual line of sight;

(2) enable the ability for unmanned aircraft to be operated for agricultural purposes;

(3) establish a process by which the Administrator may approve or accept third party compliance services in support of the safe integration of unmanned aircraft systems into the national airspace system; and

(4) establish protocols, as appropriate, for networked information exchange, including network-based remote identification in support of beyond visual line of sight operations.

(c) CONSIDERATIONS.—In carrying out subsection (a), the Administrator may leverage previously gathered data, information, and efforts of the Administration to finalize rulemaking as required under this section.

(d) UNMANNED AIRCRAFT AIRWORTHINESS STANDARDS.—In carrying out subsection (b)(1)(A), the Administrator shall—

(1) define the operational environments for which airworthiness is needed to ensure aviation safety;

(2) establish an airworthiness category or categories for unmanned aircraft to be eligible for a special airworthiness certificate; and

(3) establish a process to approve standards, means of compliance, and declarations of compliance.

(e) UNMANNED AIRCRAFT ASSOCIATED ELEMENTS STANDARDS.—

(1) IN GENERAL.—In carrying out subsection (b)(1)(B), the Administrator shall establish a

process to accept or approve the associated elements of an unmanned aircraft that, when considered collectively with other associated elements and an unmanned aircraft, meet an acceptable performance-based safety standard.

(2) CONSIDERATIONS.—In establishing the process under paragraph (1), the Administrator shall consider the ways associated elements of an unmanned aircraft system interact with other associated elements and unmanned aircraft.

(f) REMOTE PILOT QUALIFICATIONS.—

(1) IN GENERAL.—In carrying out subsection (b)(1)(C), the Administrator shall establish qualifications and standards, or a means to accept proposed qualifications and standards, for remote pilots operating unmanned aircraft systems.

(2) CONSIDERATIONS.—In carrying out paragraph (1), the Administrator shall account for the varying levels of automation of unmanned aircraft systems.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow for the establishment of type-ratings that apply specifically and exclusively to an aircraft manufactured by 1 manufacturer.

(g) INTERIM APPROVALS.—Before the date on which the Administrator issues a final rule under this section, the Administrator shall use the process described in section 44807 of title 49, United States Code, to authorize unmanned aircraft system operations conducted beyond visual line of sight.

(h) FINAL RULE.—Not later than 16 months after the date of enactment of this Act, the Administrator shall issue a final rule establishing the regulations required under this section.

(i) DEFINITIONS.—In this section:

(1) ASSOCIATED ELEMENTS.—The term “associated elements” means any component of an unmanned aircraft system, not permanently affixed to the unmanned aircraft, required for the remote pilot to operate such aircraft safely and efficiently in the national airspace system.

(2) BEYOND VISUAL LINE OF SIGHT.—The term “beyond visual line of sight” means a distance at which the remote pilot in command of an unmanned aircraft system cannot see the unmanned aircraft with vision unaided by any device other than corrective lenses.

(3) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms “unmanned aircraft” and “unmanned aircraft system” have the meaning given such terms in section 44801 of title 49, United States Code.

#### SEC. 610. UAS TRAFFIC MANAGEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may enter into agreements for purposes of—

(1) testing and refining UTM capabilities and services to inform the development of UTM standards in subsection (b);

(2) authorizing UTM service providers that meet the requirements described in subsection (b) to provide UTM services to better enable advanced unmanned aircraft systems operations, including—

(A) beyond visual line of sight operations;

(B) aircraft-to-aircraft communications; and

(C) operations in which an individual acts as remote pilot in command of more than 1 unmanned aircraft at the same time; and

(3) fostering the safe integration of unmanned aircraft systems using UTM capabilities and services within the national airspace system.

(b) STANDARDIZATION.—

(1) IN GENERAL.—In carrying out subsection (a), the Administrator shall publish requirements or guidance associated with UTM, including—

(A) the types of operations requiring, or benefiting from, the use of UTM capabilities and services described in subsection (a), including beyond visual line of sight operations;

(B) areas of operation or categories of airspace requiring, or benefiting from, the use of UTM capabilities and services;

(C) performance-based technical standards for UAS operations using UTM capabilities and services; and

(D) application program interfaces that enable UTM service suppliers to integrate UTM capabilities and services into other systems for use by users of the national airspace system, including unmanned aircraft system operators.

(2) INTERNATIONAL HARMONIZATION.—In carrying out paragraph (1), the Administrator shall seek to harmonize, to the extent practicable and advisable, UTM standards with standards produced by recognized industry standards organizations or other peer civil aviation authorities.

(3) FEEDBACK OF CONCEPT OF OPERATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall solicit feedback from stakeholders on the most recently published UTM concept of operations of the Administration.

(4) FINALIZATION OF CONCEPT OF OPERATIONS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish a final version of the UTM concept of operations of the Administration.

(c) STAKEHOLDER PARTNERSHIPS.—In carrying out subsection (a), the Administrator shall establish a means by which the Administrator can enter into cooperative agreements, contracts, other transaction agreements, and other appropriate mechanisms with appropriate persons, partnerships, and consortia to enable qualified third-parties to design, build, develop, fund, and manage UTM.

(d) RULES OF CONSTRUCTION.—

(1) BEYOND VISUAL LINE OF SIGHT OPERATIONS.—Nothing in this section shall be construed to prevent or prohibit beyond visual line of sight operations through the use of technologies other than UTM capabilities and services.

(2) AIRSPACE.—Nothing in this section shall be construed to alter the authority under section 40103 of title 49, United States Code.

(e) BRIEFING.—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on progress made by the Administration detailing the implementation and requirements of this section and any applicable timelines to completion.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE PERSONS.—The term “appropriate persons” means a Federal, State, local, Tribal, or territorial governmental entity, or a person.

(2) UTM.—The term “UTM” means the manner in which the Administration will support operations for unmanned aircraft systems operating in low-altitude airspace.

#### SEC. 611. RADAR DATA PILOT PROGRAM.

(a) SENSITIVE RADAR DATA FEED PILOT PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, and other heads of relevant Federal agencies, shall establish a pilot program to make airspace data feeds containing classified or controlled unclassified information available to qualified users, in conjunction with subsection (b).

(b) AUTHORIZATION.—In carrying out subsection (a), the Administrator and the heads of other relevant Federal agencies and in coordination with the Secretary of Defense, shall establish a process to authorize qualified entities to receive airspace data feeds containing classified information related to air traffic within the national airspace system and use such information in an agreed upon manner to—

(1) provide—

(A) air traffic management services; and

(B) unmanned aircraft system traffic management services; or

(2) to test technologies that may enable or enhance the provision of the services described in paragraph (1).

(c) BRIEFING.—Not later than 90 days after establishing the pilot program under subsection (a), and annually thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings of the Administrator related to the pilot program established under this section.

(d) SUNSET.—This section shall cease to be effective on October 1, 2028.

(e) DEFINITION OF QUALIFIED USER.—In this section, the term “qualified user” means an entity authorized to receive airspace data feeds containing classified or controlled unclassified information pursuant to subsection (b).

#### SEC. 612. ELECTRONIC CONSPICUITY STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of technologies and methods that may be used by operators of unmanned aircraft systems to detect and avoid manned aircraft that may lawfully operate below 500 feet above ground level and that are—

(1) not equipped with a transponder or automatic dependent surveillance-broadcast out equipment; or

(2) otherwise not electronically conspicuous.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with—

(1) representatives from—

(A) unmanned aircraft systems manufacturers and operators;

(B) general aviation operators;

(C) aerial applicators; and

(D) helicopter operators, including State and local governments; and

(2) any other person the Comptroller General determines appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of such study.

#### SEC. 613. REMOTE IDENTIFICATION ALTERNATIVE MEANS OF COMPLIANCE.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall review and evaluate the final rule titled “Remote Identification of Unmanned Aircraft”, issued on January 15, 2021, to determine the feasibility and advisability of whether unmanned aircraft manufacturers and operators can meet the intent of such final rule through alternative means of compliance, including through network-based remote identification.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study under subsection (a).

#### SEC. 614. PART 107 WAIVER IMPROVEMENTS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall adopt a performance- and risk-based approach in reviewing requests for certificates of waiver under section 107.200 of title 14, Code of Federal Regulations.

(b) STANDARDIZATION OF WAIVER APPLICATION.—

(1) IN GENERAL.—In carrying out subsection (a), the Administrator shall improve the process established to submit requests for certificates of waiver described in subsection (a).

(2) FORMAT.—In carrying out paragraph (1), the Administrator may not require the use of open-ended descriptive prompts that are required to be filled out by an applicant, except to provide applicants the ability to provide the Ad-

ministration with information for an unusual or irregular operation.

(3) DATA.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall leverage data gathered from previous requests for certificates of waivers.

(B) CONSIDERATIONS.—In carrying out subparagraph (A), the Administrator shall safely use—

(i) big data analytics; and

(ii) machine learning.

(c) CONSIDERATION OF PROPERTY OWNERSHIP INTEREST.—

(1) IN GENERAL.—In determining whether to issue a certificate of waiver under section 107.200 of title 14, Code of Federal Regulations, the Administrator shall—

(A) consider whether the waiver applicant has control over access to all real property on the ground within the area of operation; and

(B) recognize and account for the safety enhancements of such controlled access.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to direct the Administrator to consider the lack of control over access to all real property on the ground within an area of operation, or a lack of property interest in such area of operation, as negatively affecting the safety of the operation intended to be conducted under such certificate of waiver.

(d) PUBLIC AVAILABILITY OF WAIVERS.—

(1) IN GENERAL.—The Administrator shall publish all certificates of waiver issued under section 107.200 of title 14, Code of Federal Regulations, on the website of the Administration, including, with respect to each issued certificate of waiver—

(A) the terms, conditions, and limitations; and

(B) the class of airspace and any restrictions related to operating near airports or heliports.

(2) PUBLICATION.—In carrying out paragraph (1), the Administrator shall ensure that published information is made available in a manner that prevents inappropriate disclosure of proprietary information.

(e) PRECEDENTIAL USE OF PREVIOUSLY APPROVED WAIVERS.—

(1) WAIVER APPROVAL PRECEDENT.—Except as provided in paragraph (3), if the Administrator determines, using criteria for a particular waiver, that an application for a certificate of waiver issued under section 107.200 of title 14, Code of Federal Regulations, is substantially similar (or is comprised of elements that are substantially similar) to an application for a certificate of waiver that the Administrator has previously approved, the Administrator may streamline, as appropriate, the approval of applications with substantially similar conditions and limitations as a previously approved application.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to preclude an applicant for a certificate of waiver from applying to modify a condition, or remove a limitation of, such certificate.

(f) MODIFICATION OF WAIVERS.—

(1) IN GENERAL.—The Administrator shall establish an expedited review process for a request to modify or renew certificates of waiver previously issued under section 107.200 of title 14, Code of Federal Regulations, as appropriate.

(2) USE OF REVIEW PROCESS.—The review process established under paragraph (1) shall be used to review certificates of waiver that cover operations that are substantially similar in all material facts to operations covered under a subsequently issued certificate of waiver.

#### SEC. 615. ACCEPTABLE LEVELS OF RISK AND RISK ASSESSMENT METHODOLOGY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish acceptable levels of risk, and develop a risk assessment methodology associated with such levels of risk, to enable unmanned aircraft system operations conducted—

(1) under waivers issued to part 107 of title 14, Code of Federal Regulations;



(2) pursuant to section 44807 of title 49, United States Code; or

(3) pursuant to future regulations promulgated by the Administrator, as appropriate.

(b) **ACCEPTABLE LEVELS OF RISK.**—In carrying out subsection (a), the Administrator shall establish acceptable levels of risk for unmanned aircraft system operations in the national airspace system and a method for assessing the operational risk of a proposed operation in accordance with such acceptable level.

(c) **RISK ASSESSMENT METHODOLOGY.**—In carrying out subsections (a) and (b), the Administrator shall develop a risk assessment methodology to allow remote pilots in command operating unmanned aircraft systems pursuant to subsection (a) to determine the risk associated with a specific operation, and mitigate such a risk, as necessary.

(d) **RISK ASSESSMENT METHODOLOGY CONSIDERATIONS.**—In establishing the risk assessment methodology described under this section, the Administrator shall consider—

- (1) the time of day of the operation;
- (2) the population density of the area of operation;
- (3) the class of airspace and such requirements necessary for airspace users to legally operate in each class of airspace;
- (4) the proximity to infrastructure, to the extent that proximity mitigates risk to other operators of the national airspace system;
- (5) the nature of the detect and avoid mitigation measures of an unmanned aircraft system; and
- (6) the attributes and characteristics of the unmanned aircraft of the unmanned aircraft system, including the—
  - (A) size;
  - (B) visibility;
  - (C) maximum takeoff weight;
  - (D) maximum indicated airspeed; and
  - (E) payload.

(e) **PUBLICATION.**—The Administrator shall make the risk assessment methodology established under this section available to the public on an appropriate website of the Administration.

(f) **DEFINITIONS OF UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM.**—In this section, the terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given such terms in section 44801 of title 49, United States Code.

#### SEC. 616. ENVIRONMENTAL REVIEW.

(a) **GUIDANCE UPDATES.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish unmanned aircraft system-specific guidance and implementation procedures. Such guidance and implementation procedures shall—

(1) provide guidance to streamline environmental assessments at a programmatic level, as the Administrator considers appropriate, for an unmanned aircraft system operator's network of operations within a defined geographical region, including within and over approved commercial or industrial sites closed or restricted to the public;

(2) provide guidance for nationwide programmatic approaches for large scale distributed unmanned aircraft system operations whereby a Programmatic Environmental Assessment or Environmental Impact Statement can be leveraged for subsequent related actions to ensure efficient environmental review;

(3) consider additional Categorical Exclusions based on previously prepared and finalized Environmental Assessments or in consultation with the Council on Environmental Quality;

(4) prioritize proposed projects or activities that may—

(A) offset or limit the impacts of non-zero emission activities;

(B) offset or limit the release of environmental pollutants to soil or water; or

(C) demonstrate other factors to the benefit of the environment as determined by the Administrator;

(5) contain intra-agency process improvements to avoid providing conflicting safety and environmental feedback to operators;

(6) contain standards and criteria for engaging specialized third parties to support the Administration's preparation and review of documentation relating to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to ensure streamlined timelines for complex reviews; and

(7) any other modifications the Administrator considers necessary within the stated environmental objectives of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal priority to maintain global leadership in aviation innovation.

(b) **BRIEFING.**—No later than 90 days after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plan of the Administration to implement subsection (b), including each of the considerations specified in the subsection, and an explanation for any consideration the Administrator does not intend to implement.

(c) **CONCURRENT REVIEWS.**—If the Administrator determines that the review of an unmanned aircraft system's design, construction, maintenance and operational sustainability, airworthiness approval, or operational approval requires environmental assessment, including requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Administrator shall, to the maximum extent practicable, conduct such reviews and analyses concurrent with one another.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as prohibiting, restricting or otherwise limiting the authority of the Secretary of Transportation or the Administrator from implementing or complying with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any related requirements to ensure the protection of the environment and aviation safety.

(e) **ASSOCIATED UAS CERTIFICATION STANDARDS.**—

(1) **OPTION TO SUSPEND NOISE CERTIFICATION REQUIREMENT PENDING STANDARDS DEVELOPMENT.**—Notwithstanding the requirements of section 44715 of title 49, United States Code, the Administrator may waive the determination of compliance with part 36 of title 14, Code of Federal Regulations, for an applicant seeking an unmanned aircraft system type and airworthiness certification, provided the Administrator has developed appropriate noise measurement procedures for such systems and the Administrator has received the noise measurements results based on such procedures from the applicant.

(2) **DEVELOPMENT OF CRITERIA.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall develop and establish substantive criteria and standards metrics used by the Administrator to determine whether to approve or disapprove the airworthiness of an unmanned aircraft pursuant to part 36 of title 14, Code of Federal Regulations.

(3) **SUBSTANTIVE CRITERIA AND STANDARDS METRICS.**—In establishing the substantive criteria and standards metrics as required under paragraph (2), the Administrator shall include such criteria and metrics related to the airworthiness of unmanned aircraft for the following:

(A) Noise impacts.

(B) Visual impacts.

(4) **PUBLICATION.**—The Administrator shall publish in the Federal Register and post on a website of the Federal Aviation Administration the criteria and metrics established pursuant to paragraph (2).

(f) **DEFINITION OF UNMANNED AIRCRAFT SYSTEM.**—In this section, the term “unmanned aircraft system” has the meaning given such term in section 44801 of title 49, United States Code.

#### SEC. 617. CARRIAGE OF HAZARDOUS MATERIALS.

(a) **NEAR-TERM APPROVALS.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall coordinate with the Administrator of the Pipeline and Hazardous Materials Safety Administration to revise processes in effect on the date of enactment of this Act for the carriage of hazardous materials by unmanned aircraft systems to provide that—

(1) special conditions, waivers, or other requirements necessary to enable the carriage of hazardous materials shall be incorporated into the existing regulatory and operator certification processes of the Federal Aviation Administration for unmanned aircraft operations in which the aircraft—

(A) weighs less than 100 pounds; and

(B) is capable of carrying less than 10 pounds gross weight of limited quantity cargo; and

(2) the existing special permitting process or other existing processes carried out by the Administrator of the Pipeline and Hazardous Materials Safety Administration shall be initiated as early as practicable, and in conjunction with the existing regulatory and operator certification processes of the Federal Aviation Administration, for unmanned aircraft operations in which the unmanned aircraft—

(A) weighs 100 pounds or more; or

(B) is capable of carrying 10 pounds or more gross weight of limited quantity cargo.

(b) **RULEMAKING.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall revise requirements, guidance, standards, or other policy materials governing the carriage of hazardous materials to allow for the carriage of a de minimis amount of hazardous materials by an unmanned aircraft.

(2) **CONSIDERATIONS.**—In carrying out paragraph (1), the Administrator shall consider—

(A) whether a hazardous material is a consumer commodity;

(B) requirements for common carriage and private carriage;

(C) whether the transportation of a de minimis volume, weight, or amount of a hazardous material would pose an unreasonable risk to health and safety or property;

(D) whether the volume, weight, or amount of a hazardous material is large enough to permit the transportation of a commercially meaningful volume, weight, or amount; and

(E) the altitude at which unmanned aircraft operations are conducted.

(3) **IMPLEMENTATION.**—

(A) **PETITION.**—The Secretary shall establish a process for a person to petition to establish or revise a de minimis amount or a hazardous material.

(B) **PERIODIC UPDATES.**—The Secretary shall—

(i) periodically review, as necessary, de minimis amounts of hazardous materials established under paragraph (1);

(ii) determine whether such amounts of Hazardous materials should be revised, based on operational and safety data or other factors; and

(iii) assess whether to establish a de minimis amount for a hazardous material for which a de minimis volume, weight, or amount has previously not been established.

(c) **SAVING CLAUSE.**—Nothing in this section shall be construed to—

(1) limit the authority of the Secretary, the Administrator of the Federal Aviation Administration, or the Administrator of the Pipeline and Hazardous Materials Safety Administration from implementing requirements under existing authorities to ensure the safe carriage of hazardous materials by aircraft; and

(2) confer upon the Administrator of the Federal Aviation Administration the authorities of

the Administrator of the Pipeline and Hazardous Materials Safety Administration, as described in part 175 of title 49, Code of Federal Regulations, and chapter 51 of title 49, United States Code.

(d) **EXEMPTION.**—The authorities of the Administrator related to the transportation, packaging, marking, or description of hazardous materials in section 106(g)(1) of title 49, United States Code, shall not apply to the extent necessary to enact the requirements of this section.

(e) **DEFINITIONS.**—In the section:

(1) **UNMANNED AIRCRAFT SYSTEM.**—The term “unmanned aircraft system” has the meaning given the term in section 44801 of title 49, United States Code.

(2) **CONSUMER COMMODITY.**—The term “consumer commodity” has the meaning given such term in section 171.8 of title 49, Code of Federal Regulations.

#### **SEC. 618. UNMANNED AIRCRAFT SYSTEM USE IN WILDFIRE RESPONSE.**

(a) **UNMANNED AIRCRAFT SYSTEMS IN WILDFIRE RESPONSE.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the United States Forest Service and any other Federal entity or contracted operator the Administrator considers appropriate, shall develop a plan on the use of unmanned aircraft systems by public entities in wildfire response efforts, including wildfire detection, mitigation, and suppression.

(2) **PLAN CONTENTS.**—The plan under subsection (a) shall provide recommendations to—

(A) identify and designate areas of public land with high potential for wildfires in which public entities may conduct unmanned aircraft system beyond visual line of sight operations as part of wildfire response efforts, including wildfire detection, mitigation, and suppression;

(B) develop a process to facilitate the safe and efficient operation of unmanned aircraft systems beyond the visual line of sight in wildfire response efforts in areas designated under paragraph (A), including the waiver process under section 91.113 or section 107.31 of title 14, Code of Federal Regulations, for public entities that use unmanned aircraft systems for aerial wildfire detection, mitigation, and suppression; and

(C) improve coordination between the relevant Federal agencies and public entities on the use of unmanned aircraft systems in wildfire response efforts.

(3) **PLAN SUBMISSION.**—Upon completion of the plan under subsection (a), the Administrator of the Federal Aviation Administration shall submit such plan to, and provide a briefing for, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senates.

(4) **PUBLICATION.**—Upon submission of the plan under subsection (a), the Administrator of the Federal Aviation Administration shall publish such plan on a publicly available website of the Administration.

(b) **APPLICABILITY.**—This section shall only apply to unmanned aircraft systems that are—

(1) operated by, or on behalf of, a public entity;

(2) operated in airspace covered by a wildfire-related temporary flight restriction under section 91.137 of title 14, Code of Federal Regulations; and

(3) under the operational control of, or otherwise are being operationally coordinated by, an authorized aviation coordinator responsible for coordinating disaster relief aircraft within the airspace covered by such temporary flight restriction.

(c) **INTERAGENCY COORDINATION.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall seek to enter into the necessary agreements to provide a liaison of the Administration to the National Interagency Fire Center to facilitate the use of manned and

unmanned aircraft in wildfire response efforts, including wildfire detection, mitigation, and suppression.

(d) **SAVINGS CLAUSE.**—Nothing in this Act shall be construed to confer upon the Administrator of the Federal Aviation Administration the authorities of the Administration of the Federal Emergency Management Agency on wildfire response under section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196).

(e) **DEFINITIONS.**—In this section:

(1) **PUBLIC ENTITY.**—The term “public entity” means—

- (A) a Federal agency;
- (B) a State government;
- (C) a local government;
- (D) a Tribal government; and
- (E) a territorial government.

(2) **PUBLIC LAND.**—The term “public land” has the meaning given such term in section 205 of the Sikes Act (16 U.S.C. 670k).

(3) **UNMANNED AIRCRAFT SYSTEM.**—The term “unmanned aircraft system” has the meaning given such term in section 44801 of title 49, United States Code.

(4) **WILDFIRE.**—The term “wildfire” has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

#### **SEC. 619. PILOT PROGRAM FOR UAS INSPECTIONS OF FAA INFRASTRUCTURE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish and initiate a pilot program to supplement appropriate inspection and oversight activities of the department with unmanned aircraft systems for the purposes of increasing employee safety, enhancing data collection, increasing the accuracy of inspections, reducing costs, and other purposes the Secretary considers to be in the broader interests of good government.

(b) **GROUND-BASED AVIATION INFRASTRUCTURE.**—Under the program required in subsection (a), the Administrator of the Federal Aviation Administration shall evaluate the use of unmanned aircraft systems to inspect ground-based aviation infrastructure that may require visual inspection in hard-to-reach areas, including—

- (1) navigational aids;
- (2) air traffic control towers;
- (3) radar facilities;
- (4) communication facilities; and
- (5) other air traffic control facilities.

(c) **COORDINATION.**—In carrying out the pilot program established under subsection (a), the Secretary shall consult with the labor union certified under section 7111 of title 5, United States Code, to represent personnel responsible for the inspection of the ground-based aviation infrastructure described in subsection (b).

(d) **COVERED FOREIGN UNMANNED AIRCRAFT SYSTEM.**—The Secretary may not carry out an inspection under this section using an unmanned aircraft system manufactured by—

(1) an entity included on the Consolidated Screening list or Entity List as designated by the Secretary of Commerce;

(2) an entity domiciled in the People's Republic of China or the Russian Federation; or

(3) an entity, or a subsidiary or affiliate of an entity, that is subject to influence or control by—

(A) the Government of the People's Republic of China;

(B) the Chinese Communist Party; or

(C) the Russian Federation.

(e) **BRIEFING.**—Not later than 2 years after the date of enactment of this Act, and annually thereafter until the termination of the pilot program under this section, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the status and results of the pilot program established under subsection (a), including—

(1) cost saving;

(2) a description of how unmanned aircraft systems were used to supplement existing inspection, data collection, or oversight activities of Department employees, including the number of operations and types of activities performed;

(3) efficiency or safety improvements, if any, associated with the use of unmanned aircraft systems to supplement conventional inspection, data collection, or oversight activities;

(4) the fleet of unmanned aircraft systems maintained by the Department of Transportation for the program, or an overview of the services used as part of the pilot program; and

(5) recommendations for improving the use or efficacy of unmanned aircraft systems to supplement the Department's conventional inspection, data collection, or oversight activities.

(f) **SUNSET AND INCORPORATION INTO STANDARD PRACTICE.**—

(1) **SUNSET.**—The pilot program established under subsection (a) and the reporting requirement under subsection (f) shall terminate on the date that is 50 months after the date of enactment of this Act.

(2) **INCORPORATION INTO STANDARD PRACTICE.**—Upon termination of the pilot program, the Secretary shall assess the results of the pilot program under this section and determine whether to permanently incorporate the use of unmanned aircraft systems into the regular inspection, data collection, and oversight activities of the Department.

(3) **REPORT TO CONGRESS.**—Not later than 3 months after the termination of the pilot program under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the final results of the pilot program and the actions taken by the Administrator pursuant to paragraph (2).

#### **SEC. 620. DRONE INFRASTRUCTURE INSPECTION GRANT PROGRAM.**

(a) **AUTHORITY.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a drone infrastructure inspection grant program to make grants to governmental entities to facilitate the use of eligible small unmanned aircraft systems to support more efficient inspection, operation, construction, maintenance, modernization, and repair of an element of critical infrastructure to improve worker safety related to critical infrastructure projects.

(b) **USE OF GRANT AMOUNTS.**—A governmental entity may use a grant provided under this section to—

(1) purchase or lease eligible small unmanned aircraft systems;

(2) support operational capabilities of eligible small unmanned aircraft systems by the governmental entity;

(3) contract for services performed using an eligible small unmanned aircraft system in circumstances in which the governmental entity does not have the resources or expertise to safely carry out or assist in carrying out the activities described under subsection (a); and

(4) support the program management capability of the governmental entity to use an eligible small unmanned aircraft system.

(c) **ELIGIBILITY.**—To be eligible to receive a grant under this section, a governmental entity shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require, including an assurance that the governmental entity or any contractor of the governmental entity, will comply with relevant Federal regulations.

(d) **SELECTION OF APPLICANTS.**—In awarding a grant under this section, the Secretary shall prioritize applications that propose to—

(1) carry out a critical infrastructure project in a variety of communities, including urban, suburban, rural, tribal, or any other type of community; and

(2) address a safety risk in the inspection, operation, construction, maintenance, or repair of an element of critical infrastructure.

(e) **LIMITATION.**—Nothing in this section shall be construed as to interfere with an agreement between a governmental entity and a labor union, including requirements under section 5333(b) of title 49, United States Code.

(f) **REPORT TO CONGRESS.**—Not later than 1 year after the first grant is provided under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that evaluates the program carried out under this section, including—

(1) a description of the number of grants awarded;

(2) the amount of each grant;

(3) the activities funded under this section; and

(4) the effectiveness of such funded activities in meeting the objectives described in subsection (a).

(g) **FUNDING.**—

(1) **FEDERAL SHARE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Federal share of the cost of a project carried out using a grant under this section shall not exceed 50 percent of the total project cost.

(B) **WAIVER.**—The Secretary may increase the Federal share requirement under subparagraph (A) to up to 75 percent for a project carried out using a grant under this section by a governmental entity if such entity—

(i) submits a written application to the Secretary requesting an increase in the Federal share; and

(ii) demonstrates that the additional assistance is necessary to facilitate the acceptance and full use of a grant under this section, such as alleviating economic hardship, meeting additional workforce needs, or such other uses that the Secretary determines to be appropriate.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Out of amounts authorized to be appropriated under section 106(k) of title 49, United States Code, the Secretary shall make available to carry out this section—

(A) \$2,000,000 for fiscal year 2024;

(B) \$12,000,000 for fiscal year 2025;

(C) \$12,000,000 for fiscal year 2026;

(D) \$12,000,000 for fiscal year 2027; and

(E) \$12,000,000 for fiscal year 2028.

(h) **DEFINITIONS.**—In this section:

(1) **COVERED FOREIGN ENTITY.**—The term “covered foreign entity” means an entity—

(A) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce;

(B) domiciled in the People’s Republic of China or the Russian Federation;

(C) subject to influence or control by the government of the People’s Republic of China or by the Russian Federation; or

(D) is a subsidiary or affiliate of an entity described in subparagraphs (A) through (C).

(2) **CRITICAL INFRASTRUCTURE.**—The term “critical infrastructure” has the meaning given such term in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

(3) **ELEMENT OF CRITICAL INFRASTRUCTURE.**—The term “element of critical infrastructure” means a critical infrastructure facility or asset, including public bridges, tunnels, roads, highways, dams, electric grid, water infrastructure, communication systems, pipelines, or other related facilities or assets, as determined by the Secretary.

(4) **ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM.**—The term “eligible small unmanned aircraft system” means a small unmanned aircraft system manufactured or assembled by a company that is domiciled in the United States and is not a covered foreign entity.

(5) **ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM TECHNOLOGY.**—The term “eligible small unmanned aircraft system technology” means—

(A) an eligible small unmanned aircraft system; or

(B) a major component of such a system that is not manufactured by or procured from a covered foreign entity.

(6) **GOVERNMENTAL ENTITY.**—The term “governmental entity” means—

(A) a State, the District of Columbia, the Commonwealth of Puerto Rico, a territory of the United States, or a political subdivision thereof;

(B) a unit of local government;

(C) a Tribal Government;

(D) a metropolitan planning organization; or

(E) a consortia of more than 1 of the entities described in subparagraphs (A) through (D).

(7) **PROJECT.**—The term “project” means a project for the inspection, operation, maintenance, repair, modernization, or construction of an element of critical infrastructure, including mitigating environmental hazards to such infrastructure.

(8) **SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.**—The terms “small unmanned aircraft” and “unmanned aircraft system” have the meanings given such terms in section 44801 of title 49, United States Code.

#### **SEC. 621. DRONE EDUCATION AND WORKFORCE TRAINING GRANT PROGRAM.**

(a) **AUTHORITY.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a drone education and training grant program to make grants to educational institutions for workforce training for eligible small unmanned aircraft system technology.

(b) **USE OF GRANT AMOUNTS.**—Amounts from a grant under this section shall be used in furtherance of activities authorized under sections 631 and 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note).

(c) **ELIGIBILITY.**—To be eligible to receive a grant under this section, an educational institution shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Out of amounts authorized to be appropriated under section 106(k) of title 49, United States Code, the Secretary shall make available to carry out this section—

(1) \$2,000,000 for fiscal year 2024;

(2) \$12,000,000 for fiscal year 2025;

(3) \$12,000,000 for fiscal year 2026;

(4) \$12,000,000 for fiscal year 2027; and

(5) \$12,000,000 for fiscal year 2028.

(e) **DEFINITIONS.**—In this section:

(1) **COVERED FOREIGN ENTITY.**—The term “covered foreign entity” means an entity—

(A) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce;

(B) domiciled in the People’s Republic of China or the Russian Federation;

(C) subject to influence or control by the government of the People’s Republic of China or by the Russian Federation; or

(D) is a subsidiary or affiliate of an entity described in subparagraphs (A) through (C).

(2) **EDUCATIONAL INSTITUTION.**—The term “educational institution” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that participates in a program authorized under sections 631 and 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note).

(3) **ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM.**—The term “eligible small unmanned aircraft system” means a small unmanned aircraft system manufactured or assembled by a company that is domiciled in the United States and is not a covered foreign entity.

(4) **SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.**—The terms “small unmanned aircraft” and “unmanned aircraft system” have the meanings given such terms in section 44801 of title 49, United States Code.

#### **SEC. 622. DRONE WORKFORCE TRAINING PROGRAM STUDY.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Com-

troller General of the United States shall initiate a study of the effectiveness of the Collegiate Training Initiative Program for Unmanned Aircraft Systems, established pursuant to section 632 of the FAA Reauthorization Act 2018 (49 U.S.C. 40101 note).

(b) **REPORT.**—Upon completion of the study under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

(1) the findings of the study; and

(2) any recommendations to improve and expand the Collegiate Training Initiative Program for Unmanned Aircraft Systems.

#### **SEC. 623. UAS INTEGRATION OFFICE.**

The Executive Director of the UAS Integration Office of the Federal Aviation Administration shall—

(1) support, and provide substantive recommendations for, rulemaking proceedings, in coordination with other relevant services and offices and the Assistant Administrator of Rulemaking and Regulatory Improvement, regarding the integration of unmanned aircraft systems into the national airspace system;

(2) support, and make substantive recommendations to inform, the review and adjudication of submissions under the processes established under section 44807 of title 49, United States Code, as amended by section 605;

(3) support, and make substantive recommendations to inform, the development, modification, and acceptance or approval of relevant consensus standards, means of compliance, and declarations of compliance related to unmanned aircraft systems;

(4) ensure the timely consideration of airworthiness and operational determinations related to unmanned aircraft systems by relevant offices of the Administration;

(5) consult, advise, coordinate with, and make substantive recommendations to relevant lines of business and staff offices of the Administration to support the activities of the Administration and efficiently carry out the duties described in this section;

(6) hire full-time equivalent employees, as necessary, to build expertise within the UAS Integration Office to assess unmanned aviation technologies and related operational risk mitigation; and

(7) engage in any other activities determined necessary by the Executive Director or the Administrator of the Federal Aviation Administration, to fulfill the duties described in this section.

#### **SEC. 624. TERMINATION OF ADVANCED AVIATION ADVISORY COMMITTEE.**

The Secretary of Transportation may not renew the charter of the Advanced Aviation Advisory Committee (chartered by the Secretary on June 10, 2022).

#### **SEC. 625. UNMANNED AND AUTONOMOUS FLIGHT ADVISORY COMMITTEE.**

(a) **IN GENERAL.**—Not later than 1 year after the termination of the Advanced Aviation Advisory Committee pursuant to section 624, the Administrator of the Federal Aviation Administration shall establish an Unmanned and Autonomous Flight Advisory Committee (in this section referred to as the “Advisory Committee”).

(b) **DUTIES.**—The Advisory Committee shall provide the Administrator advice on policy- and technical-level issues related to unmanned and autonomous aviation operations and activities, including, at a minimum, the following:

(1) The safe integration of unmanned aircraft systems and autonomous flight operations into the national airspace system, including feedback on—

(A) the certification and operational standards of highly automated aircraft, unmanned aircraft, and associated elements of such aircraft;

(B) coordination of procedures for operations in controlled airspace; and

(C) communication protocols.

(2) The use cases of unmanned aircraft systems, including evaluating and assessing the potential benefits of using unmanned aircraft systems.

(3) The development of processes and methodologies to address safety concerns related to the operation of unmanned aircraft systems, including risk assessments and mitigation strategies.

(4) Unmanned aircraft system training, education, and workforce development programs, including evaluating aeronautical knowledge gaps in the unmanned aircraft system workforce, assessing the workforce needs of unmanned aircraft system operations, and establishing a strong pipeline to ensure a robust unmanned aircraft system workforce.

(5) The analysis of unmanned aircraft system data and trends.

(6) Unmanned aircraft system infrastructure, including the use of existing aviation infrastructure and the development of necessary infrastructure.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be composed of not more than 12 members.

(2) REPRESENTATIVES.—The Advisory Committee shall include at least 1 representative of each of the following:

(A) Small unmanned aircraft system commercial operators.

(B) Small unmanned aircraft system manufacturers.

(C) Manufacturers of unmanned aircraft weighing 55 pounds or more pursuing or holding a certificate for design or production of such unmanned aircraft.

(D) Counter-unmanned aircraft system manufacturers.

(E) Federal Aviation Administration approved unmanned aircraft system service suppliers.

(F) Unmanned aircraft system test sites under section 44803 of title 49, United States Code.

(G) An unmanned aircraft system physical infrastructure network provider.

(H) Community advocates.

(I) Certified labor organizations representing commercial airline pilots, air traffic control specialists employed by the Administration, certified aircraft maintenance technicians, certified aircraft dispatchers, and aviation safety inspectors.

(d) REPORTING.—

(1) IN GENERAL.—The Advisory Committee shall submit to the Secretary an annual report of the activities, findings, and recommendations of the Committee.

(2) CONGRESSIONAL REPORTING.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the reports required under paragraph (1).

(e) DEFINITION OF UNMANNED AIRCRAFT.—In this section, the term “unmanned aircraft” has the meaning given such term in section 44801 of title 49, United States Code.

#### SEC. 626. NEXTGEN ADVISORY COMMITTEE MEMBERSHIP EXPANSION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall take such actions as may be necessary to expand the membership of the NextGen Advisory Committee chartered by the Secretary on June 15, 2022, and any subsequent chartered committees, to include a representative from the unmanned aircraft system industry and a representative from the powered-lift industry.

(b) QUALIFICATIONS.—The representatives required under subsection (a) shall have the following qualifications, as applicable:

(1) Demonstrated expertise in the design, manufacture, and operation of unmanned aircraft systems.

(2) Demonstrated experience in the development or implementation of unmanned aircraft systems policies and procedures.

(3) Demonstrated commitment to advancing the safe integration of unmanned aircraft systems into the national airspace system.

#### SEC. 627. TEMPORARY FLIGHT RESTRICTION INTEGRITY.

(a) IN GENERAL.—Section 40103(b) of title 49, United States Code, is amended by adding at the end the following:

“(5)(A) In issuing a temporary flight restriction, the Administrator shall—

“(i) ensure there is a specific and articulable safety or security basis for the size, scope, and duration of such restriction;

“(ii) immediately distribute a notice of the temporary flight restriction via the Notice to Air Missions system; and

“(iii) detail in the notice required under clause (ii)—

“(I) the safety basis for the restriction; and

“(II) how a covered person may lawfully and expeditiously operate an aircraft within the restriction.

“(B) In this paragraph, the term ‘covered person’ means—

“(i) a public safety agency;

“(ii) a first responder;

“(iii) an accredited news representative; or

“(iv) any other person as determined appropriate by the Administrator.”.

#### SEC. 628. INTERAGENCY COORDINATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the purpose of the joint Department of Defense-Federal Aviation Administration executive committee (referred to in this subsection as “Executive Committee”) on conflict and dispute resolution as described in Section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) is to resolve disputes on the matters of policy and procedures between the Department of Defense and the Federal Aviation Administration relating to airspace, aircraft certifications, aircrew training, and other issues, including the access of unmanned aerial systems of the Department of Defense to the national airspace system;

(2) by mutual agreement of Executive Committee leadership, operating with the best of intentions, the current scope of activities and membership of the Executive Committee has exceeded the original intent of, and tasking to, the Executive Committee; and

(3) the expansion described in paragraph (2) has resulted in an imbalance in the oversight of certain Federal entities in matters concerning civil aviation safety and security.

(b) IN GENERAL.—

(1) CHARTER REVISION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to revise the charter of the Executive Committee to reflect the scope, objectives, membership, and activities described in such section 1036(b) in order to achieve the increasing, and ultimately routine, access of unmanned aircraft systems (as defined in section 44801 of title 49, United States Code) into the national airspace system.

(2) SUNSET.—Not earlier than 2 years after the date of enactment of this Act, the Administrator shall seek to sunset Executive Committee activities by joint agreement of the Administrator and the Secretary of Defense.

#### SEC. 629. REVIEW OF REGULATIONS TO ENABLE UNESCORTED UAS OPERATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, in coordination with the Secretary of Defense, conduct a review of requirements necessary to permit an unmanned aircraft systems (excluding small unmanned aircraft systems) operated by a Federal agency or an armed service to be operated in the national airspace system,

including outside of restricted airspace, without being escorted by a manned aircraft.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review, including findings and recommendations on regulatory and statutory changes that can be made to enable the operations described under subsection (a).

(c) DEFINITIONS.—The definitions under section 44801 of title 49, United States Code, shall apply to this section.

#### SEC. 630. UAS OPERATIONS OVER HIGH SEAS.

(a) IN GENERAL.—An unmanned aircraft system operation that begins and ends within the United States or the territorial waters of the United States, shall not be considered international flight regardless of whether the unmanned aircraft system enters international airspace.

(b) DEFINITION OF UNMANNED AIRCRAFT SYSTEM.—In this section, the term “unmanned aircraft system” has the meaning given such term in section 44801 of title 49, United States Code.

#### SEC. 631. BEYOND BEYOND.

(a) FAA BEYOND PROGRAM EXTENSION.—The Administrator of the Federal Aviation Administration shall extend the BEYOND program of the Administration as in effect on the day before the date of enactment of this Act (referred to in this section as the “Program”) and the existing agreements with State, local, and Tribal governments entered into under the Program until such date, as specified in subsection (b).

(b) FAA BEYOND PROGRAM EXPANSION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall expand the Program to additional locations and test the use of new and emerging aviation concepts and technologies, including concepts and technologies unrelated to unmanned aircraft systems, to evaluate and inform Administration policies, rulemaking, and guidance related to the safe integration of such concepts and technologies into the national airspace system.

(2) SCOPE.—In expanding the Program under this subsection, the Administrator shall address additional factors, including—

(A) increasing automation in civil aircraft, including unmanned aircraft systems and new or emerging aviation technologies;

(B) operations of such systems and technologies, including beyond visual line of sight; and

(C) the social and economic impacts of such operations.

(3) CONTINUATION.—The Administrator shall carry out the expanded Program required under this subsection until such time that the Administrator determines the Program is no longer necessary or useful.

#### SEC. 632. UAS INTEGRATION STRATEGY.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall implement the recommendations made by—

(1) the Comptroller General of the United States to the Secretary of Transportation contained in the report titled “Drones: FAA Should Improve Its Approach to Integrating Drones into the National Airspace System” issued in January 2023 (GAO-23-105189); and

(2) the inspector general of the Department of Transportation to the Administrator contained in the audit report titled “FAA Made Progress Through Its UAS Integration Pilot Program, but FAA and Industry Challenges Remain To Achieve Full UAS Integration” issued in April 2022 (Project ID: AV2022027).

(b) BRIEFING.—Not later than 12 months after the date of enactment of this Act, the Administrator shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Commerce, Science, and Transportation of the Senate annually on the status of the activities described in subsection (a).

**SEC. 633. AUTHORIZATION OF APPROPRIATIONS FOR KNOW BEFORE YOU FLY CAMPAIGN.**

There is authorized to be appropriated to the Administrator \$1,000,000 for each of fiscal years 2024 through 2028, out of funds made available under section 106(k) of title 49, United States Code, for the Know Before You Fly educational campaign or similar public informational efforts intended to broaden unmanned aircraft systems safety awareness.

**SEC. 634. PUBLIC AIRCRAFT DEFINITION.**

Section 40125(a)(2) of title 49, United States Code, is amended—

(1) by striking the first instance of “or”; and

(2) by inserting “(including data collection on civil aviation systems undergoing research, development, test, or evaluation at a test range (as such term is defined in section 44801)), infrastructure inspections, or any other activity undertaken by a governmental entity that the Administrator determines is inherently governmental” after “biological or geological resource management”.

**Subtitle B—Advanced Air Mobility**

**SEC. 651. DEFINITION.**

In this subtitle, the term “powered-lift aircraft” has the meaning given the term “powered-lift” in section 1.1 of title 14, Code of Federal Regulations.

**SEC. 652. POWERED-LIFT AIRCRAFT RULEMAKINGS.**

(a) **FINAL RULEMAKING.**—Not later than 13 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a final rule for a special Federal aviation regulation establishing procedures for certifying powered-lift pilots and providing operational rules for powered-lift aircraft.

(b) **FUTURE RULEMAKING.**—Not later than 5 years after the date of enactment of this Act, the Administrator shall initiate a rulemaking activity providing for a permanent pathway for the—

(1) performance-based certification of powered-lift aircraft;

(2) certification of powered-lift airmen; and

(3) operation of powered-lift aircraft in commercial service and air transportation.

(c) **RULEMAKING CONSIDERATIONS.**—

(1) **CONTENTS OF RULEMAKINGS.**—In the development of the rulemakings required under subsections (a) and (b), the Administrator shall—

(A) provide for any aircraft type certificated by the Administrator—

(i) a practical pathway for pilot qualification and operations; and

(ii) performance-based requirements for energy reserves and other range- and endurance-related requirements that reflect the capabilities and intended operations of the aircraft;

(B) provide for a combination of pilot training requirements, including simulators, to ensure the safe operation of powered-lift aircraft;

(C) grant an individual with an existing commercial airplane (single- or multi-engine) or helicopter pilot certificate the authority to serve as pilot-in-command of a powered-lift aircraft in commercial operation following the completion of a Federal Aviation Administration-approved pilot type rating for such type of aircraft;

(D) to the maximum extent practicable, align powered-lift pilot qualifications with section 2.1.1.4 of the International Civil Aviation Organization’s Annex 1; and

(E) consider the adoption of the recommendations contained in document 10103 of the International Civil Aviation Organization for powered-lift operations, as appropriate.

(2) **CONSIDERATIONS FOR FUTURE RULEMAKINGS.**—In the development of the rulemakings required under subsection (b), the Administrator shall—

(A) consider and plan for unmanned and remotely piloted powered-lift aircraft systems, and the associated elements of such aircraft, through the promulgation of performance-based regulations;

(B) consider and plan for alternative fuel types and propulsion methods, including reviewing the performance-based nature of parts 33 and 35 of title 14, Code of Federal Regulations; and

(C) work to harmonize the certification and operational requirements of the Federal Aviation Administration with the certification and operational requirements of civil aviation authorities with bilateral safety agreements in place with the United States, to the extent harmonization does not negatively impact domestic manufacturers and operators.

(d) **INTERIM APPLICATION OF RULES AND PRIVILEGES IN LIEU OF RULEMAKING.**—Beginning 21 months after the date of enactment of this Act, if a final rule has not been published pursuant to subsection (a)—

(1) rules in effect on such date that apply to the operation and the operator of rotorcraft or fixed-wing aircraft under subchapters F, G, H, and I of chapter 1 of title 14, Code of Federal Regulations, shall be—

(A) deemed to apply to—

(i) the operation of a powered-lift aircraft in the national airspace system; and

(ii) the operator of such a powered-lift aircraft; and

(B) applicable as determined by the operator of an airworthy powered-lift aircraft in consultation with the Administrator and consistent with sections 91.3 and 91.13 of title 14, Code of Federal Regulations; and

(2) upon the completion of a type rating for a specific powered-lift aircraft, airmen that hold a pilot or instructor certification with airplane category ratings in any class or rotorcraft category ratings in the helicopter class shall be deemed to have privileges of a powered-lift rating for that aircraft.

(e) **TERMINATION OF INTERIM RULES AND PRIVILEGES.**—Subsection (d) shall cease to have effect 1 month after the effective date of a final rule issued pursuant to subsection (a).

**SEC. 653. POWERED-LIFT AIRCRAFT ENTRY INTO SERVICE.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall, in consultation with exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code, take such actions as may be necessary to safely integrate powered-lift aircraft into the national airspace system, including in controlled airspace, and learn from any efforts to adopt and update related policy and guidance.

(b) **AIR TRAFFIC POLICIES FOR ENTRY INTO SERVICE.**—Not later than 24 months after the date of enactment of this Act, the Administrator shall update air traffic orders and policies, to the extent necessary, and address air traffic control system challenges in order to allow for—

(1) the use of existing air traffic procedures, where safe, by powered-lift aircraft; and

(2) the approval of letters of agreement between air traffic control system facilities and powered-lift operators and infrastructure operators to minimize the amount of active coordination required for safe recurring powered-lift aircraft operations.

(c) **LONG-TERM AIR TRAFFIC POLICIES.**—Based on the implementation of subsection (b), the Administrator shall—

(1) continue to update air traffic orders and policies;

(2) to the extent necessary, develop powered-lift specific procedures for airports, heliports, and vertiports;

(3) evaluate the human factors impacts on controllers associated with managing powered-lift aircraft operations, consider the impact of additional operations on air traffic controller staffing, and make necessary changes to staffing, procedures, regulations, and orders; and

(4) consider the use of third-party service providers to manage increased operations in controlled airspace to support and supplement the work of air traffic controllers.

**SEC. 654. SENSE OF CONGRESS ON PREPARATION FOR ENTRY INTO SERVICE OF POWERED-LIFT AIRCRAFT.**

It is the sense of Congress that the Administrator of the Federal Aviation Administration should work with manufacturers, prospective operators of powered-lift aircraft, and other stakeholders, to enable the safe entry of such aircraft into commercial service following the publication of the final special Federal Aviation Administration rulemaking titled “Integration of Powered-Lift: Pilot Certification and Operations; Miscellaneous Amendments Related to Rotorcraft and Airplanes”, including by reviewing and providing feedback to such manufacturers and operators on draft pilot training, operations, and maintenance manuals after the publication of the draft special Federal Aviation Administration rulemaking and prior to the publication of a final rule, as appropriate.

**SEC. 655. INFRASTRUCTURE SUPPORTING VERTICAL FLIGHT.**

(a) **UPDATES TO REGULATIONS FOR CONSISTENCY.**—The Administrator of the Federal Aviation Administration shall update part 1 and part 157 of title 14, Code of Federal Regulations, and other regulations as necessary to implement the amendments made by section 401.

(b) **UPDATE TO HELIPORT DESIGN STANDARDS.**—The Administrator shall update the version of Advisory Circular 150/5390-2, titled “Heliport Design” in effect on the date of enactment of this Act, to—

(1) increase the inclusion of performance-based guidance, including around aircraft fuel type and propulsion method;

(2) update guidance to consider risk mitigations and hazards associated with different aircraft fuel types and propulsion methods;

(3) affirm the general permissibility of any vertical takeoff and landing capable aircraft to use heliports that can safely accommodate the physical and operating characteristics of such aircraft; and

(4) include vertiport as a subclass of heliport.

(c) **ENGINEERING BRIEF ON VERTIPORT DESIGN.**—The Administrator may update the version of Engineering Brief 105, titled “Vertiport Design” in effect on the date of enactment of this Act, prior to issuing an update to Advisory Circular 150/5390-2, as required under subsection (b).

(d) **ENGINEERING BRIEF SUNSET.**—The Administrator shall revoke Engineering Brief 105, titled “Vertiport Design”, on the earlier of—

(1) the date on which Advisory Circular 150/5390-2 is updated under subsection (b); or

(2) 5 years after the date of enactment of this Act.

(e) **GUIDANCE, FORMS, AND PLANNING.**—The Administrator shall—

(1) ensure airport district offices of the Administration have sufficient guidance and policy direction regarding the Administration’s heliport and vertiport design guidance not later than 18 months after the date of enactment of this Act and update such guidance routinely;

(2) determine if updates to Administration Form 7460 and Form 7480 are necessary and take such actions, as appropriate; and

(3) ensure that the methodology and underlying data sources of the Administration’s Terminal Area Forecast include commercial operations conducted by aircraft regardless of propulsion type or fuel type.

**SEC. 656. CHARTING OF AVIATION INFRASTRUCTURE.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall increase efforts to update and keep current the Airport Master Record of the Administration, including by establishing a streamlined process by which the owners and operators of public and private

aviation facilities with nontemporary, nonintermittent operations are encouraged to keep the information on such facilities current.

(b) **BRIEFING.**—The Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plans of the Administrator to update and keep current the Airport Master Record for private and public airports, heliports, and vertiports.

**SEC. 657. ADVANCED AIR MOBILITY WORKING GROUP.**

Section 2 of the Advanced Air Mobility Coordination and Leadership Act (49 U.S.C. 40101 note) is amended—

(1) in subsection (b) by striking “, particularly passenger-carrying aircraft.”;

(2) in subsection (d)(1) by striking subparagraph (D) and inserting the following:

“(D) operators of airports, heliports, and vertiports, and fixed-base operators.”;

(3) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking “1 year” and inserting “18 months”;

(B) in paragraph (3) by inserting “or that may impede maturation” after “AAM industry”;

(C) in paragraph (7) by striking “and” at the end;

(D) in paragraph (8) by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(9) processes and programs that can be leveraged to improve the efficiency of Federal reviews required for infrastructure development, including for electrical capacity projects.”;

(4) in subsection (f)(1) by striking “necessary to support the evolution of early” and inserting the following: “that would allow for—

“(A) the timely entry into service of AAM after aircraft and operator certification; and

“(B) the evolution of early”;

(5) in subsection (g)—

(A) in the matter preceding paragraph (1) by striking “working group” and inserting “Secretary of Transportation”;

(B) in paragraph (1) by striking “and” at the end;

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

“(2) summarizing any dissenting views and opinions of a participant of the working group described in subsection (c)(3); and”;

(6) in subsection (i)—

(A) in paragraph (1) by striking “that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft,” and inserting “comprised of urban air mobility and regional air mobility using manned or unmanned aircraft”;

(B) by redesignating paragraph (5) as paragraph (7);

(C) by redesignating paragraph (6) as paragraph (9);

(D) by inserting after paragraph (4) the following:

“(5) **POWERED-LIFT AIRCRAFT.**—The term ‘powered-lift aircraft’ has the meaning given the term ‘powered-lift’ in section 1.1 of title 14, Code of Federal Regulations.

“(6) **REGIONAL AIR MOBILITY.**—The term ‘regional air mobility’ means the movement of people or property by air between 2 points using an airworthy aircraft that—

“(A) has advanced technologies, such as distributed propulsion, vertical take-off and landing, powered-lift, non-traditional power systems, or autonomous technologies;

“(B) has a maximum takeoff weight of greater than 1,320 pounds; and

“(C) is not urban air mobility.”;

(E) by inserting after paragraph (7), as so redesignated, the following:

“(8) **URBAN AIR MOBILITY.**—The term ‘urban air mobility’ means the movement of people or property by air between 2 intracity or intercity points using an airworthy aircraft that—

“(A) advanced technologies, such as distributed propulsion, vertical take-off and landing, powered-lift, nontraditional power systems, or autonomous technologies; and

“(B) a maximum takeoff weight of greater than 1,320 pounds.”; and

(F) by adding at the end the following:

“(10) **VERTIPOINT.**—The term ‘vertipoint’ has the meaning given such term in section 47102 of title 49, United States Code.”;

(7) by redesignating subsection (i) as subsection (j); and

(8) by inserting after subsection (h) the following:

“(i) **CONSIDERATIONS FOR TERMINATION OF WORKING GROUP.**—In deciding whether to terminate the working group under subsection (h), the Secretary and the Administrator of the Federal Aviation Administration shall consider other interagency coordination activities associated with AAM, or other new or novel users of the national airspace system, that could benefit from continued wider interagency coordination.”.

**SEC. 658. ADVANCED AIR MOBILITY INFRASTRUCTURE PILOT PROGRAM EXTENSION.**

Section 101 of division Q of the Consolidated Appropriations Act, 2023 (49 U.S.C. 40101 note) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A) by inserting “, as well as the use of existing airport and heliport infrastructure that may require modifications to safely accommodate AAM operations,” after “vertipoint infrastructure”; and

(ii) in subparagraph (B)—

(I) in clause (iii) by striking “vertipoint” and inserting “locations for”;

(II) in clause (iv) by inserting “and guidance” after “any standards”;

(III) in clause (v) by striking “vertipoint infrastructure” and inserting “urban air mobility and regional air mobility operations”; and

(IV) in clause (x) by inserting “or the modification of existing aviation infrastructure” after “operation of a vertipoint”; and

(B) in paragraph (6)(B)—

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

(ii) in clause (ii) by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iii) a description of—

“(I) initial community engagement efforts and responses from the public on the planning and development efforts of eligible entities related to urban air mobility and regional air mobility operations;

“(II) how eligible entities are planning for and encouraging early adoption of urban air mobility and regional air mobility operations;

“(III) what role each level of government plays in the process; and

“(IV) whether such entities recommend specific regulatory or guidance actions be taken by the Secretary of Transportation or other Federal agencies in order to support such early adoption.”;

(2) in subsection (c)(1)—

(A) by striking “years 2023 and 2024” and inserting “years 2023 through 2026”; and

(B) by inserting before the period “out of funds made available under section 106(k) of title 49, United States Code”;

(3) in subsection (d) by striking “2024” and inserting “2026” each place it appears; and

(4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

“(1) **ADVANCED AIR MOBILITY; AAM; REGIONAL AIR MOBILITY; URBAN AIR MOBILITY; VERTIPOINT.**—The terms ‘advanced air mobility’, ‘AAM’, ‘regional air mobility’, ‘urban air mobility’, and ‘vertipoint’ have the meaning given

such terms in section 2(j) of the Advanced Air Mobility Coordination and Leadership Act (49 U.S.C. 40101 note).”; and

(B) by striking paragraphs (9) and (10).

**Subtitle C—Other Provisions**

**SEC. 681. REPORT ON NATIONAL SPACEPORTS POLICY.**

Section 580(c)(3) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking “2024” and inserting “2028”.

**SEC. 682. INTERMODAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENT PILOT PROGRAM.**

(a) **IN GENERAL.**—The Secretary may establish a pilot program to issue grants to operators of launch and reentry sites for projects to construct, repair, maintain, or improve transportation infrastructure and facilities at such sites.

(b) **PILOT PROGRAM QUALIFICATIONS.**—The Secretary may enter into agreements under this section to issue a grant to an operator only if the operator—

(1) has submitted an application to the Secretary in such form, at such time, and containing such information as prescribed by the Secretary;

(2) demonstrates to the Secretary’s satisfaction that the project for which the application has been submitted is for an eligible purpose under subsection (c); and

(3) agrees to maintain such records relating to the grant as the Secretary may require and to make such records available to the Secretary or the Comptroller General of the United States upon request.

(c) **PERMITTED USE OF PILOT PROGRAM GRANTS.**—An operator may use a grant provided under this subsection for a project to construct, repair, maintain, or improve infrastructure and facilities that—

(1) are located at, or adjacent to, a launch or reentry site; and

(2) directly enable or support transportation safety or covered transportation activities.

(d) **PILOT PROGRAM GRANTS.**—

(1) **GRANT FORMULA.**—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—

(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

(B) \$100,000 for each launch or reentry operation conducted under a permit from the applicable launch or reentry site or at any adjacent Federal launch range in the previous fiscal year.

(2) **MAXIMUM GRANT.**—Except as provided in subsection (e)(5), a grant issued to an operator under this subsection shall not exceed \$2,500,000 for a fiscal year.

(3) **ADJACENCY.**—

(A) **IN GENERAL.**—In issuing a grant to an operator under paragraph (1), the Secretary shall determine whether a launch or reentry site is adjacent to a Federal launch range.

(B) **LIMITATION.**—Only 1 operator may receive an amount under paragraph (1) for each licensed or permitted launch or reentry operation described in such subparagraph.

(C) **MULTIPLE LAUNCH OR REENTRY SITES OPERATED BY 1 OPERATOR.**—If an operator holds a license to operate more than 1 launch site or more than 1 reentry site that are adjacent to a Federal launch range, the Secretary shall consider such launch or reentry sites as 1 launch or reentry site for purposes of subparagraph (A).

(e) **SUPPLEMENTAL GRANTS IN SUPPORT OF STATE, LOCAL, OR PRIVATE MATCHING.**—

(1) **IN GENERAL.**—The Secretary may issue a supplemental grant to an operator, subject to the requirements of this paragraph.

(2) **DOLLAR-FOR-DOLLAR MATCHING.**—If a qualified entity provides an operator an amount



equal to or greater than the amount of a grant provided in a fiscal year under subsection (d) (for the explicit purpose of matching such grant), the Secretary may issue a supplemental grant to the operator that is equal to 25 percent of such grant in the following fiscal year.

(3) **ADDITIONAL NON-FEDERAL MATCHING.**—If a qualified entity provides an operator an amount equal to or greater than two times the amount of a grant provided in a fiscal year to the operator under subsection (d) (for the explicit purpose of matching such grant), the Secretary may issue a supplemental grant to the operator that is equal to 50 percent of such grant in the following fiscal year.

(4) **SUPPLEMENTAL GRANT LIMITATIONS.**—

(A) **MATCH TIMING.**—The Secretary may issue a supplemental grant under paragraph (2) or (3) only if an amount provided by a qualified entity is provided to the operator in the same fiscal year as the grant issued under subsection (d).

(B) **NON-DUPLICATION OF MATCHING GRANTS.**—If the Secretary issues a supplemental grant to the operator of a launch site under paragraph (3), the Secretary may not issue a supplemental grant under paragraph (2) to the same operator in the same fiscal year.

(5) **NON-APPLICATION OF GRANT CEILING.**—The limitation on a grant amount under subsection (d)(2) shall not apply to supplemental grants issued under this subsection.

(f) **FUNDING.**—

(1) **PILOT PROGRAM GRANT FUNDS.**—The grants issued under this section shall be issued from funds made available out of amounts available under section 106(k) of title 49, United States Code.

(2) **MAXIMUM ANNUAL LIMIT ON PILOT PROGRAM.**—

(A) **IN GENERAL.**—The total amount of all grants issued under this section shall not exceed \$20,000,000 in any fiscal year.

(B) **GRANT REDUCTION.**—In complying with subparagraph (A), the Secretary—

(i) may proportionally reduce the amount of, or decline to issue, a supplemental grant under subsection (e); and

(ii) if the reduction under clause (i) is insufficient, shall proportionally reduce grants issued under subsection (d).

(g) **DEFINITIONS.**—In this section:

(1) **COVERED TRANSPORTATION ACTIVITY.**—The term “covered transportation activity” means the movement of people or property to, from, or within a launch site and the necessary or incidental activities associated with such movement through the use of—

(A) a vehicle (as defined in section 4 of title 1, United States Code);

(B) a vessel (as defined in section 3 of title 1, United States Code);

(C) a railroad (as defined in section 20102 of title 49, United States Code);

(D) an aircraft (as defined in section 40102 of title 49, United States Code); or

(E) a pipeline facility (as defined in section 60101 of title 49, United States Code).

(2) **LAUNCH; LAUNCH SITE; LAUNCH VEHICLE; REENTRY SITE; REENTRY VEHICLE.**—The terms “launch”, “launch site”, “launch vehicle”, “reentry site”, and “reentry vehicle” have the meanings given those terms in section 50902 of title 51, United States Code.

(3) **OPERATOR.**—The term “operator” means a person licensed by the Secretary to operate a launch or reentry site.

(4) **QUALIFIED ENTITY.**—The term “qualified entity” means a State, local, territorial, or Tribal government or private sector entity, or any combination thereof.

(h) **PILOT PROGRAM SUNSET.**—This section shall cease to be effective on October 1, 2028.

#### **SEC. 683. AIRSPACE ACCESS FOR HIGH-SPEED AIRCRAFT.**

(a) **HIGH-SPEED AIRCRAFT TESTING.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with any other

Federal agency the Administrator determines appropriate, shall ensure that there is a process in which manufacturers and operators of high-speed aircraft can engage in flight testing of such high-speed aircraft, which may include the establishment of high speed testing corridors in the national airspace system.

(b) **STUDY ON HIGH-SPEED AIRCRAFT OPERATIONS.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall, after consultation with aircraft manufacturers, institutions of higher learning, the Administrator of the National Aeronautics and Space Administration, the Secretary of Defense, and any other agencies the Administrator determines appropriate, conduct a study to assess actions necessary to facilitate the safe operation and integration of high-speed aircraft into the national airspace system.

(2) **CONTENTS.**—In carrying out the study under paragraph (1), the Administrator shall—

(A) assess various altitudes and operating conditions of high-speed aircraft in Class E airspace above the upper boundary of Class A airspace and the resulting aircraft noise levels at the surface;

(B) include the development of a framework and timeline to establish the appropriate regulatory requirements to conducting high-speed aircraft flights;

(C) identify the data required to develop certification, flight standards, and air traffic requirements for the deployment and integration of high-speed aircraft;

(D) assess cross-agency equities related to high-speed aircraft technologies and flight; and

(E) survey global high-speed aircraft-related regulatory and testing developments or activities.

(3) **RECOMMENDATIONS.**—As part of the study under paragraph (1), the Administrator shall issue recommendations to update, if feasible, regulations for certification, flight standards and air traffic management.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a), including the recommendations under subsection (b)(3), to facilitate the safe operation and integration of high-speed aircraft in the national airspace system.

(d) **STUDY AND RULEMAKING ON HIGH ALTITUDE CLASS E AIRSPACE FLIGHT OPERATIONS.**—

(1) **CONSULTATION.**—Not later than 12 months after the date of enactment of this Act, the Administrator, in consultation with the Administrator of the National Aeronautics and Space Administration and relevant stakeholders, including industry and academia, shall identify the minimum altitude above the upper boundary of Class A airspace at or above which flights operating with speeds above Mach 1 generate sonic booms that are inaudible at the surface under prevailing atmospheric conditions.

(2) **RULEMAKING.**—Not later than 2 years after the date on which the Administrator identifies the minimum altitude described in paragraph (1), the Administrator shall publish in the Federal Register a notice of proposed rulemaking to amend sections 91.817 and 91.818 of title 14, Code of Federal Regulations, and such other regulations as appropriate, to permit flight operations with speeds above Mach 1 at or above the minimum altitude identified under paragraph (1) without specific authorizations, provided that such flight operations—

(A) show compliance with airworthiness requirements;

(B) do not cause a measurable sonic boom over pressure to reach the surface; and

(C) have ordinary instrument flight rules clearances necessary to operate in controlled airspace.

(e) **DEFINITION.**—In this section, the term “high-speed aircraft” means an aircraft operating at speeds in excess of Mach 1, which shall include supersonic and hypersonic aircraft.

#### **SEC. 684. ICAO ACTIVITIES ON NEW TECHNOLOGIES.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall prioritize engagement with the International Civil Aviation Organization and contribute to or lead the development of international standards and recommended practices to improve aviation safety and support the entry-into-service of new forms of aviation.

(b) **PARTICULAR ACTIVITIES.**—In carrying out subsection (a), the Administrator shall contribute to or lead International Civil Aviation Organization efforts with respect to the development of landing and take-off noise standards for supersonic aircraft.

#### **SEC. 685. AIP ELIGIBILITY FOR CERTAIN SPACEPORT INFRASTRUCTURE.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Transportation may make a grant under subchapter I of chapter 471 of title 49, United States Code, to an airport sponsor to reconstruct, repave, or rehabilitate the full length and width of a runway existing on the date of enactment of this Act if—

(1) the runway is at an airport that is also a launch site or reentry site operated by a person certified under section 50905 of title 51, United States Code;

(2) the runway is greater than 12,000 feet long and not less than 200 feet wide; and

(3) the airport sponsor certifies to the Secretary that the full length and width of the runway is required to support activities at the launch site.

(b) **SUNSET.**—This section shall cease to be effective on September 30, 2028.

#### **SEC. 686. COMMERCIAL SPACE LAUNCH AND REENTRY STATISTICS.**

Section 329(b) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking “aeronautical” and inserting “aerospace”;

(2) in paragraph (3) by striking “civil aeronautics” and inserting “civil aerospace”;

(3) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(4) by inserting after paragraph (1) the following:

“(2) collect and disseminate information on commercial space launch and reentry operations (other than that collected and disseminated by the National Transportation Safety Board under chapter 11) including, at a minimum, information on the number of launches or reentries licensed by the Secretary, the number of space flight participants, the number of payloads, and the mass of payloads, organized by class of orbit;”.

#### **SEC. 687. REPORT ON CERTAIN INFRASTRUCTURE NEEDS.**

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the infrastructure needs at Federal Aviation Administration-licensed horizontal and vertical launch sites located in rural communities.

#### **SEC. 688. AIRSPACE INTEGRATION FOR SPACE LAUNCH AND REENTRY.**

(a) **SENSE OF CONGRESS.**—It is the Sense of Congress that—

(1) a safe and efficient national airspace system that successfully supports existing users and integrates new entrants is of the utmost importance;

(2) both commercial aviation and space launch and reentry operations are vital to United States global leadership, national security, and economic opportunity;

(3) aircraft hazard areas are necessary during space launch and reentry operations to ensure public safety; and

(4) the Administrator of Federal Aviation Administration should prioritize the development and deployment of technologies to improve visibility of space launch and reentry operations within Administration computer systems and minimize operational workload to air traffic controllers associated with routing traffic during spaceflight launch and reentry operations.

(b) **SPACE LAUNCH AND REENTRY AIRSPACE INTEGRATION TECHNOLOGY.**—There is authorized to be appropriated \$10,000,000 for each of the fiscal years 2024 through 2028, or until such time as the Administrator determines that the project has reached an operational status, for the Administrator to expedite the development, acquisition, and deployment of technologies or capabilities to aid in space launch and reentry integration, which may include technologies recommended by the Airspace Access Priorities Aviation Rulemaking Committee in 2019, systems to enable the integration of launch and reentry data directly onto air traffic controller displays, and automated systems to enable near real-time planning and dynamic rerouting of commercial aircraft during and following commercial space launch and reentry operations, with the objective of operational readiness not later than December 31, 2026.

## **TITLE VII—PASSENGER EXPERIENCE IMPROVEMENTS**

### **Subtitle A—General Provisions**

#### **SEC. 701. ADVERTISEMENTS AND SOLICITATIONS FOR PASSENGER AIR TRANSPORTATION.**

(a) **FULL FARE ADVERTISING.**—Section 41712 of title 49, United States Code, is further amended by adding at the end the following:

“(e) **FULL FARE ADVERTISING.**—

“(1) **IN GENERAL.**—It shall not be an unfair or deceptive practice under subsection (a) for a covered entity to state in an advertisement or solicitation for passenger air transportation the base airfare for such air transportation if the covered entity clearly and separately discloses—

“(A) the government-imposed taxes and fees associated with the air transportation; and

“(B) the total cost of the air transportation.

“(2) **FORM OF DISCLOSURE.**—

“(A) **IN GENERAL.**—For purposes of paragraph (1), the information described in paragraphs (1)(A) and (1)(B) shall be disclosed in the advertisement or solicitation in a manner that clearly presents the information to the consumer.

“(B) **INTERNET ADVERTISEMENTS AND SOLICITATIONS.**—For purposes of paragraph (1), with respect to an advertisement or solicitation for passenger air transportation that appears on a website, the information described in paragraphs (1)(A) and (1)(B) may be disclosed through a link or pop-up, as such terms may be defined by the Secretary, in a manner that is easily accessible and viewable by the consumer.

“(3) **DEFINITIONS.**—In this subsection:

“(A) **BASE AIRFARE.**—The term ‘base airfare’ means the cost of passenger air transportation, excluding government-imposed taxes and fees.

“(B) **COVERED ENTITY.**—The term ‘covered entity’ means an air carrier, including an indirect air carrier, foreign carrier, ticket agent, or other person offering to sell tickets for passenger air transportation or a tour, or tour component, that must be purchased with air transportation.”.

(b) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in the amendment made by subsection (a) may be construed to affect any obligation of a person that sells passenger air transportation to disclose the total cost of such air transportation, including government-imposed taxes and fees, prior to purchase of such air transportation.

(c) **REGULATIONS.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations

to carry out the amendment made by subsection (a).

(d) **STATUTORY CONSTRUCTION.**—Nothing in this section may be construed to limit or otherwise affect the authority of the Secretary to regulate the disclosure of air carrier-imposed fees, or alter the requirements under part 399 of title 14, Code of Federal Regulations, as such part relates to air carrier-imposed fees.

(e) **EFFECTIVE DATE.**—This section, and the amendment made by this section, shall take effect on the date that is 180 days after the date of enactment of this Act.

#### **SEC. 702. MODERNIZATION OF CONSUMER COMPLAINT SUBMISSIONS.**

Section 42302 of title 49, United States Code, is amended to read as follows:

##### **“§42302. Consumer complaints**

“(a) **IN GENERAL.**—The Secretary of Transportation shall—

“(1) maintain an accessible website through the Office of Aviation Consumer Protection to accept the submission of complaints from airline passengers regarding air travel service problems; and

“(2) take appropriate actions to notify the public of such accessible website.

“(b) **NOTICE TO PASSENGERS ON THE INTERNET.**—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include on the accessible website of the carrier—

“(1) the accessible website, e-mail address, or telephone number of the air carrier for the submission of complaints by passengers about air travel service problems; and

“(2) the accessible website maintained pursuant to subsection (a).

“(c) **USE OF ADDITIONAL OR ALTERNATIVE TECHNOLOGIES.**—The Secretary shall periodically evaluate the benefits of using mobile phone applications or other widely used technologies to—

“(1) provide additional or alternative means for air passengers to submit complaints; and

“(2) provide such additional or alternative means as the Secretary determines appropriate.

“(d) **AIR AMBULANCE PROVIDERS.**—Each air ambulance provider shall include the accessible website, or a link to such accessible website, maintained pursuant to subsection (a) and the contact information for the Aviation Consumer Advocate established by section 424 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note) on—

“(1) any invoice, bill, or other communication provided to a passenger or customer of such provider; and

“(2) the accessible website and any related mobile device application of such provider.”.

#### **SEC. 703. CODIFICATION OF CONSUMER PROTECTION PROVISIONS.**

(a) **PASSENGER RIGHTS.**—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

##### **“§41727. Passenger rights**

“(a) **GUIDELINES.**—The Secretary of Transportation shall require each air carrier and foreign air carrier to submit a summarized 1-page document that describes the rights of passengers in air transportation, including guidelines for the following:

“(1) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight delays of various lengths.

“(2) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight diversions.

“(3) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight cancellations.

“(4) Compensation for mishandled baggage, wheelchairs, mobility aids and other assistive devices, including delayed, damaged, pilfered,

or lost baggage, wheelchairs, mobility aids and other assistive devices.

“(5) Voluntary relinquishment of a ticketed seat due to overbooking or priority of other passengers.

“(6) Involuntary denial of boarding and forced removal for whatever reason, including for safety and security reasons.

“(b) **FILING OF SUMMARIZED GUIDELINES.**—Not later than 90 days after each air carrier and foreign air carrier submits the 1-page document to the Secretary under subsection (a), each such air carrier and foreign air carrier shall make available such 1-page document in a prominent location on its website.”.

(b) **AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.**—Subchapter I of chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

##### **“§41728. Airline passengers with disabilities bill of rights**

“(a) **AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.**—The Secretary of Transportation shall develop a document, to be known as the ‘Airline Passengers with Disabilities Bill of Rights’, using plain language to describe the basic protections and responsibilities of air carriers and foreign air carriers, their employees and contractors, and people with disabilities under section 41705.

“(b) **CONTENT.**—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall include, at a minimum, plain language descriptions of protections and responsibilities provided in law related to the following:

“(1) The right of passengers with disabilities to be treated with dignity and respect.

“(2) The right of passengers with disabilities to receive timely assistance, if requested, from properly trained air carrier, foreign air carrier, and contractor personnel.

“(3) The right of passengers with disabilities to travel with wheelchairs, mobility aids, and other assistive devices, including necessary medications and medical supplies, including stowage of such wheelchairs, aids, and devices.

“(4) The right of passengers with disabilities to receive seating accommodations, if requested, to accommodate a disability

“(5) The right of passengers with disabilities to receive announcements in an accessible format.

“(6) The right of passengers with disabilities to speak with a complaint resolution officer or to file a complaint with an air carrier, a foreign air carrier, or the Department of Transportation.

“(c) **RULE OF CONSTRUCTION.**—The development of the Airline Passengers with Disabilities Bill of Rights under subsections (a) and (b) shall not be construed as expanding or restricting the rights available to passengers with disabilities on the day before the date of the enactment of the FAA Reauthorization Act of 2018 (Public Law 115-254) pursuant to any statute or regulation.

“(d) **CONSULTATIONS.**—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall consult with stakeholders, including disability organizations and air carriers, foreign air carriers, and their contractors.

“(e) **DISPLAY.**—Each air carrier and foreign air carrier shall include the Airline Passengers with Disabilities Bill of Rights—

“(1) on a publicly available internet website of the carrier; and

“(2) in any pre-flight notifications or communications provided to passengers who alert the carrier in advance of the need for accommodations relating to a disability.

“(f) **TRAINING.**—

“(1) **IN GENERAL.**—Air carriers, foreign air carriers, and contractors of such carriers shall submit to the Secretary plans that ensure that employees of such carriers and their contractors

receive training on the protections and responsibilities described in the Airline Passengers with Disabilities Bill of Rights.

“(2) REVIEW.—The Secretary shall review such plans to ensure the plans address the matters described in subsection (b).”.

(c) CONFORMING AMENDMENTS.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41726 the following:

“41727. Passenger rights.

“41728. Airline passengers with disabilities bill of rights.”.

(d) CONFORMING REPEALS.—Sections 429 and 434 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42301 note; 41705 note) and the item relating to such sections in the table of contents in section 1(b) of such Act are repealed.

#### SEC. 704. EXTENSION OF AVIATION CONSUMER PROTECTION ADVISORY COMMITTEE.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 note) is amended—

(1) in subsection (b)—

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

(B) by inserting after paragraph (2) the following:

“(3) ticket agents and travel management companies;”;

(2) in subsection (h) by striking “2023” and inserting “2028”; and

#### SEC. 705. REMOVAL OF OUTDATED REFERENCES TO PASSENGERS WITH DISABILITIES.

(a) SOVEREIGNTY AND USE OF AIRSPACE.—Section 40103(a)(2) of title 49, United States Code, is amended by striking “handicapped individuals” and inserting “individuals with disabilities”.

(b) SPECIAL PRICES FOR FOREIGN AIR TRANSPORTATION.—Section 41511(b)(4) of title 49, United States Code, is amended by striking “handicap” and inserting “disability”.

(c) DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES.—Section 41705 of title 49, United States Code, is amended in the heading by striking “handicapped individuals” and inserting “individuals with disabilities”.

(d) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41705 and inserting the following:

“41705. Discrimination against individuals with disabilities.”.

#### SEC. 706. EXTENSION OF AVIATION CONSUMER ADVOCATE REPORTING REQUIREMENT.

Section 424(e) of the FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note) is amended by striking “2023” and inserting “2028”.

#### SEC. 707. AIR CARRIER ACCESS ACT ADVISORY COMMITTEE.

(a) IN GENERAL.—Section 439 of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) is amended—

(1) in the section heading by striking “ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES” and inserting “AIR CARRIER ACCESS ACT ADVISORY COMMITTEE”;

(2) in subsection (c)(1) by striking subparagraph (G) and inserting the following:

“(G) Manufacturers of wheelchairs, including powered wheelchairs, and other mobility aids.”;

(3) in subsection (g) by striking “2023” and inserting “2028”.

(b) CONFORMING AMENDMENT.—Section 1(b) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking the item relating to section 439 and inserting the following: “Sec. 439. Air Carrier Access Act advisory committee.”.

#### SEC. 708. PASSENGER EXPERIENCE ADVISORY COMMITTEE.

(a) IN GENERAL.—The Secretary of Transportation shall establish an advisory committee to

advise the Secretary and the Administrator of the Federal Aviation Administration in carrying out activities relating to the improvement of the passenger experience in air transportation customer service.

(b) MEMBERSHIP.—The Secretary shall appoint the members of the advisory committee, which shall be comprised of at least 1 representative of each of—

(1) mainline air carriers;

(2) air carriers with a low-cost or ultra-low-cost business model;

(3) regional air carriers;

(4) large hub airport sponsors and operators;

(5) medium hub airport sponsors and operators;

(6) small hub airport sponsors and operators;

(7) nonhub airport sponsors and operators;

(8) ticket agents;

(9) representatives of intermodal transportation companies that operate at airports;

(10) airport concessionaires;

(11) nonprofit public interest groups with expertise in consumer protection matters;

(12) senior managers of the Administration’s Air Traffic Organization;

(13) aircraft manufacturers;

(14) entities representing individuals with disabilities;

(15) certified labor organizations representing aviation workers, including—

(A) Federal Aviation Administration employees;

(B) airline pilots working for air carriers operating under part 121 of title 14, Code of Federal Regulations;

(C) flight attendants working for air carriers operating under part 121 of title 14, Code of Federal Regulations; and

(D) other customer facing airline and airport workers;

(16) other organizations or industry segments as determined by the Secretary; and

(17) other Federal agencies that directly interface with passengers at airports.

(c) VACANCIES.—A vacancy in the advisory committee under this section shall be filled in a manner consistent with subsection (b).

(d) TRAVEL EXPENSES.—Members of the advisory committee under this section shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) CHAIR.—The Secretary shall designate an individual among the individuals appointed under subsection (b) to serve as Chair of the advisory committee.

(f) DUTIES.—The duties of the advisory committee shall include—

(1) evaluating ways to improve the comprehensive passenger experience, including—

(A) transportation between airport terminals and facilities;

(B) baggage handling;

(C) wayfinding;

(D) the security screening process; and

(E) the communication of flight delays and cancellations;

(2) evaluating ways to improve efficiency in the national airspace system affecting passengers;

(3) evaluating ways to improve the cooperation and coordination between the Department of Transportation and other Federal agencies that directly interface with aviation passengers at airports;

(4) responding to other taskings determined by the Secretary; and

(5) providing recommendations to the Secretary and the Administrator, if determined necessary during the evaluations considered in paragraphs (1) through (4).

(g) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to Congress a report containing—

(1) consensus recommendations made by the advisory committee since such date of enactment or the previous report, as appropriate; and

(2) an explanation of how the Secretary has implemented such recommendations and, for such recommendations not implemented, the Secretary’s reason for not implementing such recommendation.

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

(i) SUNSET.—This section shall cease to be effective on October 1, 2028.

(j) TERMINATION OF DOT ACCESS ADVISORY COMMITTEE.—The ACCESS Advisory Committee of the Department of Transportation shall terminate on the date of enactment of this Act.

#### SEC. 709. STREAMLINING OF OFFLINE TICKET DISCLOSURES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall take such action as may be necessary to update the process by which an air carrier or ticket agent is required to fulfill disclosure obligations in ticketing transactions for air transportation not completed through a website.

(b) REQUIREMENTS.—The process updated under subsection (a) shall—

(1) include means of referral to the applicable air carrier website with respect to disclosures related to air carrier optional fees and policies;

(2) include a means of referral to the website of the Department of Transportation with respect to any other required disclosures to air transportation passengers;

(3) make no changes to air carrier or ticket agent obligations with respect to—

(A) section 41712(c) of title 49, United States Code; or

(B) subsections (a) and (b) of section 399.84 of title 14, Code of Federal Regulations (or any successor regulations); and

(4) require disclosures referred to in paragraphs (1) and (2) to be made in the manner existing prior to the date of enactment of this Act upon passenger request.

(c) AIR CARRIER DEFINED.—In this section, the term “air carrier” has the meaning given such term in section 40102(a) of title 49, United States Code.

#### SEC. 710. TICKET AGENT REFUND OBLIGATIONS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to revise section 399.80 of title 14, Code of Federal Regulations, to clarify the refund obligations of ticket agents.

(b) CONDITIONS.—In issuing the final rule under subsection (a), the Secretary shall clarify that a ticket agent shall provide a refund only when such ticket agent possesses, or has access to, the funds of a passenger.

(c) DEFINITIONS.—In this section, the term “ticket agent” has the meaning given such term in section 40102(a) of title 49, United States Code.

#### SEC. 711. UPDATING PASSENGER INFORMATION REQUIREMENT REGULATIONS.

(a) ARAC TASKING.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee with—

(1) reviewing passenger information requirement regulations under section 121.317 of title 14, Code of Federal Regulation, and such other related regulations as the Administrator determines appropriate; and

(2) making recommendations to update and improve such regulations.

(b) FINAL REGULATION.—Not later than 6 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final regulation revising section 121.317 of title 14, Code of Federal Regulations, and such other related regulations as the Administrator determines appropriate, to—

(1) update such section and regulations to incorporate exemptions commonly issued by the Administrator;

(2) reflect civil penalty inflation adjustments; and

(3) incorporate such updates and improvements recommended by the Aviation Rulemaking Advisory Committee that the Administrator determines appropriate.

**SEC. 712. MOBILITY AIDS ON BOARD IMPROVE LIVES AND EMPOWER ALL.**

(a) PUBLICATION OF CARGO HOLD DIMENSIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall require air carriers to publish on a prominent and easily accessible place on the public website of the air carrier, information describing the relevant dimensions and other characteristics of the cargo holds of all aircraft types operated by the air carrier, including the dimensions of the cargo hold entry, that would limit the size, weight, and allowable type of cargo available.

(2) PROPRIETARY INFORMATION.—The Secretary shall allow an air carrier to protect the confidentiality of any trade secret or proprietary information submitted in accordance with paragraph (1), as appropriate.

(b) REFUND REQUIRED FOR INDIVIDUAL TRAVELING WITH WHEELCHAIR.—In the case of a qualified individual with a disability traveling with a wheelchair who has purchased a ticket for a flight from an air carrier, but who cannot travel on the aircraft for such flight because the wheelchair of such qualified individual cannot be physically accommodated in the cargo hold of the aircraft, the Secretary shall require such air carrier to offer a refund to such qualified individual of any previously paid fares, fees, and taxes applicable to such flight.

(c) EVALUATION OF DATA REGARDING DAMAGED WHEELCHAIRS.—Not later than 12 months after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(1) evaluate data regarding the type and frequency of incidents of the mishandling of wheelchairs on aircraft and delineate such data by—

(A) types of wheelchairs involved in such incidents; and

(B) the ways in which wheelchairs are mishandled, including the type of damage to wheelchairs (such as broken drive wheels or casters, bent or broken frames, damage to electrical connectors or wires, control input devices, joysticks, upholstery or other components, loss, or delay of return);

(2) determine whether there are trends with respect to the data evaluated under paragraph (1); and

(3) make available on the public website of the Department of Transportation, in an accessible manner, a report containing the results of the evaluation of data and determination made under paragraphs (1) and (2) and a description of how the Secretary plans to address such results.

(d) FEASIBILITY OF IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.—

(1) ROADMAP.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a publicly available strategic roadmap that describes how the Department of Transportation and the United States Access Board, respectively, shall, in accordance with the recommendations from the National Academies of Science, Engineering, and Mathematics Transportation Research Board Special Report 341—

(A) establish a program of research, in collaboration with the Rehabilitation Engineering and Assistive Technology Society of North America, the assistive technology industry, air carriers, original equipment manufacturers, national disability and disabled veterans organizations, and any other relevant stakeholders, to test and evaluate an appropriate selection of

WC19-compliant wheelchairs and accessories in accordance with applicable Federal Aviation Administration crashworthiness and safety performance criteria, including the issues and considerations set forth in such Special Report 341; and

(B) sponsor studies that assess issues and considerations, including those set forth in such Special Report 341, such as—

(i) the likely demand for air travel by individuals who are nonambulatory if such individuals could remain seated in their personal wheelchairs in flight; and

(ii) the feasibility of implementing seating arrangements that would accommodate passengers in wheelchairs in the main cabin in flight.

(2) STUDY.—If determined to be technically feasible by the Secretary, not later than 2 years after making such determination, the Secretary shall commence a study to assess the economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate passengers with wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight. Such study shall include an assessment of—

(A) the cost of such seating arrangements, equipment, and installation;

(B) the demand for such seating arrangements;

(C) the impact of such seating arrangements on passenger seating and safety on aircraft;

(D) the impact of such seating arrangements on the cost of operations and airfare; and

(E) any other information determined appropriate by the Secretary.

(3) REPORT.—Not later than 1 year after the date on which the study under paragraph (2) is completed, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a publicly available report describing the results of the study conducted under paragraph (2), together with any recommendations the Secretary determines appropriate.

(e) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(2) DISABILITY; QUALIFIED INDIVIDUAL WITH A DISABILITY.—The terms “disability” and “qualified individual with a disability” have the meanings given such terms in section 382.3 of title 14, Code of Federal Regulations (as in effect on date of enactment of this Act).

(3) WHEELCHAIR.—The term “wheelchair” has the meaning given such term in section 37.3 of title 49, Code of Federal Regulations (as in effect on date of enactment of this Act), including power wheelchairs, manual wheelchairs, and scooters.

**SEC. 713. PRIORITIZING ACCOUNTABILITY AND ACCESSIBILITY FOR AVIATION CONSUMERS.**

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Transportation shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on disability-related aviation consumer complaints filed with the Department of Transportation, and shall make each annual report publicly available.

(b) SCOPE OF REPORT.—In each report required under subsection (a), the Secretary shall include, at minimum, a description of the following:

(1) The number of disability-related aviation consumer complaints filed with the Department of Transportation during the calendar year preceding the year in which such report is submitted.

(2) The nature of such complaints, such as reported issues with—

(A) an air carrier;

(B) mishandling of passengers with a disability, including mishandling of a wheelchair, mobility aid, or other accessibility equipment of a passenger by an air carrier;

(C) the condition or availability of accessibility equipment or materials operated by an air carrier;

(D) the accessibility of in-flight services, including accessing and utilizing onboard lavatories, for passengers with a disability;

(E) difficulties experienced by passengers with a disability in communicating with an air carrier employee;

(F) difficulties experienced by passengers with a disability in being moved, handled, or otherwise assisted;

(G) an air carrier changing the flight itinerary of a passenger with a disability without the consent of such passenger;

(H) difficulties experienced by passengers with a disability traveling with a service animal; and

(I) any other issues the Secretary of Transportation determines appropriate.

(3) The review process for such complaints.

(4) The average amount of days before the Department initiated a formal review of such complaints.

(5) The average amount of days until such complaints were resolved by the Department.

(6) The number of such complaints that resulted in dismissal, a civil monetary penalty, or other injunctive relief.

(7) Of the complaints that were found to violate section 41705 of title 49, United States Code—

(A) the number of such complaints for which a formal enforcement order was issued; and

(B) the number of such complaints for which a formal enforcement order was not issued.

(8) The number of disability-related aviation consumer complaints filed with the Department of Transportation involving airport staff or other matters under the jurisdiction of the Federal Aviation Administration that were referred to the Federal Aviation Administration.

(9) The number of disability-related aviation consumer complaints filed with the Department of Transportation involving Transportation Security Administration staff that were referred to the Transportation Security Administration or the Department of Homeland Security.

(c) REPORT TO CONGRESS.—The Secretary shall submit annually to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report required under subsection (a).

(d) DEFINITIONS.—In this section:

(1) IN GENERAL.—Except as otherwise provided, the terms used in this section have the meanings given such terms in section 40102 of title 49, United States Code, or section 382.3 of title 14, Code of Federal Regulations, as applicable.

(2) AIR CARRIER.—The term “air carrier” means an air carrier conducting passenger operations under part 121 of title 14, Code of Federal Regulations.

(3) PASSENGER WITH A DISABILITY.—The term “passenger with a disability” has the meaning given the term “qualified individual with a disability” in section 382.3 of title 14, Code of Federal Regulations.

**SEC. 714. AIRCRAFT ACCESSIBILITY.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a program to study and evaluate improvements to transport category aircraft accessibility, including—

(1) determining whether and, if so, how personal wheelchairs, including manual and powered wheelchairs, can be safely secured in the passenger seating areas of an aircraft certificated under part 25 of title 14, Code of Federal Regulations;

(2) considering the safe evacuation processes for such aircraft, including individuals who use manual and powered wheelchairs; and

(3) determining how various types of aircraft described in paragraph (1) can safely and efficiently be retrofitted for accessible lavatories.

(b) **REPORT AND RECOMMENDATIONS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study and evaluation described in subsection (a) and recommendations to address the findings of such study and evaluation.

**SEC. 715. ACCESSIBILITY OF WEBSITES, SOFTWARE APPLICATIONS, AND KIOSKS FOR INDIVIDUALS WITH DISABILITIES.**

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall, in direct consultation with the United States Architectural and Transportation Barriers Compliance Board, prescribe regulations setting forth minimum standards to ensure that individuals with disabilities are able to access kiosks, software applications, and websites in a manner that is equally as effective as individuals without disabilities, with a substantially equivalent ease of use. Such standards shall be consistent with the standards set forth in the Web Content Accessibility Guidelines 2.1 Level AA of the Web Accessibility Initiative of the World Wide Web Consortium or any subsequent version.

**SEC. 716. REVIEW OF METHODS TO REPORT FLIGHT DELAY AND CANCELLATION STATISTICS.**

(a) **IN GENERAL.**—No later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall conduct a review of the means of reporting flight delay and cancellation statistics to the Secretary and the accuracy of such data.

(b) **COORDINATION REQUIREMENT.**—In conducting the review required in paragraph (1), the Secretary shall coordinate and collaborate with air carriers (as such term is defined in section 40102 of title 49, United States Code) to assist in conducting the review and providing recommendations on improving the means of reporting flight delay and cancellation statistics to the Secretary and the accuracy of such data.

**SEC. 717. REIMBURSEMENT FOR INCURRED COSTS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall direct all air carriers providing scheduled passenger interstate or intrastate air transportation to establish policies regarding reimbursement for lodging, transportation between such lodging and the airport, and meal costs incurred due to a flight cancellation or significant delay directly attributable to the air carrier.

(b) **DEFINITION OF SIGNIFICANTLY DELAYED.**—In this section, the term “significantly delayed” means, with respect to air transportation, the departure or arrival at the originally ticketed destination associated with such transportation has changed—

(1) in the case of air transportation within the United States, by 3 or more hours; or

(2) in the case of air transportation to or from a location outside the United States, by 6 or more hours.

**SEC. 718. AIRLINE OPERATIONAL RESILIENCY PLANS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall require a covered carrier to develop and regularly update an operational resiliency strategy to prevent or limit the impact of future flight disruptions on passengers.

(b) **OPERATIONAL RESILIENCY STRATEGY.**—In each operational resiliency strategy developed

under subsection (a), a covered carrier shall include a description of—

(1) the potential impact of severe weather and other reasonably anticipated disruptive events on the operations of the carrier and how the carrier seeks to prevent or limit the impact of such events on passengers;

(2) the potential impact of severe weather events and other reasonably anticipated disruptive events on—

(A) staffing models and the preparedness of the current workforce of the carrier to address such conditions; and

(B) the current information and technology systems of the carrier, including crew scheduling systems, and the preparedness of such systems to continue operations after such an event or disruption;

(3) the preparedness of the carrier to maintain operations and limit or prevent the impact of other potential disruptive events identified by the carrier;

(4) the extent to which the carrier addresses known cybersecurity risks to prevent potential flight disruptions; and

(5) any other issues the Secretary determines appropriate to protect consumers and maintain the operational stability of the airline industry.

(c) **PROPRIETARY INFORMATION.**—The Secretary shall develop a method to protect the confidentiality of any trade secret or proprietary information submitted in an operational resiliency strategy under subsection (b).

(d) **EVALUATION.**—

(1) **AUDIT.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall initiate an audit to evaluate the effectiveness of the operational resiliency strategies developed under this section by covered air carriers.

(2) **REPORT.**—Not later than 1 year after completion of the audit conducted under paragraph (1), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the audit.

(e) **COVERED CARRIER.**—In this section, the term “covered carrier” has the meaning given such term in section 259.3 of title 14, Code of Federal Regulations (or successor regulations).

**SEC. 719. FAMILY SEATING.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to establish a policy directing air carriers that assign seats, or allow individuals to select seats in advance of the date of departure of a flight, to sit each young child adjacent to an accompanying adult, to the greatest extent practicable, if adjacent seat assignments are available at any time after the ticket is issued for each young child and before the first passenger boards the flight.

(b) **PROHIBITION ON FEES.**—The notice of proposed rulemaking described in subsection (a) shall include a provision that prohibits an air carrier from charging a fee, or imposing an additional cost beyond the ticket price of the additional seat, to seat each young child adjacent to an accompanying adult within the same class of service.

(c) **RULE OF CONSTRUCTION.**—Notwithstanding the requirement in subsection (a), nothing in this section may be construed to allow the Secretary to impose a change in the overall seating or boarding policy of an air carrier that has an open or flexible seating policy in place that generally allows adjacent family seating as described under this section.

(d) **YOUNG CHILD.**—In this section, the term “young child” means an individual who has not attained 14 years of age.

**SEC. 720. SEAT DIMENSIONS.**

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) initiate a rulemaking activity based on the regulation described in section 577 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42301 note); and

(2) if the Administrator decides not to pursue the rulemaking described in paragraph (1), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the justification of such decision.

**SEC. 721. IMPROVED TRAINING STANDARDS FOR ASSISTING PASSENGERS WHO USE WHEELCHAIRS.**

(a) **RULEMAKING.**—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to develop requirements for minimum training standards for airline personnel or contractors who assist wheelchair users who must board or deplane using an aisle chair or other boarding device.

(b) **REQUIREMENTS.**—The training standards developed under subsection (a) shall require, at a minimum, that airline personnel or contractors who assist passengers who use wheelchairs who must board or deplane using an aisle chair or other boarding device—

(1) complete refresher training within 18 months and be recertified on the job within 18 months by a superior in order to remain qualified for providing aisle chair assistance; and

(2) be able to successfully demonstrate each of following skills in hands-on training sessions before being allowed to board or deplane a passenger using an aisle chair or other boarding device:

(A) How to safely use the aisle chair, or other boarding device, including the use of all straps, brakes, and other safety features.

(B) How to assist in the transfer of passengers to and from their wheelchair, the aisle chair, and the aircraft's passenger seat, either by physically lifting the passenger or deploying a mechanical device for the lift or transfer.

(C) How to effectively communicate with, and take instruction from, the passenger.

(c) **CONSIDERATIONS.**—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum—

(1) whether to require air carriers and foreign air carriers to partner with national disability organizations and disabled veterans organizations representing individuals with disabilities who use wheelchairs and scooters in developing and reviewing training; and

(2) whether individuals able to provide boarding and deplaning assistance for passengers with limited or no mobility should receive training incorporating procedures from medical professionals on how to properly lift these passengers.

(d) **FINAL RULE.**—Not later than 12 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

(e) **PENALTIES.**—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

**SEC. 722. TRAINING STANDARDS FOR STOWAGE OF WHEELCHAIRS AND SCOOTERS.**

(a) **RULEMAKING.**—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to develop minimum training standards related to stowage of wheelchairs and scooters used by passengers with disabilities on aircraft.

(b) **REQUIREMENTS.**—The training standards developed under subsection (a) shall require, at a minimum, that personnel and contractors of air carriers and foreign air carriers who stow wheelchairs and scooters on aircraft—

(1) complete refresher training within 18 months and be recertified on the job within 18

months by a superior in order to remain qualified for handling and stowing wheelchairs and scooters; and

(2) be able to successfully demonstrate the each of following skills in hands-on training sessions before being allowed to handle or stow a wheelchair or scooter:

(A) How to properly handle and configure, at a minimum on a common design for power and manual wheelchairs and scooters for stowage on each aircraft type operated by the air carrier or foreign air carrier.

(B) How to properly review any wheelchair or scooter information provided by the passenger or the wheelchair or scooter manufacturer.

(C) How to properly load, secure, and unload wheelchairs and scooters, including how to use any specialized equipment for loading or unloading, on each aircraft type operated by the air carrier or foreign air carrier.

(c) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum whether to require air carriers and foreign air carriers to partner with wheelchair or scooter manufacturers, national disability and disabled veterans organizations representing individuals who use wheelchairs and scooters, and aircraft manufacturers, in developing training.

(d) FINAL RULE.—Not later than 12 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

(e) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

#### SEC. 723. INVESTIGATION OF COMPLAINTS.

Section 41705(c) of title 49, United States Code, is amended by striking paragraph (1), and inserting the following:

“(1) IN GENERAL.—The Secretary shall—

“(A) not later than 120 days after the receipt of any complaint of a violation of this section or a regulation prescribed under this section, investigate such complaint; and

“(B) provide, in writing, to the individual that filed the complaint and the air carrier or foreign air carrier alleged to have violated this section or a regulation prescribed under this section, the determination of the Secretary with respect to—

“(i) whether the air carrier or foreign air carrier violated this section or a regulation prescribed under this section;

“(ii) the facts underlying the complaint; and

“(iii) any action the Secretary is taking in response to the complaint.”.

#### SEC. 724. STANDARDS.

(a) AIRCRAFT ACCESS STANDARDS.—

(1) STANDARDS.—

(A) ADVANCE NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking regarding standards to ensure that the aircraft boarding and deplaning process is accessible, in terms of design for, transportation of, and communication with, individuals with disabilities, including individuals who use wheelchairs.

(B) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date on which the advanced notice of proposed rulemaking under subparagraph (A) is completed, the Secretary shall issue a notice of proposed rulemaking regarding standards addressed in subparagraph (A).

(C) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under subparagraph (B) is completed, the Secretary shall issue a final rule.

(2) COVERED AIRPORT, EQUIPMENT, AND FEATURES.—The standards prescribed under paragraph (1)(A) shall address, at a minimum—

(A) boarding and deplaning equipment;

(B) improved procedures to ensure the priority cabin stowage for manual assistive devices pursuant to section 382.67 of title 14, Code of Federal Regulations; and

(C) improved cargo hold storage to prevent damage to assistive devices.

(3) CONSULTATION.—For purposes of the rulemaking under this subsection, the Secretary shall consult with the Access Board and any other relevant department or agency to determine appropriate accessibility standards.

(b) IN-FLIGHT ENTERTAINMENT RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a notice of proposed rulemaking in accordance with the November 22, 2016, resolution of the Department of Transportation ACCESS Committee and the consensus recommendation set forth in the Term Sheet Reflecting Agreement of the Access Committee Regarding In-Flight Entertainment.

(c) NEGOTIATED RULEMAKING ON IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS AND ENPLANING AND DEPLANING STANDARDS.—

(1) TIMING.—

(A) IN GENERAL.—Not later than 1 year after completion of the report required by section 712(d)(3), and if such report finds economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate individuals with disabilities using wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight, the Secretary shall conduct a negotiated rulemaking on new type certificated aircraft standards for seating arrangements that accommodate such individuals in the main cabin during flight or an accessible route to a minimum of 2 aircraft passenger seats for passengers to access from personal assistive devices of such individuals.

(B) REQUIREMENT.—The negotiated rulemaking under subparagraph (A) shall include participation of representatives of—

(i) air carriers;

(ii) aircraft manufacturers;

(iii) national disability organizations;

(iv) aviation safety experts; and

(v) mobility aid manufacturers.

(2) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the completion of the negotiated rulemaking required under paragraph (1), the Secretary shall issue a notice of proposed rulemaking regarding the standards described in paragraph (1).

(3) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under paragraph (2) is completed, the Secretary shall issue a final rule regarding the standards described in paragraph (1).

(4) CONSIDERATIONS.—In the negotiated rulemaking and rulemaking required under this subsection, the Secretary shall consider—

(A) a reasonable period for the design, certification, and construction of aircraft that meet the requirements;

(B) the safety of all persons on-board the aircraft, including necessary wheelchair standards and wheelchair compliance with Federal Aviation Administration crashworthiness and safety performance criteria; and

(C) the costs of design, installation, equipage, and aircraft capacity impacts, including partial fleet equipage and fare impacts.

(d) VISUAL AND TACTILELY ACCESSIBLE ANNOUNCEMENTS.—The Advisory Committee established under section 439(g) of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) shall examine technical solutions and the feasibility of visually and tactilely accessible announcements on-board aircraft.

(e) AIRPORT FACILITIES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, in direct consultation with the Access Board, prescribe regulations setting forth minimum standards under section 41705 of title 49, United States Code, that ensure all gates (including counters), ticketing areas, and

customer service desks covered under such section at airports are accessible to and usable by all individuals with disabilities, including through the provision of visually and tactilely accessible announcements and full and equal access to aural communications.

(f) DEFINITIONS.—In this section:

(1) ACCESS BOARD.—The term “Access board” means the Architectural and Transportation Barriers Compliance Board.

(2) AIR CARRIER.—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(3) INDIVIDUAL WITH A DISABILITY.—The term “individual with a disability” has the meaning given such term in section 382.3 of title 14, Code of Federal Regulations.

(4) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

#### Subtitle B—Air Traffic

#### SEC. 741. TRANSFERS OF AIR TRAFFIC SYSTEMS ACQUIRED WITH AIP.

Section 44502(e) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting “in a non-contiguous State” after “An airport”;

(2) in paragraph (3)—

(A) in subparagraph (B) by striking “or” at the end;

(B) in subparagraph (C) by striking the period at the end and inserting “; or”;

(C) by adding at the end the following:

“(D) a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights.”; and

(3) by adding at the end the following:

“(4) EXCEPTION.—The requirement under paragraph (1) that an eligible air traffic system or equipment be purchased in part using a Government airport aid program, airport development aid program, or airport improvement project grant shall not apply if the system or equipment is installed at an airport that is categorized as a basic or local general aviation airport under the most recently published national plan of integrated airport systems under section 47103.”.

#### SEC. 742. NEXTGEN PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and periodically thereafter as the Administrator of the Federal Aviation Administration determines appropriate, the Administrator shall convene Administration officials to evaluate and expedite the implementation of NextGen programs and capabilities.

(b) NEXTGEN PROGRAM PRIORITIZATION.—In allocating amounts appropriated pursuant to section 48101(a) of title 49, United States Code, the Secretary of Transportation shall give priority to the following activities:

(1) Performance-based navigation.

(2) Data communications.

(3) Terminal flight data manager.

(4) Aeronautical information management.

(c) PERFORMANCE-BASED NAVIGATION.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall fully implement performance-based navigation procedures for all terminal and enroute routes, including approach and departure procedures for covered airports.

(2) SPECIFIC PROCEDURES.—Pursuant to paragraph (1), the Administrator shall prioritize the following performance-based navigation procedures:

(A) Trajectory-based operations.

(B) Optimized profile descents.

(C) Multiple airport route separation.

(D) Established on required navigation performance.

(E) Converging runway display aids.

(3) PERFORMANCE-BASED NAVIGATION BASELINE EQUIPAGE REQUIREMENTS.—In carrying out paragraph (1), the Administrator shall issue such regulations as may be required, and publish applicable advisory circulars, to establish



the equipment baseline appropriate for aircraft to safely use performance-based navigation procedures.

(d) **DATA COMMUNICATIONS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall fully implement the use of data communications.

(2) **SPECIFIC CAPABILITIES.**—In carrying out subsection (a) and this subsection, the Administrator shall prioritize the following data communications capabilities:

(A) Ground-to-ground message exchange for surface aircraft operations and runway safety at airports.

(B) Automated message generation and receipt.

(C) Message routing and transmission.

(D) Direct communications with aircraft avionics.

(E) Implementation of data communications at all Air Route Traffic Control Centers.

(F) The Future Air Navigation System.

(e) **TERMINAL FLIGHT DATA MANAGER.**—

(1) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act, the Administrator shall replace the traffic flow management system with the flow data management system at covered airports.

(2) **ELECTRONIC FLIGHT STRIPS.**—In carrying out paragraph (1), the Administrator shall implement electronic flight strips, at a minimum, at the air traffic control towers of covered airports and all terminal radar approach control and air route traffic control centers.

(f) **AERONAUTICAL INFORMATION MANAGEMENT SYSTEMS.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator shall fully modernize the aeronautical information management systems of the Federal Aviation Administration to improve the functionality, useability, durability, and reliability of such systems used in the national airspace system.

(2) **REQUIREMENTS.**—In carrying out paragraph (1), the Administrator shall—

(A) improve the distribution of critical safety information to pilots, air traffic control, and other relevant aviation stakeholders;

(B) fully develop and implement the Enterprise Information Display System; and

(C) notwithstanding a centralized aeronautical information management system, restructure the back-up systems of aeronautical information management systems to be independent and self-sufficient from one another.

(g) **EFFECT OF FAILURE TO MEET DEADLINE.**—

(1) **NOTIFICATION OF CONGRESS.**—If the Administrator determines that the Administration has not or will not meet a deadline established under subsection (a), (c), (d), or (e), the Administrator shall, not later than 30 days after such determination, notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate about the failure to meet the target deadlines.

(2) **CONTENTS OF NOTIFICATION.**—A notification under paragraph (1) shall be accompanied by the following:

(A) An explanation as to why the agency will not or did not meet the target deadlines described in such paragraph.

(B) A description of the actions the Administration plans to take to meet the target deadlines described in such paragraph.

(3) **BRIEFING.**—If the Administrator is required to provide notice under paragraph (1), the Administrator shall provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate bimonthly, in-person briefings as to the progress made by the Administration regarding implementation under the respective subsection for which the target deadline will not or was

not met until such time as the Administrator has completed the required work under such subsection.

(h) **NEXTGEN ADVISORY COMMITTEE CONSULTATION.**—

(1) **IN GENERAL.**—The Administrator shall consult and task the NextGen Advisory Committee with providing recommendations on ways to expedite, prioritize, and fully implement NextGen programs to realize the operational benefits of such programs.

(2) **CONSIDERATIONS.**—In providing recommendations under paragraph (1), the NextGen Advisory Committee shall consider—

(A) air traffic throughput of the national airspace system;

(B) daily operational performance, including delays and cancellations; and

(C) the potential need for performance-based operational metrics related to NextGen programs.

(i) **SUNSET OF NEXTGEN BRAND.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator shall terminate the use of the term “Next Generation Air Transportation System” or “NextGen” to describe any air traffic control modernization program of the Administration.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to—

(A) terminate any program of the Administration, including a program that has previously been represented as being a component of the Next Generation Air Transportation System or NextGen in budgetary submission or document of the Administration; or

(B) prohibit the Administrator from maintaining materials that relate to or reference programs that have previously been represented as being a component of the Next Generation Air Transportation System or NextGen.

(j) **COVERED AIRPORTS DEFINED.**—In this section, the term “covered airports” means the 40 airports in the United States with the highest number of annual aircraft operations, as of the date of enactment of this Act.

**SEC. 743. AIRSPACE ACCESS.**

(a) **COALESCING AIRSPACE.**—

(1) **REVIEW OF NATIONAL AIRSPACE SYSTEM.**—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall conduct a comprehensive review of the airspace of the national airspace system, including special use airspace.

(2) **STREAMLINING AND EXPEDITING ACCESS.**—In carrying out paragraph (1), the Administrator shall identify methods to streamline, expedite, and provide greater flexibility of access to certain categories of airspace for users of the national airspace system who may not regularly have access to such airspace.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 3 months after the completion of review the under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings of such review and any recommendations and proposed actions to improve access to airspace of the national airspace system for the users of such system.

(2) **CONTENTS.**—In the report submitted under paragraph (1), the Administrator shall include, at a minimum, the following:

(A) An identification of current challenges and barriers faced by airspace users in accessing certain categories of airspace, including special use airspace.

(B) An evaluation of existing procedures, regulations, and requirements that may impede or delay access to certain categories of airspace for certain users of the national airspace system.

(C) Recommendations for streamlining and expediting the airspace access process, including

potential regulatory changes, technological advancements, and enhanced coordination among relevant stakeholders and Federal agencies.

(D) A proposal for implementing a flexible framework that allows for temporary access to certain categories of airspace, including special use airspace, by users of the national airspace system who do not have regular access to such airspace.

(E) An assessment of the impact airspace access improvements may have on safety, efficiency, and economic opportunities for airspace users, including—

(i) military operators;

(ii) commercial operators; and

(iii) general aviation operators.

(3) **IMPLEMENTATION AND FOLLOW-UP.**—

(A) **ACTION PLAN.**—Based on the findings, recommendations, and proposals submitted in the report under this subsection, the Administrator shall develop an action plan for implementing any recommendations and proposals necessary to improve airspace access.

(B) **COORDINATION AND COLLABORATION.**—In developing the action plan under subparagraph (A), the Administrator shall coordinate with relevant stakeholders, including airspace users and the Secretary of Defense, to ensure—

(i) effective implementation of the action plan; and

(ii) ongoing collaboration in addressing airspace access challenges.

(C) **PROGRESS REPORTS.**—The Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate periodic progress reports in the form of briefings on the implementation of the action plan developed under this paragraph, including updates on the adoption of streamlined procedures, technological enhancements, and any regulatory changes necessary to improve airspace access and flexibility.

**SEC. 744. AIRSPACE TRANSITION COMPLETION.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that responsibility for the Newark, New Jersey radar sector is moved to the Philadelphia terminal radar approach control facility.

(b) **STAFFING.**—In carrying out subsection (a), the Administrator may not—

(1) require the temporary or permanent movement of any personnel from the New York terminal radar approach control facility to the Philadelphia terminal radar approach control facility, but may solicit such personnel to volunteer to temporarily or permanently facilitate the move required under subsection (a); or

(2) reduce the target staffing level of the New York terminal radar approach control facility.

(c) **CONGRESSIONAL BRIEFINGS.**—Not later than 180 days after the date of enactment of this Act and every 60 days thereafter, the Administrator and the head of the collective bargaining unit representing air traffic controllers shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the move required under subsection (a) until such time as the Newark, New Jersey radar sector is under the full responsibility of the Philadelphia terminal radar approach control facility.

**SEC. 745. FAA CONTRACT TOWERS.**

(a) **OPERATIONAL READINESS INSPECTIONS.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update applicable regulations, standards, and guidance on operational readiness inspections related to the Federal Aviation Administration Contract Tower program to provide airport sponsors acting in good faith with 7 years to complete such

inspections after receiving a benefit-to-cost ratio of air traffic control services for an airport.

(b) **FACT CONTROLLER AIRSPACE AWARENESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall authorize the use of advanced technology at Federal Aviation Administration contract towers to enhance air traffic controller situational awareness.

(2) **EQUIPMENT STANDARDS.**—In carrying out paragraph (1), the Administrator shall establish standards and criteria identical to such standards and criteria applicable to Federal Aviation Administration air traffic controllers for the use of advanced technology in air traffic control towers.

(3) **RECURRENCE TRAINING.**—In carrying out this subsection, the Administrator, in coordination with Federal Aviation Administration contract tower contractors, shall establish an appropriate training program to periodically train air traffic controllers employed by such contractors to ensure proper integration and use of advanced technologies at Federal Aviation Administration contract towers.

(c) **LIABILITY INSURANCE.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with industry experts including Federal Aviation Administration contract tower contractors and aviation insurance providers, shall—

(1) assess existing liability limits for contract tower contractors established by the Secretary; and

(2) determine whether such limits should be updated.

#### **SEC. 746. FAA CONTRACT TOWER WORKFORCE AUDIT.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the workforce needs of the Federal Aviation Administration Contract Tower Program.

(b) **CONTENTS.**—In conducting the audit required under subsection (a), the inspector general shall, at a minimum—

(1) review the assumptions and methodologies used in assessing the source of Federal Aviation Administration contract towers staffing to determine the adequacy of staffing levels at such towers;

(2) determine whether there is a need to establish an air traffic controller training program to allow Federal Aviation Administration contract tower contractors to conduct—

(A) initial training of air traffic controllers employed by such contractors; or

(B) on-the-job training of such controllers; and

(3) assess whether establishing pathways to allow Federal Aviation Administration contract tower contractors to use the air traffic technical training academy of the Federal Aviation Administration, or other means such as higher educational institutions, to provide initial technical training for air traffic controllers employed by such contractors could help address the workforce needs of the FAA contract tower program.

(c) **REPORT.**—Not later than 90 days after the completion of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such audit and any recommendations as a result of such audit.

#### **SEC. 747. AVIATION INFRASTRUCTURE SUSTAINMENT.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop performance metrics with which the Administrator can assess the operation of safety-critical communication, navigation, and

surveillance aviation infrastructure within the national airspace system.

(b) **PERFORMANCE METRICS NECESSARY TO REMAIN IN SERVICE.**—

(1) **IN GENERAL.**—After developing the performance metrics under subsection (a), the Administrator shall carry out an assessment to determine which applicable aviation infrastructure are to remain in operational service.

(2) **CONSIDERATIONS.**—In making an assessment under paragraph (1), the Administrator shall take into consideration the following:

(A) The expected lifespan of such aviation infrastructure.

(B) The number and type of mechanical failures of such aviation infrastructure.

(C) The average annual costs of maintaining such aviation infrastructure over a 5-year timespan and whether such costs exceed the amount to replace such aviation infrastructure.

(D) The availability of replacement parts or labor capable of maintaining such aviation infrastructure.

(E) Any other factors the Administrator determines are necessary.

(c) **PUBLICATION.**—The Administrator shall make the performance metrics established under subsection (b) available to the public through the website of the Administration, or other appropriate methods of publication, and shall ensure that any information made available to the public under this subsection is made available in a manner that—

(1) does not provide identifying information regarding an individual or entity;

(2) prevents inappropriate disclosure of proprietary information; and

(3) does not disclose information that may pose a cybersecurity risk.

#### **SEC. 748. AIR TRAFFIC CONTROL TOWER SAFETY.**

In designing, adopting a design, or constructing an air traffic control tower based on a previously adopted design, the Administrator of the Federal Aviation Administration shall ensure that the safety of the national airspace system, the safety of employees of the Administration, the operational reliability of air traffic control towers, and the costs of such towers are the primary consideration in such design, adoption, or construction.

#### **SEC. 749. AIR TRAFFIC SERVICES DATA REPORTS.**

Section 45303(g)(2)(A) of title 49, United States Code, is amended by striking “8 years” and inserting “14 years”.

#### **SEC. 750. CONSIDERATION OF SMALL HUB CONTROL TOWERS.**

In selecting projects for the replacement of federally owned air traffic control towers from funds made available pursuant to title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) under the heading “Federal Aviation Administration—Facilities and Equipment”, the Administrator of the Federal Aviation Administration shall consider selecting projects at small hub commercial service airports with control towers that are at least 50 years old.

#### **SEC. 751. AIR TRAFFIC CONTROL TOWER REPLACEMENT PROCESS REPORT.**

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the process by which air traffic control tower facilities are chosen for replacement.

(b) **CONTENTS.**—The report required under subsection (a) shall contain—

(1) the process by which air traffic control tower facilities are chosen for replacement, including which divisions of the Administration control or are involved in the replacement decision making process;

(2) the criteria the Administrator uses to determine which air traffic control tower facilities to replace, including—

(A) the relative importance of each such criteria;

(B) why the Administrator uses each such criteria; and

(C) the reasons for the relative importance of each such criteria;

(3) what types of investigation the Administrator carries out to determine if an air traffic control tower facility should be replaced;

(4) a timeline of the replacement process for an individual air traffic control tower facility replacement;

(5) the list of facilities established under subsection (c), including the reason for selecting each such facility; and

(6) any other information the Administrator considers relevant.

(c) **LIST OF REPLACED AIR TRAFFIC CONTROL TOWER FACILITIES.**—The Administrator shall establish, maintain, and publish on the website of the Federal Aviation Administration a list of the following:

(1) All air traffic control tower facilities replaced within the previous 10-year period.

(2) Any such facilities in the process of being replaced.

#### **SEC. 752. FAA CONTRACT TOWER PILOT PROGRAM.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program to convert up to 3 high-activity contract towers under the Federal Aviation Administration Contract Tower Program under section 47124 of title 49, United States Code, to visual flight rule towers staffed by the Administration.

(b) **PRIORITY.**—In selecting facilities to participate in the pilot program under subsection (a), the Administrator shall give priority to towers that—

(1) had over 200,000 in annual tower operations in calendar year 2022 or a small hub airport with more than 900,000 passenger enplanements in calendar year 2021;

(2) have controls towers that are either owned by the Administration or are constructed to Administration standards; and

(3) operate within a complex air space, including space used by air carriers, for general aviation, and by military aircraft.

(c) **CONTROLLER RETENTION.**—The Administrator shall appoint to the position of air traffic controller all air traffic controllers employed as a Federal contract tower operator and assigned to the air traffic control tower pilot program as of the date of enactment of this Act so long as such operator—

(1) meets the qualifications contained in section 44506(f)(1)(A) of title 49, United States Code; and

(2) has all other pre-employment qualifications required by law.

#### **Subtitle C—Small Community Air Service**

#### **SEC. 771. ESSENTIAL AIR SERVICE REFORMS.**

(a) **REDUCTION IN SUBSIDY CAP.**—Section 41731(a)(1)(C) of title 49, United States Code, is amended to read as follows:

“(C) had an average subsidy per passenger—

“(i) of less than \$1,000 during the most recent fiscal year beginning before October 1, 2026, as determined in subparagraph (D) by the Secretary; or

“(ii) of \$500 or less during the most recent fiscal year beginning on or after October 1, 2026; and”.

#### **(b) RESTRICTION ON LENGTH OF ROUTES.**—

(1) **IN GENERAL.**—Section 41732(a)(1) of title 49, United States Code, is amended by inserting “less than 650 miles from an eligible place (unless such airport or eligible place are located in a non-contiguous State)” after “hub airport”.

(2) **EXCEPTION.**—The amendment made by paragraph (1) shall not apply to any contract or renewal of such contract with an air carrier for essential air service compensation under subchapter II of chapter 417 of title 49, that was—

(A) entered into before the date of enactment of this Act; and

(B) still in effect on the date of enactment of this Act.

(3) SUNSET.—Paragraph (2) shall cease to have effect after September 30, 2028.

(c) APPLICANT SELECTION CONSIDERATIONS.—Section 41733(c)(1) of title 49, United States Code, is amended—

(1) by striking “giving substantial weight to” and inserting “including”;

(2) in subparagraph (E) by striking “and” at the end;

(3) in subparagraph (F) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(G) the total compensation proposed by the air carrier for providing scheduled air service under this section.”.

(d) COST SHARE.—

(1) SECTION 41737.—Section 41737(a)(1) of title 49, United States Code, is amended—

(A) in subparagraph (D) by striking “and” at the end;

(B) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) require that, for a contract to provide air service that is entered into or renewed under this subchapter after September 30, 2026, the Government’s share of the compensation is 95 percent.”.

(2) SECTION 41731.—Section 41731 of title 49, United States Code, is amended—

(A) in subsection (c) by inserting “and section 41737(a)(1)(F)” after “subsection (a)(1)”; and

(B) in subsection (d) by inserting “and section 41737(a)(1)(F)” after “Subsection (a)(1)(B)”.

#### SEC. 772. ESSENTIAL AIR SERVICE AUTHORIZATION.

Section 41742(a)(2) of title 49, United States Code, is amended by striking “\$155,000,000 for fiscal year 2018” an all that follows through “\$172,000,000 for fiscal year 2023” and inserting “\$332,000,000 for fiscal year 2024, \$312,000,000 for fiscal year 2025, \$300,000,000 for fiscal year 2026, \$265,000,000 for fiscal year 2027, and \$252,000,000 for fiscal year 2028”.

#### SEC. 773. SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM REFORM AND AUTHORIZATION.

(a) SAME PROJECTS LIMIT.—Section 41743(c)(4)(B) of title 49, United States Code, is amended by striking “10-year” and inserting “6-year”.

(b) PRIORITIES.—Section 41743(c)(5) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(2) by adding after subparagraph (A) the following—

“(B) the community has demonstrated support from at least 1 air carrier to provide service.”.

(c) AUTHORIZATION.—Section 41743(e)(2) of title 49, United States Code, is amended by striking “2023” and inserting “2028”.

#### SEC. 774. GAO STUDY ON INCREASED COSTS OF ESSENTIAL AIR SERVICE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the change in costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code.

(b) CONTENTS.—In conducting the study required under subsection (a), the Comptroller General shall—

(1) assess trends in costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code, over the 10-year period ending on the date of enactment of this Act;

(2) review potential causes for the increased cost of the essential air service program, including—

(A) labor costs;

(B) fuel costs;

(C) aging aircraft costs;

(D) air carrier opportunity costs; and

(E) airport costs; and

(3) assess the effects of the COVID-19 pandemic on the costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

### TITLE VIII—MISCELLANEOUS

#### SEC. 801. DIGITALIZATION OF FAA PROCESSES.

(a) IDENTIFICATION.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall identify and catalog programs, activities, or processes that require paper-based information exchange between—

(1) external entities and the Administration; or

(2) offices within the Administration.

(b) DIGITALIZATION.—On an ongoing basis, and as appropriate, the Administrator shall transition the paper-based processes identified under subsection (a) to processes that support secure digital information submission, exchange, collaboration, and approval.

(c) BRIEFING.—Not later than 60 days after completing the required identification and catalog in subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the programs, activities, and processes identified under subsection (a) and such programs, activities, and processes that have been identified for transition under subsection (b).

#### SEC. 802. FAA TELEWORK.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration—

(1) may establish telework policies for employees that allow for the Administration to reduce the office footprint and associated expenses of the Administration, increase workforce retention, and provide flexibilities that the Administrator believes increases efficiency and effectiveness of the Administration, while requiring that any such policy—

(A) does not adversely impact the mission of the Administration;

(B) does not reduce the safety and efficiency of the national airspace system;

(C) for any employee that is designated as an officer or executive in the Federal Aviation Administration Executive System or a political appointee (as such term is defined in section 106 of title 49, United States Code)—

(i) maximizes time at a duty station for such employee, excluding official travel; and

(ii) may include telework provisions as determined appropriate by the Administrator, commensurate with official duties for such employee;

(D) provides for on-the-job training opportunities for Administration personnel that are not less than such opportunities available in 2019;

(E) reflects the appropriate work status of employees based on the job functions of such employee;

(F) optimizes the work status of inspectors, investigators, and other personnel performing safety-related functions to ensure timely completion of safety oversight activities;

(G) provides for personnel, including such personnel performing work related to aircraft certification and flight standards, who are responsible for actively working with regulated entities, external stakeholders, or other members of the public to be—

(i) routinely available on a predictable basis for in-person and virtual communications with external persons; and

(ii) not hindered from meeting with, visiting, auditing, or inspecting facilities or projects of

regulated persons due to any telework policy; and

(H) provides offices of the Administration opportunities for in-person dialogue, collaboration, and ideation for all employees;

(2) ensures that locality pay for an employee of the Administrator accurately reflects the telework status and duty station of such employee;

(3) may not establish a telework policy for an employee of the Administration unless such employee will be provided with secure network capacity, communications tools, necessary and secure access to appropriate agency data assets and Federal records, and equipment sufficient to enable such employee to be fully productive; and

(4) not later than 2 years after the date of enactment of this Act, shall evaluate and address any telework policies in effect on the day before such date of enactment to ensure that such policies meet the requirements of paragraph (1).

(b) CONGRESSIONAL UPDATE.—Not later than 1 year after the date of enactment of this Act, and 1 year thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on any telework policies currently in place, the implementation of such policies, and the benefits of such policies.

(c) CONSULTATION.—If the Administrator determines that telework agreements must be updated to implement the requirements of subsection (a), the Administrator shall, prior to updating such agreements, consult with—

(1) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(2) labor organizations certified under such section as the exclusive bargaining representative of airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

#### SEC. 803. REVIEW OF OFFICE SPACE.

(a) FAA REVIEW.—

(1) INITIATION OF REVIEW.—Not later than 30 months after the date of enactment of this Act, the Secretary of Transportation shall initiate an inventory review of the domestic office footprint of the Department of Transportation.

(2) COMPLETION OF REVIEW.—Not later than 40 months after the date of enactment of this Act, the Secretary shall complete the inventory review required under paragraph (1).

(b) CONTENTS OF REVIEW.—In completing the review under subsection (a), the Secretary shall—

(1) delineate the domestic office footprint into units of property, as determined appropriate by the Secretary;

(2) determine unit adequacy related to—

(A) the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the corresponding accessibility guidelines established under part 1191 of title 36, Code of Federal Regulations; and

(B) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(3) determine the feasible occupancy of each such unit, and provide the methodology used to make the determination;

(4) determine the number of individuals who are full-time equivalent employees, other employees, or contractors that have each such unit as a duty station and determine how telework policies will impact the usage of each such unit;

(5) calculate the amount of available, unused, or underutilized space in each such unit;

(6) consider any lease terms for leased units contained in the domestic office footprint, including cost and effective dates for each such leased unit; and

(7) based on the findings in paragraphs (2) through (6), and any other metrics the Secretary determines relevant, provide recommendations for optimizing the use of units of property across

the Department in consultation with appropriate employee labor representatives.

(c) **REPORT.**—Not later than 2 months after completing the review under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a final report that proposes opportunities to optimize the domestic office footprint of the Administration (and associated costs). In compiling such final report, the Secretary shall describe opportunities for—

(1) consolidation of offices within a reasonable distance from one another;

(2) the collocation of regional or satellite offices of separate modes of the Department, including the cost benefits of shared amenities; and

(3) the use of coworking spaces instead of permanent offices.

(d) **DEFINITION OF DOMESTIC OFFICE FOOTPRINT.**—In this section, the term “domestic office footprint” means buildings, offices, facilities, and other real property rented, owned, or occupied by the Administration or Department—

(1) in which employees report for permanent or temporary duty that are not being used for active operations of the air traffic control system; and

(2) which are located within the United States.

#### **SEC. 804. AIRCRAFT WEIGHT REDUCTION TASK FORCE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a task force to identify ways to safely reduce covered aircraft weight for purposes of reducing fuel burn.

(b) **COMPOSITION.**—The task force established under subsection (a) shall consist of not more than 20 individuals and shall include representatives of—

(1) the Federal Aviation Administration;

(2) other Federal agencies as the Administrator determines appropriate;

(3) air carriers;

(4) certified labor organizations representing flight attendants at air carriers operating under part 121 of title 14, Code of Federal Regulations;

(5) certified labor organizations representing aircraft maintenance technicians;

(6) certified labor organizations representing other aviation workers, as appropriate; and

(7) aerospace manufacturers.

(c) **REVIEW.**—The task force established under subsection (a) shall review and evaluate—

(1) regulations, requirements, advisory circulars, orders, or other such directives of the Administration related to covered aircraft or covered aircraft operations that may inhibit certification of new materials, manufacturing processes, components, or technologies that could reduce aircraft weight or increase fuel efficiency without decreasing safety;

(2) aspects of covered aircraft design that are outdated or underutilized on the date of enactment of this Act that may unnecessarily increase covered aircraft weight or reduce aircraft fuel efficiency that are not necessary for the safe operation of such aircraft;

(3) novel technologies and manufacturing processes, including the use of advanced materials, that can safely be used in the construction or modification of covered aircraft, including a component or the interior of such aircraft, to reduce weight or improve fuel efficiency; and

(4) nonproprietary methods that air carriers have used to safely decrease covered aircraft weight or improve fuel efficiency.

(d) **REPORT.**—

(1) **TASK FORCE REPORT.**—

(A) **IN GENERAL.**—Not later than 3 years after the establishment of the task force under subsection (a), the task force shall submit a report on the findings and results of the review and evaluation conducted under subsection (c) to the Administrator.

(B) **RECOMMENDATIONS.**—In submitting the report required under subparagraph (A), the task force shall include recommendations—

(i) on actions the Administrator may take to updated regulations, processes, advisory circulars, orders, or other such directions of the Administration to enable the certification of new materials, components, manufacturing processes, or technologies that may allow for the safe reduction of covered aircraft weight or the improvement of fuel efficiency; and

(ii) on best practices for air carriers and aerospace manufacturers to certify such materials, components, manufacturing processes, or technologies.

(C) **APPROXIMATION OF BENEFITS.**—For each recommendation made under subparagraph (B), the task force shall approximate the fuel savings that could be expected if such recommendation was adopted.

(D) **SUBMISSION TO CONGRESS.**—Not later than 3 days after receipt of the report required under subparagraph (A), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report and recommendations.

(2) **FAA REPORT.**—Not later than 120 days after submission of the report under paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report—

(A) describing the recommendations of the task force with which the Administrator fully concurs, partially concurs, or does not concur;

(B) detailing, for the recommendations with which the Administrator fully or partially concurs—

(i) a timeline for implementing such recommendations; and

(ii) possible benefits of using new materials, manufacturing processes, components, or technologies, including fuel savings, increased capacity, or other benefits as determined reasonable by the task force; and

(C) explaining, for the recommendations with which the Administrator does not concur, the reason for which the Administrator will not implement such recommendations.

(e) **SUNSET.**—

(1) **IN GENERAL.**—The task force established under subsection (a) shall terminate upon submission of the report required under subsection (d)(1)(A).

(2) **EXCEPTION.**—The Administrator may choose to extend such task force after the submission of the report required under subsection (d)(1)(A), if the Administrator determines that such an extension would be in the public interest.

(f) **DEFINITION.**—In this section:

(1) **AIR CARRIER.**—The term “air carrier” means an air carrier (as such term is defined in section 40102 of title 49, United States Code) that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(2) **AIRCRAFT WEIGHT.**—The term “aircraft weight” means the gross weight of a covered aircraft in operation.

(3) **COVERED AIRCRAFT.**—The term “covered aircraft” means an aircraft that is operated by an air carrier that is operating pursuant to a certificate issued under part 121 of title 14, Code of Federal Regulations.

#### **SEC. 805. AUDIT OF TECHNICAL WRITING RESOURCES AND CAPABILITIES.**

(a) **AUDIT BY INSPECTOR GENERAL.**—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the technical writing resources and capabilities of the Federal Aviation Administration as such resources and capabilities relate to producing rulemaking, policy, and guidance, to—

(1) determine if such resources and capabilities are adequate; and

(2) make recommendations for improvement of such resources and capabilities.

(b) **REVIEW.**—In conducting the review required under subsection (a), the inspector general shall evaluate the technical writing resources and capabilities of the Administration in each line of business of the Administration, the Office of Policy, International Affairs, and Environment, and the Office of the Chief Counsel, including by reviewing—

(1) the process and resources required to produce initial drafts of rulemaking, policy, and guidance documents;

(2) the quality of such initial drafts;

(3) the amount of edits that are required throughout the production of rulemaking, policy, and guidance documents;

(4) writing support and education tools provided to engineers, managers, and other technical staff of the Administration involved in writing or editing such documents; and

(5) whether—

(A) the Administration has and adheres to best practices for the drafting of rulemaking, policy, and guidance documents; and

(B) such best practices are—

(i) easily accessible and understandable by employees of the Administration; and

(ii) reflect modern writing conventions.

(c) **RECOMMENDATIONS.**—In making the recommendations required under subsection (a)(2), the inspector general shall make recommendations to the Administrator of the Federal Aviation Administration on how to improve the quality of written rulemaking, policy, and guidance documents and the speed at which such documents can be produced, internally reviewed, and approved.

(d) **DECONFLICTING SCOPE.**—The inspector general shall ensure that the audit required under subsection (a) does not duplicate the evaluation required under section 125, except to the extent that duplication is necessary to fully evaluate the technical writing resources and capabilities of the Administration.

(e) **REPORT.**—Not later than 1 year after the inspector general initiates the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the audit, including findings and recommendations.

#### **SEC. 806. FAA PARTICIPATION IN INDUSTRY STANDARDS ORGANIZATIONS.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall ensure the participation of employees of the Administration in the activities of recognized industry standards organizations to advance the adoption, reference, and acceptance rate of standards and means of compliance developed by such organizations by the Administrator.

(b) **PARTICIPATION.**—An employee directed by the Administrator to participate in a working group, task group, committee, or similar body of a recognized industry standards organization shall—

(1) actively participate in the discussions and work of such organization;

(2) accurately represent the position of the Administration on the subject matter of such discussions and work;

(3) contribute to the development of work products of such organization, unless determined to be inappropriate by such organization;

(4) make reasonable efforts to identify and make any concerns of the Administration relating to such work products known to such organization, including through providing formal comments, as may be allowed for under the procedures of such organization;

(5) provide regular updates to other Administration employees and management on the progress of such work products; and

(6) seek advice and input from other Administration employees and management, as needed.

(c) INVITATIONS.—

(1) IN GENERAL.—The Administrator may accept an invitation to participate in and contribute to the work of a recognized industry standards organization as described in subsection (b).

(2) DECLINATION OF INVITATION.—If the Administrator declines an invitation described in paragraph (1), the Administrator shall provide—

(A) the recognized industry standards organization a written response to the invitation that articulates the reasons for declining the invitation; and

(B) a copy of such written response to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 5 days after providing the response to such organization under subparagraph (A).

(d) RECOGNIZED INDUSTRY STANDARDS ORGANIZATION DEFINED.—In this section, the term “recognized industry standards organization” means a domestic or international organization that—

(1) uses agreed upon procedures to develop aviation-related industry standards or means of compliance, particularly standards or means of compliance that satisfy Administration requirements or guidance;

(2) is comprised of members of the public, including subject matter experts, industry representatives, academics and researchers, and government employees; and

(3) has had at least one standard or means of compliance accepted by the Administrator or referenced in guidance material or a regulation issued by the Federal Aviation Administration after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176).

#### SEC. 807. SENSE OF CONGRESS ON USE OF VOLUNTARY CONSENSUS STANDARDS.

It is the sense of Congress that the Administrator of the Federal Aviation Administration should make every effort to abide by the policies set forth in the Office of Management and Budget Circular A–119, titled “Federal Participation in the Development and Use of Voluntary Consensus Standards and Conformity Assessment Activities”.

#### SEC. 808. REQUIRED DESIGNATION.

The Administrator of the Federal Aviation Administration shall designate any aviation rulemaking committee convened under this Act pursuant to section 106(p)(5) of title 49, United States Code.

#### SEC. 809. SENSITIVE SECURITY INFORMATION.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by inserting after section 40118 the following:

##### “§40119. Sensitive security information

“(a) IN GENERAL.—Notwithstanding section 552 of title 5, the Secretary of Transportation shall issue regulations prohibiting the disclosure of information obtained or developed in the process of ensuring security under this title if the Secretary determines that disclosing the information would—

“(1) be an unwarranted invasion of personal privacy;

“(2) reveal a trade secret or privileged or confidential commercial or financial information; or

“(3) be detrimental to transportation safety.

“(b) WITHHELD INFORMATION.—In carrying out subsection (a), the Secretary shall ensure that the prohibitions described in such subsection do not apply to any information provided to a committee of Congress authorized to have such information, including the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(c) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to authorize

the designation of information as sensitive security information (as defined in section 15.5 of title 49, Code of Federal Regulations) to—

“(1) conceal—

“(A) a violation of law;

“(B) inefficiency; or

“(C) an administrative error;

“(2) prevent embarrassment to a person, organization, or governmental agency;

“(3) restrain competition; or

“(4) prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.

“(d) NONDISCLOSURE.—Section 552a of title 5 shall not apply to disclosures that the Administrator of the Federal Aviation Administration may make from the systems of records of the Administration to any Federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by striking the item related to section 40119 and inserting the following:

“40119. Sensitive security information.”.

#### SEC. 810. PRESERVING OPEN SKIES WHILE ENSURING FAIR SKIES.

(a) ADDITION OF LABOR STANDARDS.—Section 40101 of title 49, United States Code, is amended—

(1) in subsection (a) by adding at the end the following:

“(17) preventing the undermining of labor standards.”; and

(2) in subsection (e) by adding at the end the following:

“(11) preventing the undermining of labor standards.”.

(b) UPDATE TO FOREIGN AIR CARRIER PERMITS.—Section 41302(2)(B) of title 49, United States Code, is amended by striking “the foreign air transportation” and inserting “after considering the totality of the circumstances, including the matters described in section 40101(a), the foreign air transportation”.

(c) SAVINGS CLAUSE.—Nothing in this section, or the amendments made by this section, shall be construed to affect the validity of a foreign air carrier permit held, or air transport agreement in place, on the date of enactment of this Act.

#### SEC. 811. COMMERCIAL PREFERENCE.

Section 40110(d) of title 49, United States Code, is further amended—

(1) in paragraph (1) by striking “and implement” and inserting “, implement, and periodically update”;

(2) in paragraph (2) by striking “the new acquisition management system developed and implemented” and inserting “the acquisition management system developed, implemented, and periodically updated” each place it appears;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “new”; and

(ii) by striking “and implemented” and inserting “, implemented, and periodically updated”; and

(B) in subparagraph (B) by striking “Within” and all that follows through “the Administrator” and inserting “The Administrator”;

(4) by redesignating paragraph (4) as paragraph (5); and

(5) by inserting after paragraph (3) the following:

“(4) COMMERCIAL PRODUCTS AND SERVICES.—In implementing and updating the acquisition management system pursuant to paragraph (1), the Administrator shall, whenever possible—

“(A) describe the requirements with respect to a solicitation for the procurement of supplies or services in terms of—

“(i) functions to be performed;

“(ii) performance required; or

“(iii) essential physical and system characteristics;

“(B) ensure that commercial services or commercial products may be procured to fulfill such solicitation, or to the extent that commercial products suitable to meet the needs of the Administration are not available, ensure that nondevelopmental items other than commercial products may be procured to fulfill such solicitation;

“(C) provide offerors of commercial services, commercial products, and nondevelopmental items other than commercial products an opportunity to compete in any solicitation for the procurement of supplies or services;

“(D) revise the procurement policies, practices, and procedures of the Administration to reduce any impediments to the acquisition of commercial products and commercial services; and

“(E) ensure that procurement officials—

“(i) acquire commercial services, commercial products, or nondevelopmental items other than commercial products to meet the needs of the Administration;

“(ii) in a solicitation for the procurement of supplies or services, state the specifications for such supplies or services in terms that enable and encourage bidders and offerors to supply commercial services or commercial products, or to the extent that commercial products suitable to meet the needs of the Administration are not available, to supply nondevelopmental items other than commercial products;

“(iii) require that prime contractors and subcontractors at all levels under contracts with the Administration incorporate commercial services, commercial products, or nondevelopmental items other than commercial products as components of items supplied to the Administration;

“(iv) modify procurement requirements in appropriate circumstances to ensure that such requirements can be met by commercial services or commercial products, or to the extent that commercial products suitable to meet the needs of the Administration are not available, nondevelopmental items other than commercial products; and

“(v) require training of appropriate personnel in the acquisition of commercial products and commercial services.”.

#### SEC. 812. CONSIDERATION OF THIRD-PARTY SERVICES.

(a) PLANS AND POLICY.—Section 44501 of title 49, United States Code, is amended—

(1) in subsection (a) by striking “development and location of air navigation facilities” and inserting “development of air navigation facilities and services”; and

(2) in subsection (b)—

(A) by striking “and development” and inserting “procurement, and development” each place it appears;

(B) by striking “facilities and equipment” and inserting “facilities, services, and equipment”;

(C) by striking “first and 2d years” and inserting “first and second years”;

(D) by striking “subclauses (A) and (B) of this clause” and inserting “subparagraphs (A) and (B)”;

(E) by striking “the 3d, 4th, and 5th” and inserting “the third, fourth, and fifth”;

(F) by striking “systems and facilities” and inserting “systems, services, and facilities”; and

(G) by striking “growth of aviation” and inserting “growth of the aerospace industry”.

(b) SYSTEMS, PROCEDURES, FACILITIES, AND DEVICES.—Section 44505 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “develop, alter” and inserting “develop when necessary, alter”; and

(B) by striking “and devices” and inserting “services, and devices” each place it appears; and

(2) in subsection (b) by striking “develop dynamic simulation models” and inserting “develop or procure dynamic simulation models and tools” each place it appears.

**SEC. 813. CERTIFICATES OF AUTHORIZATION OR WAIVER.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, may issue a certificate of authorization or waiver to a person to operate an aircraft within an area covered by a temporary flight restriction under such conditions as the Administrator may prescribe, except for airspace that is subject to a permanent, continuous flight restriction, unless the authorization or waiver is issued to, or with the concurrence of, the entity for which the flight restriction was created.

(b) SPECIAL CONSIDERATIONS.—If a temporary flight restriction is related to a sporting event and issued pursuant to section 352 of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7), the conditions prescribed by the Administrator under subsection (a) shall include the following:

(1) A minimum distance from the center of the temporary flight restriction, which shall not be greater than 0.75 nautical miles, unless the Administrator determines, on a case by case basis, that such mileage is insufficient to maintain public safety.

(2) The person may not operate an aircraft (except for a purpose described under section 352(a)(3) of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7)) for a purpose that the Secretary determines is directly related to the event for which the temporary flight restriction is active.

(c) EXCEPTION.—Subsection (b)(1) shall not apply to aircraft operations associated with an aviation event or airshow for which the Administrator has granted a certificate of authorization or waiver.

(d) BRIEFING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation of this section, including the number and nature of certificates of authorization or waiver that have been issued under subsection (a) subject to restrictions under subsection (b).

(e) OPERATIONAL PURPOSES.—Section 352(a)(3)(B) of Consolidated Appropriations Resolution, 2003 (Public Law 108–7) is amended by inserting “(or attendees approved by)” after “guests”.

(f) SUNSET.—Subsection (b) shall cease to have effect on October 1, 2028.

**SEC. 814. WING-IN-GROUND-EFFECT CRAFT.**

(a) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration and the Commandant of the Coast Guard shall execute a memorandum of understanding governing the specific roles, delineations of responsibilities, resources, and commitments of the Federal Aviation Administration and the Coast Guard, respectively, pertaining to wing-in-ground-effect craft that are—

(A) only capable of operating either in water or in ground effect over water; and

(B) operated exclusively over waters subject to the jurisdiction of the United States.

(2) CONTENTS.—The memorandum of understanding described in paragraph (1) shall—

(A) cover the processes the Federal Aviation Administration and the United States Coast Guard will follow to promote communications, efficiency, and nonduplication of effort in carrying out such memorandum of understanding;

(B) account for the special rule in accordance with subsection (b); and

(C) provide procedures for, at a minimum, the following:

(i) Approval of wing-in-ground-effect craft designs.

(ii) Operations of wing-in-ground-effect craft.

(iii) Pilotage of wing-in-ground-effect craft.

(iv) Inspections of wing-in-ground-effect craft.

(v) Maintenance of wing-in-ground-effect craft.

(b) SPECIAL RULE PROHIBITING SECRETARY FROM REGULATING CERTAIN WIG CRAFT OPERATORS AS AIR CARRIERS.—Notwithstanding any other provision of law or regulation, the Secretary of Transportation may not regulate an operator of a wing-in-ground-effect craft as an air carrier (as such term is defined in section 40102(a) of title 49, United States Code).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) limit the authority of the Secretary or the Administrator to regulate aircraft that are not wing-in-ground-effect craft, including aircraft that are—

(A) capable of the operations described in subsection (d); and

(B) capable of sustained flight out of ground effect;

(2) confer upon the Commandant the authority to determine the impact of any civil aircraft operation on the safety or efficiency of the National Airspace System; or

(3) confer upon the Administrator the authority to issue a certificate of documentation, with or without a registry, fishery or coastwise endorsement, for, or inspect any vessel as that term is defined in section 115 of title 46, United States Code.

(d) WING-IN-GROUND-EFFECT CRAFT DEFINED.—In this section, the term “wing-in-ground-effect craft” means a craft that is capable of operating completely above the surface of the water on a dynamic air cushion created by aerodynamic lift due to the ground effect between the craft and the surface of the water.

**SEC. 815. QUASICENTENNIAL OF AVIATION.**

(a) FINDINGS.—Congress finds the following:

(1) December 17, 2028, is the 125th anniversary of the first successful manned, free, controlled, and sustained flight by an aircraft.

(2) The first flight by Orville and Wilbur Wright in Kitty Hawk, North Carolina, is a defining moment in the history of the United States and the world.

(3) The Wright brothers’ achievement is a testament to their ingenuity, perseverance, and commitment to innovation, which has inspired generations of aviators and scientists alike.

(4) The advent of aviation and the air transportation industry has fundamentally transformed the United States and the world for the better.

(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.

(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.

**SEC. 816. FEDERAL CONTRACT TOWER WAGE DETERMINATIONS AND POSITIONS.**

The Secretary of Transportation shall request that the Secretary of Labor—

(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;

(2) create a new wage determination category or occupation code for managers of air traffic

controllers who are employed at air traffic control towers in the Contract Tower Program; and

(3) consult with the Administrator of the Federal Aviation Administration in carrying out the requirements of paragraphs (1) and (2).

**SEC. 817. INTERNAL PROCESS IMPROVEMENTS REVIEW.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall review the coordination and approval processes of non-regulatory materials produced by the Federal Aviation Administration to improve the timeliness, transparency, development, and issuance of such materials.

(b) CONTENTS OF REVIEW.—In conducting the review under subsection (a), the inspector general shall—

(1) provide recommendations for improving processes and eliminating nonvalue-added reviews of non-regulatory materials within the Federal Aviation Administration and Department of Transportation, in consideration of the authority of the Administrator under section 106 of title 49, United States Code, and other applicable laws;

(2) consider, with respect to each office within the Federal Aviation Administration and the Department of Transportation that reviews non-regulatory materials—

(A) the timeline assigned to each such office to complete the review of such materials;

(B) the actual time spent for such review; and

(C) opportunities to reduce the actual time spent for such review;

(3) describe any organizational changes and additional resources that the Administration needs, if necessary, to reduce delays in the development and publication of proposed non-regulatory materials;

(4) consider to what extent reporting mechanisms and templates could be used to provide the public with more consistent information on the development status of non-regulatory materials;

(5) consider changes to the application of rules governing ex parte communications by the Administrator to provide flexibility for employees of the Administration to discuss non-regulatory materials with aviation stakeholders and foreign aviation authorities to promote United States aviation leadership;

(6) recommend methods by which the Administration can incorporate standards set by recognized industry standards organizations, as such term is defined in section 806, into non-regulatory materials to keep pace with rapid changes in aerospace technology and processes; and

(7) evaluate the processes and best practices other civil aviation authorities and other Federal departments and agencies use to produce non-regulatory materials, particularly the processes of entities that produce such materials in an expedited fashion to respond to safety risks, incidents, or new technology adoption.

(c) CONSULTATION.—In conducting the review under subsection (a), the inspector general may, as appropriate, consult with industry stakeholders, academia, and other individuals with relevant background or expertise in improving the efficiency of Federal non-regulatory material production.

(d) REPORT.—Not later than 1 year after the inspector general initiates the review under subsection (a), the inspector general shall submit to the Administrator a report on such review.

(e) ACTION PLAN.—

(1) IN GENERAL.—The Administrator shall develop an action plan to implement the recommendations contained in the report submitted under subsection (d).

(2) BRIEFING.—Not later than 90 days after receiving the report under subsection (d), the Administrator shall brief the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House



of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on such plan.

(f) **NON-REGULATORY MATERIALS DEFINED.**—In this section, the term “non-regulatory materials” means orders, advisory circulars, statements of policy, guidance, technical standards, and other materials related to aviation safety, training, and operation of aeronautical products.

**SEC. 818. ACCEPTANCE OF DIGITAL DRIVER'S LICENSE AND IDENTIFICATION CARDS.**

The Administrator of the Federal Aviation Administration shall take such actions as may be necessary to accept, in any instance where an individual is required to submit government-issued identification to the Administrator, a digital or mobile driver's license or identification card issued to such individual by a State.

**SEC. 819. BUCKEYE 940 RELEASE OF DEED RESTRICTIONS.**

(a) **PURPOSE.**—The purpose of this section is to authorize the Secretary to issue a Deed of Release from all terms, conditions, reservations, restrictions, and obligations contained in the Quitclaim Deed and permit the State of Arizona to deposit all proceeds of the disposition of Buckeye 940 in the appropriate fund for the benefit of the beneficiaries of the Arizona State Land Trust.

(b) **DEFINITIONS.**—In this section:

(1) **BUCKEYE 940.**—The term “Buckeye 940” means all of section 12, T.1 N., R.3 W. and all of adjoining fractional section 7, T.1 N., R.2 W., Gila and Salt River Meridian, Arizona, which property was the subject of the Quitclaim Deed between the United States and the State of Arizona, dated July 11, 1949, and which is currently owned by the State of Arizona and held in trust for the beneficiaries of the Arizona State Land Trust.

(2) **QUITCLAIM DEED.**—The term “Quitclaim Deed” means the Quitclaim Deed between the United States and the State of Arizona, dated July 11, 1949.

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

(c) **RELEASE OF ANY AND ALL INTEREST IN BUCKEYE 940.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the United States, acting through the Secretary, shall issue to the State of Arizona a Deed of Release to release all terms, conditions, reservations, restrictions, and obligations contained in the Quitclaim Deed, including any and all reversionary interest of the United States in Buckeye 940.

(2) **TERMS AND CONDITIONS.**—The Deed of Release described in paragraph (1) shall be subject to such additional terms and conditions, consistent with such paragraph, as the Secretary considers appropriate to protect the interests of the United States.

(3) **NO RESTRICTION ON USE OF PROCEEDS.**—Notwithstanding any other provision of law, the State of Arizona may dispose of Buckeye 940 and any proceeds thereof, including proceeds already collected by the State and held in a suspense account, without regard to any restriction imposed by the Quitclaim Deed or by section 155.7 of title 14, Code of Federal Regulations.

(4) **MINERAL RESERVATION.**—The Deed of Release described in paragraph (1) shall include the release of all interests of the United States to the mineral rights on Buckeye 940 included in the Quitclaim Deed.

**SEC. 820. FEDERAL AVIATION ADMINISTRATION INFORMATION TECHNOLOGY SYSTEM INTEGRITY.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review to identify and address aging information technology systems within the Administration.

(b) **CONTENTS.**—The review required under subsection (a) shall—

(1) identify and inventory critical software and hardware systems of the Administration;

(2) assess the vulnerabilities of such systems to degradation, errors (including human errors), and malicious attacks (including cyber attacks); and

(3) identify upgrades to, or replacements for, such systems that are necessary to mitigate such vulnerabilities.

(c) **MITIGATION.**—The Administrator shall take such action as may be necessary to mitigate the vulnerabilities identified under the review conducted under subsection (a).

(d) **LEVERAGING EXTERNAL EXPERTISE.**—To the maximum extent practicable, the actions carried out pursuant to this section shall—

(1) be consistent with the acquisition management system established and updated pursuant to section 40110(d) of title 49, United States Code;

(2) incorporate input from industry, academia, or other external experts on information technology; and

(3) identify technologies in existence or in development that, with or without adaptation, are expected to be suitable to meet the technical information technology needs of the Administration.

(e) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the review required under subsection (a).

(f) **INSPECTOR GENERAL REVIEW.**—

(1) **IN GENERAL.**—After the Administrator completes the review under subsection (a), the inspector general of the Department of Transportation shall conduct an audit of the integrity of the information technology systems of the Administration and assess the efforts of the Administration to address the Administration's aging information technology systems.

(2) **REPORT.**—The inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the audit carried out under this subsection.

**SEC. 821. BRIEFING ON RADIO COMMUNICATIONS COVERAGE AROUND MOUNTAINOUS TERRAIN.**

(a) **BRIEFING REQUIREMENT.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the radio communications coverage within the airspace surrounding the Mena Intermountain Municipal Airport in Mena, Arkansas.

(b) **BRIEFING CONTENTS.**—The briefing required under subsection (a) shall include the following:

(1) The radio communications coverage within the airspace surrounding the Mena Intermountain Municipal Airport with the applicable Air Route Traffic Control Center.

(2) The attitudes at which radio communications capabilities are lost within such airspace.

(3) Recommendations on changes that may increase radio communications coverage below 4,000 feet above ground level within such airspace.

**SEC. 822. STUDY ON CONGESTED AIRSPACE.**

(a) **STUDY.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the efficiency and efficacy of scheduled commercial air service transiting congested airspace.

(b) **CONTENTS.**—In carrying out the study required under subsection (a), the Comptroller General shall examine—

(1) various regions of congested airspace and the differing factors of such regions;

(2) commercial air service;

(3) military flight activity;

(4) emergency response activity;

(5) commercial space launch and reentry activities;

(6) weather; and

(7) air traffic controller staffing.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study and recommendations to reduce the impacts to scheduled air service transiting congested airspace.

**SEC. 823. ADMINISTRATIVE SERVICES FRANCHISE FUND.**

Title I of the Department of Transportation and Related Agencies Appropriations Act, 1997 (49 U.S.C. 40113 note) is amended under the heading “Administrative Services Franchise Fund” by striking “shall be paid in advance” and inserting “may be reimbursed after performance or paid in advance”.

**SEC. 824. USE OF BIOGRAPHICAL ASSESSMENTS.**

Section 44506(f)(2)(A) of title 49, United States Code, is amended by striking “paragraph (1)(B)(ii)” and inserting “paragraph (1)(B)”.

**SEC. 825. WHISTLEBLOWER PROTECTION ENFORCEMENT.**

Section 42121(b)(5) of title 49, United States Code, is amended to read as follows:

“(5) **ENFORCEMENT OF ORDER.**—Whenever any person has failed to comply with an order issued under paragraph (3), the Secretary of Labor and the Administrator of the Federal Aviation Administration shall consult with each other to determine the most appropriate action to be taken, in which—

“(A) the Secretary of Labor may file a civil action in the United States district court for the district in which the violation was found to occur to enforce such order, for which, in actions brought under this paragraph, the district courts shall have jurisdiction to grant all appropriate relief including, injunctive relief and compensatory damages; and

“(B) the Administrator of the Federal Aviation Administration may assess a civil penalty pursuant to section 46301.”.

**SEC. 826. FINAL RULEMAKING ON CERTAIN MANUFACTURING STANDARDS.**

Not later than December 16, 2023, the Administrator of the Federal Aviation Administration shall issue a final rule for the notice of proposed rulemaking titled “Airplane Fuel Efficiency Certification” and published June 15, 2022 (RIN 2120-AL54).

**SEC. 827. REMOTE DISPATCH.**

(a) **IN GENERAL.**—Section 44711(a) of title 49, United States Code, is amended—

(1) in paragraph (9) by striking “or” at the end;

(2) in paragraph (10) by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(11) work as an aircraft dispatcher outside of a physical location designated as a dispatching center or flight following center of an air carrier, except as provided under section 44747.”.

(b) **AIRCRAFT DISPATCHING.**—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

**“§44747. Aircraft dispatching**

“(a) **AIRCRAFT DISPATCHING CERTIFICATE.**—No person may serve as an aircraft dispatcher for an air carrier unless that person holds the appropriate aircraft dispatcher certificate issued by the Administrator of the Federal Aviation Administration.

“(b) **PROOF OF CERTIFICATE.**—Upon the request of the Administrator or an authorized representative of the National Transportation Safety Board, or other appropriate Federal agency,

a person who holds such a certificate, and is performing dispatching shall present the certificate for inspection.

“(c) DISPATCH CENTERS AND FLIGHT FOLLOWING CENTERS.—

“(1) ESTABLISHMENT.—Air carriers shall establish and maintain sufficient dispatch centers and flight following centers necessary to maintain operational control of each flight at all times.

“(2) REQUIREMENTS.—Air carrier dispatch centers and flight following centers shall—

“(A) have a sufficient number of aircraft dispatchers at dispatch centers and flight following centers to ensure proper operational control of each flight at all times;

“(B) have the equipment necessary and in good repair to maintain proper operational control of each flight at all times; and

“(C) include appropriate physical and cybersecurity protections, as determined by the Administrator.

“(3) LOCATION LIMITATION.—No air carrier may dispatch aircraft from any location other than the designated dispatch centers or flight following centers of such air carrier.

“(d) EMERGENCY AUTHORITY FOR REMOTE DISPATCHING.—Notwithstanding subsection (c), an air carrier may dispatch aircraft from locations other than from designated dispatch centers or flight following centers for a limited period of time in the event of an emergency or other event that renders a center inoperable. An air carrier may not dispatch aircraft under the emergency authority under this subsection for longer than 30 consecutive days without the approval of the Administrator.”

(c) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“44747. Aircraft dispatching.”

#### SEC. 828. EMPLOYEE ASSAULT PREVENTION AND RESPONSE PLANS AMENDMENT.

Section 551 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44903 note) is amended—

(1) in subsection (a)—

(A) by striking “Not later than 90 days after the date of enactment of this Act,” and inserting “The Administrator shall require”; and

(B) by striking “shall submit to the Administrator” and inserting “to submit”; and

(2) in subsection (c) by striking “A part 121 air carrier shall” and inserting “The Administrator shall require a part 121 air carrier to”.

#### SEC. 829. CREW MEMBER SELF-DEFENSE TRAINING.

Section 44918(b) of title 49, United States Code, is amended—

(1) in paragraph (4) by striking “Neither” and inserting “Except as provided in paragraph (8), neither”; and

(2) by adding at the end the following:

“(8) AIR CARRIER ACCOMMODATION.—An air carrier with a crew member participating in the training program under this subsection shall provide a process through which each such crew member may obtain reasonable accommodations.”

#### SEC. 830. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES ON AIR CARRIERS AND FOREIGN AIR CARRIERS.

(a) IN GENERAL.—Chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

##### “§41729. Formal sexual assault and harassment policies

“(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this section, each air carrier and foreign air carrier transporting passengers for compensation shall issue, in consultation with labor unions representing personnel of the air carrier or foreign air carrier, a formal policy with respect to transportation sexual assault or harassment incidents.

“(b) CONTENTS.—The policy required under subsection (a) shall include—

“(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

“(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

“(A) appropriate public outreach activities; and

“(B) confidential phone and internet-based opportunities for reporting;

“(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

“(4) procedures that may limit or prohibit, to the extent practicable, future travel with the air carrier or foreign air carrier by any passenger who causes a transportation sexual assault or harassment incident; and

“(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

“(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

“(B) recognizing and responding to potential human trafficking victims, in the same manner as required under section 44734(a)(4).

“(c) PASSENGER INFORMATION.—An air carrier or foreign air carrier described in subsection (a) shall prominently display, on the internet website of the air carrier or foreign air carrier and through the use of appropriate signage, a written statement that informs passengers and personnel of the procedure for reporting a transportation sexual assault or harassment incident.

“(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the air carrier or foreign air carrier described in subsection (a) has acted with any requisite standard of care.

“(e) DEFINITIONS.—In this section:

“(1) PERSONNEL.—The term ‘personnel’ means an employee or contractor of an air carrier or foreign air carrier.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

“(3) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘transportation sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

“(A) constitutes sexual assault or sexual harassment; and

“(B) is committed—

“(i) by a passenger or member of personnel of an air carrier or foreign air carrier against another passenger or member of personnel of an air carrier or foreign air carrier; and

“(ii) within an aircraft or in an area in which passengers are entering or exiting an aircraft.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

“41729. Formal sexual assault and harassment policies.”

#### SEC. 831. INTERFERENCE WITH SECURITY SCREENING PERSONNEL.

Section 46503 of title 49, United States Code, is amended—

(1) by striking “An individual” and inserting the following:

“(a) IN GENERAL.—An individual”; and

(2) by adding at the end the following:

“(b) AIRPORT AND AIR CARRIER EMPLOYEES.—For purposes of this section, an airport or air carrier employee who has security duties within the airport includes an airport or air carrier employee performing ticketing, check-in, baggage claim, or boarding functions.”

#### SEC. 832. MECHANISMS TO REDUCE HELICOPTER NOISE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study to examine ways in which a State, territorial, or local government may mitigate the negative impacts of commercial helicopter noise.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Comptroller General shall consider—

(1) the varying degree of commercial helicopter operations in different communities; and

(2) actions that State, and local governments have taken, and authorities such governments have used, to reduce the impact of commercial helicopter noise and the success of such actions.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall provide to the Administrator of the Federal Aviation Administration, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study conducted under subsection (a).

#### SEC. 833. TECHNICAL CORRECTIONS.

(a) TITLE 49 ANALYSIS.—The analysis for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

“IX. MULTIMODAL FREIGHT TRANSPORTATION.....  
70101”.

(b) SUBTITLE I ANALYSIS.—The analysis for subtitle I of title 49, United States Code, is amended by striking the item relating to chapter 7.

(c) SUBTITLE VII ANALYSIS.—The analysis for subtitle VII of title 49, United States Code, is amended by striking the item relating to chapter 448 and inserting the following:

“448. Unmanned Aircraft Systems.....  
44801”.

(d) AUTHORITY TO EXEMPT.—Section 40109(b) of title 49, United States Code, is amended by striking “sections 40103(b)(1) and (2) of this title” and inserting “paragraphs (1) and (2) of section 40103(b)”.

(e) GENERAL PROCUREMENT AUTHORITY.—Section 40110(d)(3) of title 49, United States Code, is further amended—

(1) in subparagraph (B) by inserting “, as in effect on October 9, 1996” after “Policy Act”; and

(2) in subparagraph (C) by striking “the Office of Federal Procurement Policy Act” and inserting “division B of subtitle I of title 41”; and

(3) in subparagraph (D) by striking “section 27(e)(3)(A)(iv) of the Office of Federal Procurement Policy Act” and inserting “section 2105(c)(1)(D) of title 41”.

(f) GOVERNMENT-FINANCED AIR TRANSPORTATION.—Section 40118(g)(1) of title 49, United States Code, is amended by striking “detection and reporting of potential human trafficking (as described in paragraphs (9) and (10))” and inserting “detection and reporting of potential severe forms of trafficking in persons and sex trafficking (as such terms are defined in paragraphs (11) and (12))”.

(g) FAA AUTHORITY TO CONDUCT CRIMINAL HISTORY RECORD CHECKS.—Section 40130(a)(1)(A) of title 49, United States Code, is amended by striking “(42 U.S.C. 14616)” and inserting “(34 U.S.C. 40316)”.

(h) SUBMISSIONS OF PLANS.—Section 41313(c)(16) of title 49, United States Code, is amended by striking “will consult” and inserting “the foreign air carrier shall consult”.

(i) PLANS AND POLICY.—Section 44501(c) of title 49, United States Code, is amended—

(1) in paragraph (2)(B)(i), by striking “40119,”; and

(2) in paragraph (3) by striking “Subject to section 40119(b) of this title and regulations prescribed under section 40119(b),” and inserting

"Subject to section 44912(d)(2) and regulations prescribed under such section."

(j) **USE AND LIMITATION OF AMOUNTS.**—Section 44508 of title 49, United States Code, is amended by striking "40119," each place it appears.

(k) **STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.**—Section 44718(h) of title 49, United States Code, is amended to read as follows:

"(h) **DEFINITIONS.**—In this section, the terms 'adverse impact on military operations and readiness' and 'unacceptable risk to the national security of the United States' have the meaning given those terms in section 183a(h) of title 10."

(l) **METEOROLOGICAL SERVICES.**—Section 44720(b)(2) of title 49, United States Code, is amended—

(1) by striking "the Administrator to persons" and inserting "the Administrator, to persons"; and

(2) by striking "the Administrator and to" and inserting "the Administrator, and to".

(m) **AERONAUTICAL CHARTS.**—Section 44721(c)(1) of title 49, United States Code, is amended by striking "1947," and inserting "1947".

(n) **FLIGHT ATTENDANT CERTIFICATION.**—Section 44728(c) of title 49, United States Code, is amended by striking "Regulation," and inserting "Regulations,".

(o) **MANUAL SURCHARGE.**—The analysis for chapter 453 of title 49, United States Code, is amended by adding at the end the following: "45306. Manual surcharge."

(p) **SCHEDULE OF FEES.**—Section 45301(a) of title 49, United States Code, is amended by striking "The Administrator shall establish" and inserting "The Administrator of the Federal Aviation Administration shall establish".

(q) **JUDICIAL REVIEW.**—Section 46110(a) of title 49, United States Code, is amended by striking "subsection (l) or (s) of section 114" and inserting "subsection (l) or (r) of section 114".

(r) **CIVIL PENALTIES.**—Section 46301(a) of title 49, United States Code, is amended—

(1) in the heading for paragraph (6), by striking "FAILURE TO COLLECT AIRPORT SECURITY BADGES" and inserting "FAILURE TO COLLECT AIRPORT SECURITY BADGES"; and

(2) in paragraph (7), by striking "PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES" in the paragraph heading and inserting "PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES".

(s) **PAYMENTS UNDER PROJECT GRANT AGREEMENTS.**—Section 47111(e) of title 49, United States Code, is amended by striking "fee" and inserting "charge".

(t) **AGREEMENTS FOR STATE AND LOCAL OPERATION OF AIRPORT FACILITIES.**—Section 47124(b)(1)(B)(ii) of title 49, United States Code, is amended by striking the second period at the end.

(u) **USE OF FUNDS FOR REPAIRS FOR RUNWAY SAFETY REPAIRS.**—Section 47144(b)(4) of title 49, United States Code, is amended by striking "(42 U.S.C. 4121 et seq.)" and inserting "(42 U.S.C. 5121 et seq.)".

(v) **METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.**—Section 49106 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(B) by striking "and section 49108 of this title"; and

(2) in subsection (c)(6)(C) by inserting "the" before "jurisdiction".

(w) **SEPARABILITY AND EFFECT OF JUDICIAL ORDER.**—Section 49112(b) of title 49, United States Code, is amended—

(1) by striking paragraph (1); and

(2) by striking "(2) Any action" and inserting "Any action".

#### SEC. 834. TRANSPORTATION OF ORGANS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Ad-

ministrator of the Federal Aviation Administration, shall convene a working group (in this section referred to as the "working group") to assist in developing best practices for transportation of an organ in the cabin of an aircraft operating under part 121 of title 14, Code of Federal Regulations, and to identify regulations that hinder such transportation, if applicable.

(b) **COMPOSITION.**—The working group shall be comprised of representatives from the following:

(1) Air carriers operating under part 121 of title 14, Code of Federal Regulations.

(2) Organ procurement organizations.

(3) Organ transplant hospitals.

(4) Flight attendants.

(5) Other relevant Federal agencies involved in organ transportation or air travel.

(c) **CONSIDERATIONS.**—In establishing the best practices described in subsection (a), the working group shall consider—

(1) a safe, standardized process for acceptance, handling, management, and transportation of an organ in the cabin of such aircraft; and

(2) protocols to ensure the safe and timely transport of an organ in the cabin of such aircraft, including through connecting flights.

(d) **RECOMMENDATIONS.**—Not later than 1 year after the convening of the working group, such working group shall submit to the Secretary a report containing recommendations for the best practices described in subsection (a).

(e) **DEFINITION OF ORGAN.**—In this section, the term "organ"—

(1) has the meaning given such term in section 121.2 of title 42, Code of Federal Regulations; and

(2) includes organ-related tissue.

#### SEC. 835. REPORT ON APPLICATION APPROVAL TIMING.

Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the amount of time the application approval process takes for agricultural aircraft operations under part 137 of title 14, Code of Federal Regulations.

#### SEC. 836. STUDY ON AIR CARGO OPERATIONS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the sustainability of air cargo operations.

(b) **CONTENTS.**—In conducting the study required under subsection (a), the Comptroller General shall address the following:

(1) Airport and cargo development strategies, including the pursuit of new air carriers and plans for physical expansion.

(2) Key historical statistics for passenger, cargo volumes, including freight, express, and mail cargo, and operations, including statistics distinguishing between passenger and freight operations.

(3) A description of air cargo facilities, including the age and condition of such facilities and the square footage and configuration of the landside and airside infrastructure of such facilities, and cargo buildings.

(4) The projected square footage deficit of the cargo facilities and infrastructure described in paragraph (3).

(5) The projected requirements and square footage deficit for air cargo support facilities.

(6) The general physical and operating issues and constraints associated with air cargo operations.

(7) A description of delays in truck bays associated with the infrastructure and critical landside issues, including truck maneuvering and queuing and parking for employees and customers.

(8) The estimated cost of developing new cargo facilities and infrastructure, including the identification of percentages for development with a return on investment and without a return on investment.

(9) The projected leasing costs to tenants per square foot with and without Federal funding of the non-return on investment allocation.

(10) A description of customs and general staffing issues associated with air cargo operations and the impacts of such issues on service.

(11) An assessment of the impact, cost, and estimated cost savings of using modern comprehensive communications and technology systems in air cargo operations.

(12) A description of the impact of Federal regulations and local enforcement of interdiction and facilitation policies on throughput.

(c) **REPORT.**—The Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of the study carried out under this section.

#### SEC. 837. NEXT GENERATION RADIO ALTIMETERS.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with industry and other relevant government stakeholders, shall carry out an accelerated program to assist with the development, testing, and certification of the standards and technology necessary to ensure industry and the Administration can certify, produce and meet the installation requirements for next generation radio altimeters across all necessary aircraft by January 1, 2028.

(b) **GRANT PROGRAM.**—The Administrator may award grants for the purposes of research and development, testing, and other activities necessary to ensure that next generation radio altimeter technology is developed, tested, certified, and installed on necessary aircraft by 2028, including through public-private partnership grants (which shall include protections for necessary intellectual property with respect to any private sector entity testing, certifying, or producing next generation radio altimeters under the program carried out under this section) with industry to ensure the accelerated production and installation by January 1, 2028.

(c) **REVIEW AND REPORT.**—Not later than 180 days after the enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the steps the Administrator has taken as of the date on which such report is submitted and any actions the Administrator plans to take, including as part of the program carried out under this section, to ensure that next generation radio altimeter technology is developed, tested, certified, and installed by 2028.

#### SEC. 838. SENSE OF CONGRESS REGARDING SAFETY AND SECURITY OF AVIATION INFRASTRUCTURE.

It is the sense of Congress that aviation provides essential services critical to the United States economy and that it is important to ensure the safety and security of aviation infrastructure and protect such infrastructure from unlawful breaches with appropriate legal safeguards.

#### SEC. 839. RESTRICTED CATEGORY AIRCRAFT MAINTENANCE AND OPERATIONS.

Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall have sole jurisdiction over the maintenance and operations of aircraft owned by civilian operators and type-certificated in the restricted category under section 21.25 of title 14, Code of Federal Regulations.

#### SEC. 840. REPORT ON TELEWORK.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on

Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Appropriations of the Senate and the House of Representatives a detailed report on any direct and indirect costs and inefficiencies associated with COVID-era telework policies at the Federal Aviation Administration.

#### SEC. 841. CREWMEMBER PUMPING GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue guidance to part 121 air carriers relating to the expression of milk by crewmembers on an aircraft during noncritical phases of flight, consistent with the performance of the crewmember's duties aboard the aircraft. The guidance shall be equally applicable to any lactating crewmember. In developing the guidance, the Administrator shall—

(1) consider multiple methods of expressing breast milk that could be used by crewmembers, including the use of wearable lactation technology; and

(2) ensure the guidance will not require an air carrier or foreign air carrier to incur significant expense, such as through—

(A) the addition of an extra crewmember in response to providing a break;

(B) removal or retrofitting of seats on the aircraft; or

(C) modification or retrofitting of an aircraft.

(b) DEFINITIONS.—In this section:

(1) CREWMEMBER.—The term “crewmember” has the meaning given such term in section 1.1 of title 14, Code of Federal Regulations.

(2) CRITICAL PHASES OF FLIGHT.—The term “critical phases of flight” has the meaning given such term in section 121.542 of title 14, Code of Federal Regulations.

(3) PART 121.—The term “part 121” means part 121 of title 14, Code of Federal Regulations.

(c) AVIATION SAFETY.—Nothing in this section shall limit the authority of the Administrator relating to aviation safety under subtitle VII of title 49, United States Code.

#### SEC. 842. AIRCRAFT INTERCHANGE AGREEMENT LIMITATIONS.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Administrator of Federal Aviation Administration shall conduct a study of foreign interchange agreements.

(b) CONTENTS.—In carrying out the study required under subsection (a), the Administrator shall address the following:

(1) Methods for updating regulations under part 121.569 of title 14, Code of Federal Regulations, for foreign interchange agreements.

(2) Time limits for foreign aircraft interchange agreements.

(3) Minimum breaks between foreign aircraft interchange agreements.

(4) Limits for no more than 1 foreign aircraft interchange agreement between 2 airlines.

(5) Limits for no more than 2 foreign aircraft on the interchange agreement.

#### SEC. 843. FEDERAL AVIATION ADMINISTRATION ACADEMY AND FACILITY EXPANSION PLAN.

(a) PLAN.—

(1) IN GENERAL.—No later than 90 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall initiate the development of a plan to—

(A) expand overall Federal Aviation Administration capacity relating to facilities, instruction, equipment, and training resources to grow the number of developmental air traffic controllers enrolled per fiscal year and support increases in FAA air controller staffing to advance the safety of the national airspace system; and

(B) establish a second FAA Academy.

(2) CONSIDERATIONS.—In developing the plan under paragraph (1), the Administrator shall consider—

(A) the resources needed to support an increase in the total number of developmental air

traffic controllers enrolled at the FAA Academies;

(B) the resources needed to lessen FAA Academy attrition per fiscal year;

(C) how to modernize the education and training of developmental air traffic controllers, including through the use of new techniques and technologies to support instruction, and whether field training can be administered more flexibly, such as at other Federal Aviation Administration locations across the country;

(D) the equipment needed to support expanded instruction, including air traffic control simulation systems, virtual reality, and other virtual training platforms;

(E) projected staffing needs associated with FAA Academy expansion and the operation of virtual education platforms, including the number of on-the-job instructors needed to educate and train additional developmental air traffic controllers;

(F) the use of existing Federal Aviation Administration-owned facilities and classroom space and identifying potential opportunities for new construction;

(G) the costs of—

(i) expanding Federal Aviation Administration capacity (as described in paragraph (1)(A)); and

(ii) establishing a second FAA Academy (as described in paragraph (1)(B));

(H) soliciting input from, and coordinating with, relevant stakeholders as appropriate, including the exclusive bargaining representative of air traffic control specialists of the Federal Aviation Administration certified under section 7111 of title 5, United States Code; and

(I) other logistical and financial considerations as determined by appropriate the Administrator.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the plan developed under subsection (a).

(c) BRIEFING.—Not later than 180 days after the submission of the plan under subsection (b), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plan, including the implementation of the plan.

#### TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2023

##### SEC. 901. SHORT TITLE.

This title may be cited as the “National Transportation Safety Board Amendments Act of 2023”.

##### SEC. 902. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended to read as follows:

“(a) IN GENERAL.—There are authorized to be appropriated for the purposes of this chapter \$142,000,000 for fiscal year 2024, \$145,000,000 for fiscal year 2025, \$150,000,000 for fiscal year 2026, \$155,000,000 for fiscal year 2027, and \$161,000,000 for fiscal year 2028. Such sums shall remain available until expended.”.

##### SEC. 903. CLARIFICATION OF TREATMENT OF TERRITORIES.

Section 1101 of title 49, United States Code, is amended to read as follows:

##### “§ 1101. Definitions

“(a) IN GENERAL.—In this chapter:

“(1) ACCIDENT.—The term ‘accident’ includes damage to or destruction of vehicles in surface or air transportation or pipelines, regardless of whether the initiating event is accidental or otherwise.

“(2) 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.

“(b) APPLICABILITY OF OTHER DEFINITIONS.—Section 2101(23) of title 46 and section 40102(a) shall apply to this chapter.”.

##### SEC. 904. ADDITIONAL WORKFORCE TRAINING.

(a) TRAINING ON EMERGING TRANSPORTATION TECHNOLOGIES.—Section 1113(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (1) by striking “; and” and inserting a semicolon;

(2) in subparagraph (J) by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(K) notwithstanding section 3301 of title 41, acquire training on emerging transportation technologies.”.

(b) ADDITIONAL TRAINING NEEDS.—Section 1115(d) of title 49, United States Code, is amended by inserting “and in those subjects furthering the personnel and workforce development needs set forth in the strategic workforce plan of the Board as required under section 1113(h)” after “of accident investigation”.

##### SEC. 905. ACQUIRING MISSION-ESSENTIAL KNOWLEDGE AND SKILLS.

Section 1113(b) of title 49, United States Code, is amended by adding at the end the following:

“(3) DIRECT HIRE AUTHORITY.—

“(A) IN GENERAL.—Notwithstanding section 3304 and sections 3309 through 3318 of title 5, the Chairman may, on a determination that there is a severe shortage of candidates or a critical hiring need for particular positions, recruit and directly appoint into the competitive service highly qualified personnel with specialized knowledge important to the function of the Board.

“(B) LIMITATION.—The authority granted under subparagraph (A) shall terminate on the date that is 5 years after the date of the enactment of this paragraph.

“(C) EXCEPTION.—The authority granted under subparagraph (A) shall not apply to positions in the excepted service or the Senior Executive Service.

“(D) REQUIREMENTS.—In exercising the authority granted under subparagraph (A), the Board shall ensure that any action taken by the Board—

“(i) is consistent with the merit principles of section 2301 of title 5; and

“(ii) complies with the public notice requirements of section 3327 of title 5.”.

##### SEC. 906. OVERTIME ANNUAL REPORT TERMINATION.

Section 1113(g)(5) of title 49, United States Code, is repealed.

##### SEC. 907. STRATEGIC WORKFORCE PLAN.

Section 1113 of title 49, United States Code, is amended by adding at the end the following:

“(h) STRATEGIC WORKFORCE PLAN.—

“(1) IN GENERAL.—The Board shall develop a strategic workforce plan that addresses the immediate and long-term workforce needs of the Board with respect to carrying out the authorities and duties of the Board under this chapter.

“(2) ALIGNING THE WORKFORCE TO STRATEGIC GOALS.—In developing the strategic workforce plan under paragraph (1), the Board shall take into consideration—

“(A) the current state and capabilities of the Board, including a high-level review of mission requirements, structure, workforce, and performance of the Board;

“(B) the significant workforce trends, needs, issues, and challenges with respect to the Board and the transportation industry;

“(C) the workforce policies, strategies, performance measures, and interventions to mitigate succession risks that guide the workforce investment decisions of the Board;

“(D) a workforce planning strategy that identifies workforce needs, including the knowledge, skills, and abilities needed to recruit and retain skilled employees at the Board;

“(E) a workforce management strategy that is aligned with the mission, goals, and organizational objectives of the Board;

“(F) an implementation system for workforce goals focused on addressing continuity of leadership and knowledge sharing across the Board;

“(G) an implementation system that addresses workforce competency gaps, particularly in mission-critical occupations; and

“(H) a system for analyzing and evaluating the performance of the Board’s workforce management policies, programs, and activities.

“(3) **PLANNING PERIOD.**—The strategic workforce plan developed under paragraph (1) shall address a 5-year forecast period, but may include planning for longer periods based on information about trends in the transportation sector.

“(4) **PLAN UPDATES.**—The Board shall update the strategic workforce plan developed under paragraph (1) not less than once every 5 years.

“(5) **RELATIONSHIP TO STRATEGIC PLAN.**—The strategic workforce plan developed under paragraph (1) may be developed separately from, or incorporated into, the strategic plan required under section 306 of title 5.

“(6) **AVAILABILITY.**—The strategic workforce plan under paragraph (1) and the strategic plan required under section 306 of title 5 shall be—

“(A) submitted to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate; and

“(B) made available to the public on a website of the Board.”.

#### **SEC. 908. TRAVEL BUDGETS.**

(a) **IN GENERAL.**—Section 1113 of title 49, United States Code, is further amended by adding at the end the following:

“(i) **NONACCIDENT RELATED TRAVEL BUDGET.**—

“(1) **IN GENERAL.**—The Board shall establish annual fiscal year budgets for non accident-related travel expenditures for each Board member which shall be incorporated into the annual budget request of the Board.

“(2) **NOTIFICATION.**—The Board shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of any non accident-related travel budget overrun for any Board member not later than 30 days of such overrun becoming known to the Board.”.

(b) **CONFORMING AMENDMENT.**—Section 9 of the National Transportation Safety Board Amendments Act of 2000 (49 U.S.C. 1113 note) is repealed.

#### **SEC. 909. RETENTION OF RECORDS.**

Section 1113 of title 49, United States Code, is further amended by adding at the end the following:

“(j) **RETENTION OF RECORDS.**—Notwithstanding chapters 21, 29, 31, and 33 of title 44, the Board may retain investigative records for such periods as determined by the Board.”.

#### **SEC. 910. NONDISCLOSURE OF INTERVIEW RECORDINGS.**

(a) **IN GENERAL.**—Section 1114 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in the subsection heading by striking “TRADE SECRETS” and inserting “CERTAIN CONFIDENTIAL INFORMATION”; and

(B) in paragraph (1)—

(i) by striking “The Board” and inserting “IN GENERAL.—The Board”; and

(ii) by striking “information related to a trade secret referred to in section 1905 of title 18” and inserting “confidential information described in section 1905 of title 18, including trade secrets,”; and

(2) by adding at the end the following:

“(h) **INTERVIEW RECORDINGS.**—

“(1) **IN GENERAL.**—The Board may not publicly disclose any part of any audio or video recording of an interview of participants in, or witnesses to, an accident or incident investigated by the Board.

“(2) **SAVINGS PROVISION.**—Paragraph (1) shall not be construed to apply to transcripts or summaries of such interviews.”.

(b) **AVIATION ENFORCEMENT.**—Section 1151 of title 49, United States Code, is amended by adding at the end the following:

“(d) **NOTIFICATION TO CONGRESS.**—If the Board or Attorney General carry out such civil actions described in subsection (a) or (b) of this section against an airman employed at the time of the accident or incident by an air carrier operating under part 121 of title 14, Code of Federal Regulations, the Board shall immediately notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of such civil actions, including—

“(1) the labor union representing the airman involved, if applicable;

“(2) the air carrier at which the airman is employed;

“(3) the docket information of the incident or accident in which the airman was involved;

“(4) the date of such civil actions taken by the Board or Attorney General; and

“(5) a description of why such civil actions were taken by the Board or Attorney General.

“(e) **SUBSEQUENT NOTIFICATION TO CONGRESS.**—Not later than 15 days after the notification described in subsection (d), the Board shall submit a report to or brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the status of compliance with the civil actions taken.”.

#### **SEC. 911. CLOSED UNACCEPTABLE RECOMMENDATIONS.**

Section 1116(c) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) a list of each recommendation made by the Board to the Secretary of Transportation or the Commandant of the Coast Guard that was closed in an unacceptable status in the preceding 12 months;”.

#### **SEC. 912. ESTABLISHMENT OF OFFICE OF OVERSIGHT, ACCOUNTABILITY, AND QUALITY ASSURANCE.**

(a) **IN GENERAL.**—Subchapter II of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

“**§1120. Office of Oversight, Accountability, and Quality Assurance**

“(a) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this section, the Board shall establish in the National Transportation Safety Board an Office of Oversight, Accountability, and Quality Assurance to provide oversight of the duties and responsibilities of the Board.

“(b) **DIRECTOR.**—

“(1) **APPOINTMENT.**—The head of the Office of Oversight, Accountability, and Quality Assurance shall be the Director, who shall be appointed by the Chairman of the Board and shall be approved by the Board.

“(2) **QUALIFICATIONS.**—The Director shall have demonstrated ability in investigations.

“(3) **TERM.**—The Director shall be appointed for a term of 5 years.

“(4) **VACANCIES.**—Any individual approved to fill a vacancy in the position of the Director occurring before the expiration of the term for which the predecessor of the individual was approved shall be approved for the remainder of the term or for a new term.

“(c) **DUTIES.**—The Director shall—

“(1) establish and ensure policies that promote integrity, efficiency, and effectiveness;

“(2) prevent and detect waste, fraud, and abuse in programs and operations;

“(3) provide policy direction related to the conduct, supervision, and coordination of audits and investigations relating to the activities of the Board;

“(4) identify trends and systemic issues within the agency and create strategies and recommendations to address such issues;

“(5) conduct impartial information gathering about complaints or concerns, and ensure the Board is meeting any quality and timeliness standards; and

“(6) not conduct any of the duties under this subsection in a manner that interferes with an ongoing safety investigation of the Board.

“(d) **REPORTING CRIMINAL VIOLATIONS TO DEPARTMENT OF JUSTICE.**—If the Director has reasonable grounds to believe that there has been a violation of Federal criminal law, the Director shall refer the matter to the Department of Justice.

“(e) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to interfere or give the Office jurisdiction over any active investigation by the Board or the content of products approved by a vote of the Board.

“(f) **ANNUAL REPORT.**—

“(1) **IN GENERAL.**—The Director shall submit to the Board, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on the activities, investigations, findings, and recommendations of the Director.

“(2) **SUNSET.**—This subsection shall cease to have effect on October 1, 2028.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 11 of title 49, United States Code, is amended by adding after the item relating to section 1119 the following:

“1120. Office of Oversight, Accountability, and Quality Assurance.”.

(c) **PEER REVIEW.**—Not earlier than 3 years after the date of enactment of this Act and not later than 5 years after the date of enactment of this Act, the Director of the Office of Oversight, Accountability, and Quality Assurance of the National Transportation Safety Board shall enter into the necessary arrangements with an inspector general, or similar Federal entity, to perform a peer review of the Office.

#### **SEC. 913. MISCELLANEOUS INVESTIGATIVE AUTHORITIES.**

(a) **HIGHWAY INVESTIGATIONS.**—Section 1131(a)(1)(B) of title 49, United States Code, is amended by striking “selects in cooperation with a State” and inserting “selects, concurrent with any State investigation”.

(b) **RAIL INVESTIGATIONS.**—Section 1131(a)(1)(C) of title 49, United States Code, is amended by striking “accident in which there is a fatality or substantial property damage, or that involves a passenger train” and inserting “accident, including a railroad grade crossing or trespasser accident that the Board selects, or in which there is otherwise a fatality or substantial property damage, or that involves a passenger train”.

#### **SEC. 914. PUBLIC AVAILABILITY OF ACCIDENT REPORTS.**

Section 1131(e) of title 49, United States Code, is amended by striking “public at reasonable cost.” and inserting the following: “public

“(1) in printed form at reasonable cost; and

“(2) in electronic form at no cost in a publicly accessible database on a website of the Board.”.

#### **SEC. 915. ENSURING ACCOUNTABILITY FOR TIMELINESS OF REPORTS.**

Section 1131 of title 49, United States Code, is amended by adding at the end the following:

“(f) **TIMELINESS OF REPORTS.**—If any accident report under subsection (e) is not completed within 2 years from the date of the accident, the Board shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report identifying such accident report and the reasons for which such report has not been completed. The Board shall report progress toward completion of the accident report to each such Committees every 90 days thereafter, until such time as the accident report is completed.”.

#### **SEC. 916. ENSURING ACCESS TO DATA.**

Section 1134 of title 49, United States Code, is amended by adding at the end the following:

“(g) RECORDERS AND DATA.—In investigating an accident under this chapter, the Board may—

“(1) obtain any recorder or recorded information pertinent to the accident;

“(2) require a manufacturer or the vendors, suppliers, or affiliates of such manufacturer, to provide to the Board, without delay, information the Board determines necessary to enable the Board to read and interpret any recording device or recorded information pertinent to the accident; and

“(3) require a manufacturer or the vendors, suppliers, or affiliates of such manufacturer, to provide to the Board, without delay, data and other intellectual property the Board determines necessary to enable the Board to perform independent physics-based simulations and analyses of the accident situation.”.

#### SEC. 917. PUBLIC AVAILABILITY OF SAFETY RECOMMENDATIONS.

Section 1135(c) of title 49, United States Code, is amended by striking “public at reasonable cost.” and inserting the following: “public—

“(1) in printed form at reasonable cost; and

“(2) in electronic form in a publicly accessible database on a website of the Board at no cost.”.

#### SEC. 918. IMPROVING DELIVERY OF FAMILY ASSISTANCE.

(a) AIRCRAFT ACCIDENTS.—Section 1136 of title 49, United States Code, is amended—

(1) in the heading by striking “to families of passengers involved in aircraft accidents” and inserting “to passengers involved in aircraft accidents and families of such passengers”;

(2) in subsection (a)—

(A) by inserting “within United States airspace or airspace delegated to the United States” after “aircraft accident”;

(B) by striking “National Transportation Safety Board shall” and inserting “Board shall”;

(C) in paragraph (2)—

(i) by striking “emotional care and support” and inserting “emotional, psychological, and spiritual care and support services”;

(ii) by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(B) in paragraph (1) by striking “mental health and counseling services” and inserting “emotional, psychological, and spiritual care and support services”;

(C) in paragraph (3)—

(i) by striking “the families who have traveled to the location of the accident” and inserting “passengers involved in the accident and the families of such passengers who have traveled to the location of the accident”;

(ii) by inserting “passengers and” before “affected families”;

(D) in paragraph (4), by inserting “passengers and” before “families”;

(4) by amending subsection (d) to read as follows:

“(d) PASSENGER LISTS.—

“(1) REQUESTS FOR PASSENGER LISTS BY THE DIRECTOR OF FAMILY SERVICES.—

“(A) REQUESTS BY DIRECTOR OF FAMILY SUPPORT SERVICES.—It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the air carrier or foreign air carrier involved in the accident a passenger list, which is based on the best available information at the time of the request.

“(B) USE OF INFORMATION.—The director of family support services may not release to any

person information on a list obtained under subparagraph (A), except that the director may, to the extent the director considers appropriate, provide information on the list about a passenger to—

“(i) the family of the passenger; or

“(ii) a local, State, or Federal agency responsible for determining the whereabouts or welfare of a passenger.

“(2) REQUESTS FOR PASSENGER LISTS BY DESIGNATED ORGANIZATION.—

“(A) REQUESTS BY DESIGNATED ORGANIZATION.—The organization designated for an accident under subsection (a)(2) may request from the air carrier or foreign air carrier involved in the accident a passenger list.

“(B) USE OF INFORMATION.—The designated organization may not release to any person information on a passenger list but may provide information on the list about a passenger to the family of the passenger to the extent the organization considers appropriate.”;

(5) in subsection (g)(1) by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(6) in subsection (g)(3)—

(A) in the paragraph heading by striking “PREVENT MENTAL HEALTH AND COUNSELING” and inserting “PREVENT CERTAIN CARE AND SUPPORT”;

(B) by striking “providing mental health and counseling services” and inserting “providing emotional, psychological, and spiritual care and support”;

(C) by inserting “passengers and” before “families”;

(7) in subsection (h)—

(A) by striking “National Transportation Safety”;

(B) by adding at the end the following:

“(3) PASSENGER LIST.—The term ‘passenger list’ means a list based on the best available information at the time of a request, of the name of each passenger aboard the aircraft involved in the accident.”;

(8) in subsection (i) by striking “the families of passengers involved in an aircraft accident” and inserting “passengers involved in the aircraft accident and the families of such passengers”;

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is further amended by striking the item relating to section 1136 and inserting the following:

“1136. Assistance to passengers involved in aircraft accidents and families of such passengers.”.

(c) RAIL ACCIDENTS.—Section 1139 of title 49, United States Code, is amended—

(1) in the heading by striking “to families of passengers involved in rail passenger accidents” and inserting “to passengers involved in rail passenger accidents and families of such passengers”;

(2) in subsection (a) by striking “National Transportation Safety Board shall” and inserting “Board shall”;

(3) in subsection (a)(2)—

(A) by striking “emotional care and support” and inserting “emotional, psychological and spiritual care and support services”;

(B) by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(4) in subsection (c)—

(A) in the matter preceding paragraph (1) by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(B) in paragraph (1) by striking “mental health and counseling services” and inserting “emotional, psychological, and spiritual care and support services”;

(C) in paragraph (3)—

(i) by striking “the families who have traveled to the location of the accident” and inserting “passengers involved in the accident and the families of such passengers who have traveled to the location of the accident”;

(ii) by inserting “passengers and” before “affected families”;

(D) in paragraph (4), by inserting “passengers and” before “families”;

(5) by amending subsection (d) to read as follows:

“(d) PASSENGER LISTS.—

“(1) REQUESTS FOR PASSENGER LISTS BY THE DIRECTOR OF FAMILY SERVICES.—

“(A) REQUESTS BY DIRECTOR OF FAMILY SUPPORT SERVICES.—It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the rail passenger carrier involved in the accident a passenger list, which is based on the best available information at the time of the request.

“(B) USE OF INFORMATION.—The director of family support services may not release to any person information on a list obtained under subparagraph (A), except that the director may, to the extent the director considers appropriate, provide information on the list about a passenger to—

“(i) the family of the passenger; or

“(ii) a local, State, or Federal agency responsible for determining the whereabouts or welfare of a passenger.

“(2) REQUESTS FOR PASSENGER LISTS BY DESIGNATED ORGANIZATION.—

“(A) REQUESTS BY DESIGNATED ORGANIZATION.—The organization designated for an accident under subsection (a)(2) may request from the rail passenger carrier involved in the accident a passenger list.

“(B) USE OF INFORMATION.—The designated organization may not release to any person information on a passenger list but may provide information on the list about a passenger to the family of the passenger to the extent the organization considers appropriate.”;

(6) in subsection (g)(1), by striking “the families of passengers involved in the accident” and inserting “passengers involved in the accident and the families of such passengers”;

(7) in subsection (g)(3)—

(A) in the paragraph heading, by striking “PREVENT MENTAL HEALTH AND COUNSELING” and inserting “PREVENT CERTAIN CARE AND SUPPORT”;

(B) by striking “providing mental health and counseling services” and inserting “providing emotional, psychological, and spiritual care and support”;

(C) by inserting “passengers and” before “families”;

(8) in subsection (h)—

(A) by striking “National Transportation Safety”;

(B) by adding at the end the following:

“(4) PASSENGER LIST.—The term ‘passenger list’ means a list based on the best available information at the time of the request, of the name of each passenger aboard the rail passenger carrier’s train involved in the accident. A rail passenger carrier shall use reasonable efforts, with respect to its unreserved trains, and passengers not holding reservations on its other trains, to ascertain the names of passengers aboard a train involved in an accident.”.

(d) PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 24316(a) of title 49, United States Code, is amended by striking “a major” and inserting “any”.

(e) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is further amended by striking the item relating to section 1139 and inserting the following:

“1139. Assistance to passengers involved in rail passenger accidents and families of such passengers.”.



**SEC. 919. UPDATING CIVIL PENALTY AUTHORITY.**  
Section 1155 of title 49, United States Code, is amended—

(1) in the heading, by striking “**Aviation penalties**” and inserting “**Penalties**”; and  
(2) in subsection (a), by striking “or section 1136(g) (related to an aircraft accident)” and inserting “section 1136(g), or 1139(g)”.

**SEC. 920. ELECTRONIC AVAILABILITY OF PUBLIC DOCKET RECORDS.**

(a) **IN GENERAL.**—Not later than 24 months after the date of enactment of this Act, the National Transportation Safety Board shall make all records included in the public docket of an accident or incident investigation conducted by the Board (or the public docket of a study, report, or other product issued by the Board) electronically available in a publicly accessible database on a website of the Board, regardless of the date on which such public docket or record was created.

(b) **DATABASE.**—In carrying out subsection (a), the Board may utilize the multimodal accident database management system established pursuant to section 1108 of the FAA Reauthorization Act of 2018 (49 U.S.C. 1119 note) or such other publicly available database as the Board determines appropriate.

(c) **BRIEFINGS.**—The Board shall provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual briefing on the implementation of this section until requirements of subsection (a) are fulfilled. Such briefings shall include—

(1) the number of public dockets that have been made electronically available pursuant to this section; and

(2) the number of public dockets that were unable to be made electronically available, including all reasons for such inability.

(d) **DEFINITIONS.**—In this section, the terms “public docket” and “record” have the same meanings given such terms in section 801.3 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

**SEC. 921. DRUG-FREE WORKPLACE.**

Not later than 12 months after the date of enactment of this Act, the National Transportation Safety Board shall implement a drug testing program applicable to Board employees, including employees in safety or security sensitive positions, in accordance with Executive Order 12564 (51 Fed. Reg. 32889).

**SEC. 922. ACCESSIBILITY IN WORKPLACE.**

(a) **IN GENERAL.**—Not later than 12 months after the date of enactment of this Act, the National Transportation Safety Board shall conduct an assessment of the headquarters and regional offices of the Board to determine barriers to accessibility to facilities.

(b) **CONTENTS.**—In conducting the assessment under subsection (a), the Board shall consider—

(1) compliance with—  
(A) the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the corresponding accessibility guidelines established under part 1191 of title 36, Code of Federal Regulations; and

(B) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(2) the best accessibility practices that exceed the requirements and recommendations of the Acts and guidelines described in paragraph (1).

**SEC. 923. MOST WANTED LIST.**

(a) **TERMINATION OF PUBLICATION.**—Not later than 90 days after the date of enactment of this Act, the Chairman of the National Transportation Safety Board shall terminate publication of the Most Wanted List and any activities associated with production of any future Most Wanted List.

(b) **RULES OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit the Board from—

(1) conducting advocacy activities unrelated to the Most Wanted List that the Board had the

authority to conduct prior to the date of enactment of this Act; and

(2) maintaining materials related to previously issued Most Wanted Lists.

(c) **MOST WANTED LIST DEFINED.**—In this section, the term “Most Wanted List” has the meaning given such term in section 1102 of the FAA Reauthorization Act of 2018 (49 U.S.C. 1101 note).

**SEC. 924. TECHNICAL CORRECTIONS.**

(a) **EVALUATION AND AUDIT OF NATIONAL TRANSPORTATION SAFETY BOARD.**—Section 1138(a) of title 49, United States Code, is amended by striking “expenditures of the National Transportation Safety” and inserting “expenditures of the”.

(b) **ORGANIZATION AND ADMINISTRATIVE.**—The analysis for chapter 11 of title 49, United States Code, is further amended—

(1) by striking the items relating to sections 117 and 1117; and

(2) by inserting after the item relating to section 1116 the following:

“1117. Methodology.”.

(c) **SURFACE TRANSPORTATION BOARD.**—The analysis for subtitle II of title 49, United States Code, is amended by inserting after the item relating to chapter 11 the following:

“13. Surface Transportation Board.”.

**TITLE X—FREEDOM TO FLY ACT OF 2023**

**SECTION 1001. SHORT TITLE.**

This title may be cited as the “Freedom to Fly Act of 2023”.

**SEC. 1002. PROHIBITION ON IMPLEMENTATION OF VACCINATION MANDATE.**

The Administrator may not implement or enforce any requirement that employees of air carriers be vaccinated against COVID-19.

**SEC. 1003. PROHIBITION ON VACCINATION REQUIREMENTS FOR FAA CONTRACTORS.**

The Administrator may not require any contractor to mandate that employees of such contractor obtain a COVID-19 vaccine or enforce any condition regarding COVID-19 vaccination status of employees of a contractor.

**SEC. 1004. PROHIBITION ON VACCINE MANDATE FOR FAA EMPLOYEES.**

The Administrator may not implement or enforce any requirement that employees of the Administration be vaccinated against COVID-19.

**SEC. 1005. PROHIBITION ON VACCINE MANDATE FOR PASSENGERS OF AIR CARRIERS.**

The Administrator may not implement or enforce any requirement that passengers of air carriers be vaccinated against COVID-19.

**SEC. 1006. PROHIBITION ON IMPLEMENTATION OF A MASK MANDATE.**

The Administrator may not implement or enforce any requirement that employee of air carriers wear a mask.

**SEC. 1007. PROHIBITION ON MASK MANDATES FOR FAA CONTRACTORS.**

The Administrator may not require any contractor to mandate that employees of such contractor wear a mask.

**SEC. 1008. PROHIBITION ON MASK MANDATE FOR FAA EMPLOYEES.**

The Administrator may not implement or enforce any requirement that employees of the Administration wear a mask.

**SEC. 1009. PROHIBITION ON MASK MANDATE FOR PASSENGERS OF AIR CARRIERS.**

The Administrator may not implement or enforce any requirement that passengers of air carriers wear a mask.

**SEC. 1010. DEFINITIONS.**

In this title:

(1) **ADMINISTRATOR.**—The term “Administration” means the Administrator of the Federal Aviation Administration.

(2) **AIR CARRIER.**—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

## TITLE XI—FAA RESEARCH AND DEVELOPMENT

**SEC. 1101. SHORT TITLE.**

This title may be cited as the “FAA Research and Development Act of 2023”.

**SEC. 1102. DEFINITIONS.**

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Aviation Administration.

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

(3) **FAA.**—The term “FAA” means the Federal Aviation Administration.

(4) **NASA.**—The term “NASA” means the National Aeronautics and Space Administration.

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

**Subtitle A—Authorization of Appropriations**

**SEC. 1111. AUTHORIZATION OF APPROPRIATIONS.**

Subsection (a) of section 48102 of title 49, United States Code, is amended—

(1) in paragraph (14), by striking “and”; and

(2) in paragraph (15) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(16) \$255,130,000; for fiscal year 2024;

“(17) \$261,000,000 for fiscal year 2025;

“(18) \$267,000,000 for fiscal year 2026;

“(19) \$273,000,000 for fiscal year 2027; and

“(20) \$279,000,000 for fiscal year 2028.”.

**Subtitle B—FAA Research and Development Organization**

**SEC. 1121. REPORT ON IMPLEMENTATION; FUNDING FOR SAFETY RESEARCH AND DEVELOPMENT.**

Not later than one year after the date of the enactment of this title, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the allocation of funding pursuant to section 48102 of title 49, United States Code, to the Secretary of Transportation to conduct civil aviation research and development and to assess the implementation of section 48102(b)(2) of such title.

**Subtitle C—FAA Research and Development Activities**

**SEC. 1131. AVIATION FUEL RESEARCH, DEVELOPMENT, AND USAGE.**

(a) **ROADMAP.**—Not later than nine months after the date of the enactment of this title, the Secretary of Transportation shall coordinate with the Administrator of NASA, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, and consult relevant stakeholders, including those in industry and academia, to prepare and submit to the appropriate committees of Congress a coordinated research and development roadmap to safely eliminate the use of leaded aviation fuel in existing and future certified piston-engine aircraft. Such roadmap shall—

(1) identify activities to accelerate the development, testing, and certification of safe and lead-free fuel for use in general aviation aircraft, including requisite airport refueling infrastructure; and

(2) consider the feasibility of widespread use of such safe and lead-free aviation fuel by not later than 2028.

(b) **PARTNERSHIP WITH PRIVATE INDUSTRY.**—The Administrator shall coordinate with industry and pilot operators regarding research programs for mass production and distribution of unleaded aviation gasoline for market viability engine safety, and define criteria to explore incentive programs to reduce lead emissions for communities in need.

**SEC. 1132. CONTINUOUS LOWER ENERGY, EMISSION, AND NOISE (CLEEN).**

The Administrator shall consider expanding the CLEEN program under section 47511 of title

49, United States Code, and broadening eligibility for the CLEEN program to new entrants to the aviation system.

**SEC. 1133. STRATEGY ON HYDROGEN AVIATION RESEARCH AND DEVELOPMENT.**

(a) **IN GENERAL.**—The Administrator, in consultation with the Administrator of NASA and the heads of other relevant Federal agencies, shall lead the development of a research and development strategy on the safe use of hydrogen as part of a sustainable future for aviation. Such strategy shall consider the following:

(1) The feasibility, opportunities, challenges, and pathways toward the potential and safe uses of hydrogen in aviation.

(2) The use of hydrogen in addition to research and development efforts, including electrification, operational efficiencies and other alternatives to traditional aviation fuel.

(b) **TRANSMITTAL.**—Not later than one year after the date of the enactment of the Act, the Administrator shall transmit to the appropriate committees of Congress the research and development strategy required under subsection (a).

(c) **RESEARCH AND DEVELOPMENT.**—Based on the results of the research and development strategy under subsection (a), the Administrator, in coordination with the Administrator of NASA, may conduct research and development activities into the following:

(1) The qualification of hydrogen aviation fuel.

(2) The safe transition to such fuel for aircraft.

(3) The advancement of certification efforts for such fuel.

(4) Risk mitigation measures for the use of such fuel in aircraft systems, including propulsion and storage systems.

**SEC. 1134. REPORT ON FUTURE ELECTRIC GRID RESILIENCY.**

Not later than two years after the date of the enactment of this title, the Administrator, in coordination with the Secretary of Energy, shall submit to the appropriate committees of Congress a report on the model use of the electrical grid to support future electric advanced air mobility, including cost, challenges, and opportunities for clean generation of electricity relating to such support.

**SEC. 1135. AIR TRAFFIC SURVEILLANCE OVER OCEANS AND OTHER REMOTE LOCATIONS.**

(a) **AIR TRAFFIC SURVEILLANCE OVER OCEANS.**—Subject to the availability of appropriations for such purpose, the Administrator, in consultation with the Administrator of NASA and the heads of other relevant Federal agencies, shall carry out research, development, demonstration, and testing on civilian air traffic surveillance over oceans and other remote locations.

(b) **REQUIREMENTS.**—In carrying out the research, development, demonstration, and testing under subsection (a), the Administrator shall—

(1) consider the need for international interoperability of technologies, data, operations, and air traffic control systems;

(2) examine the status of using air traffic surveillance technologies, including space-based Automatic Dependent Surveillance-Broadcast, to facilitate the implementation of minimal separation standards over United States-controlled oceanic airspace;

(3) identify mitigating approaches to reducing any operational challenges, associated costs, or workload impacts; and

(4) use testing, data collection, evaluation, and analysis on the use of air traffic surveillance technologies, including space-based Automatic Dependent Surveillance-Broadcast, to support the activities described in paragraphs (1) through (3).

(c) **PILOT PROGRAM.**—The Administrator may carry out a pilot program to test and evaluate air traffic surveillance equipment over United States-controlled oceanic airspace and other remote locations.

(d) **REPORT.**—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the activities carried out under this section.

**SEC. 1136. UTILIZATION OF SPACE-BASED ASSETS TO IMPROVE AIR TRAFFIC CONTROL AND AVIATION SAFETY.**

(a) **IN GENERAL.**—Subject to the availability of appropriations for such purpose, the Administrator, in coordination with the Administrator of NASA, and in consultation with industry stakeholders, shall carry out research, development, and testing of the use of air traffic Space-Based Automatic Dependent Surveillance-Broadcast (ADS-B) data.

(b) **RESEARCH ACTIVITIES.**—In carrying out the research, development, and testing under subsection (a) the Administrator shall focus on the following:

(1) Monitoring and automatically reporting air turbulence events.

(2) Providing space-based multilateration surveillance.

(3) Identifying global positioning system (GPS) and global navigation satellite system (GNSS) disruptions affecting air traffic services and assessing the impact of such events on the safety of air traffic and the National Airspace System.

(4) Evaluating the feasibility of implementing and using aviation safety technologies and systems using space-based Automatic Dependent Surveillance-Broadcast data.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this title, the Administrator shall provide to the appropriate committees of Congress a report on the research and development under subsection (a) and the activities researched pursuant to subsection (b).

**SEC. 1137. AVIATION WEATHER TECHNOLOGY REVIEW.**

(a) **REVIEW.**—The Administrator, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall conduct a review of current and planned research, modeling, and technology capabilities that have the potential to more accurately detect and predict weather impacts to aviation, including for unmanned aircraft systems and advanced air mobility operations, inform how advanced predictive models can enhance aviation operations, and increase national airspace system safety and efficiency.

(b) **REPORT.**—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a).

**SEC. 1138. AIR TRAFFIC SURFACE OPERATIONS SAFETY.**

(a) **RESEARCH.**—Subject to the availability of appropriations for such purpose, the Administrator, in consultation with the Administrator of NASA and the heads of other appropriate Federal agencies, shall continue to carry out research on technologies and operations to enhance air traffic surface operations safety.

(b) **REQUIREMENTS.**—The research program under subsection (a) shall examine the following:

(1) The safety of current air traffic control operations related to air traffic surface operations.

(2) Emerging in-cockpit technologies to enhance ground situational awareness.

(3) Emerging technologies to enhance air traffic control situational awareness.

(4) Air traffic surface operations safety for diverse advanced air mobility operations.

(5) Safety and operational data needed to inform current and future safety programs on advanced air mobility vehicles.

(6) Economic benefits of utilizing existing airport infrastructure for use in advanced air mobility operations.

(c) **REPORT.**—Not later than 18 months after the date of the enactment of this title, the Ad-

ministrator shall submit to the appropriate committees of Congress a report on the research carried out under this section, including regarding the transition into operational use of such research.

**SEC. 1139. AIRPORT AND AIRFIELD PAVEMENT TECHNOLOGY RESEARCH PROGRAM.**

Section 744 of the FAA Reauthorization Act of 2018 (Public Law 115-254; 49 U.S.C. 44505 note) is amended—

(1) in paragraph (3), by striking “and”;

(2) in paragraph (4), by striking “durable airfield pavements.” and inserting “resilient and sustainable airfield and vertiport pavements; and”;

(3) by adding at the end the following new paragraph:

“(5) develop sustainability and resiliency guidelines to improve long-term pavement performance and reduce carbon emissions.”.

**SEC. 1140. TECHNOLOGY REVIEW OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.**

(a) **REVIEW.**—The Administrator shall conduct a review of current and planned artificial intelligence and machine learning technologies to improve airport efficiency and safety.

(b) **SUMMARIES.**—The review conducted under subsection (a) shall include examination of the application of artificial intelligence and machine learning technologies to the following:

(1) Jet bridges.

(2) Airport service vehicles on airport movement areas.

(3) Aircraft taxi.

(4) Any other areas the Administrator determines necessary to help improve airport efficiency and safety.

(c) **REPORT.**—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a). The report shall also include an examination of China’s domestic application of artificial intelligence and machine learning technologies identified under subsection (b).

**SEC. 1141. RESEARCH PLAN FOR COMMERCIAL SUPERSONIC RESEARCH.**

Not later than one year after the date of the enactment of this title, the Administrator, in consultation with the Administrator of NASA and industry, shall submit to the appropriate committees of Congress a comprehensive research plan to build on existing research and development activities and identify any further research and development needed to inform the development of Federal and international policies, regulations, standards, and recommended practices relating to the certification and safe and efficient operation of civil supersonic aircraft and supersonic overland flight.

**SEC. 1142. ELECTROMAGNETIC SPECTRUM RESEARCH AND DEVELOPMENT.**

(a) **IN GENERAL.**—The Administrator shall conduct research, engineering, and development related to the effective and efficient use and management of radio frequency spectrum in the civil aviation domain, including for aircraft, unmanned aircraft systems, and advanced air mobility. Such research, engineering, and development shall, at a minimum, address the following:

(1) How reallocation or repurposing of radio frequency spectrum adjacent to spectrum allocated for communication, navigation, and surveillance may impact the safety of civil aviation.

(2) The effectiveness of measures to identify risks, protect, and mitigate against spectrum interference in frequency bands used in civil and commercial aviation operations to ensure public safety.

(b) **REPORT.**—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the research, engineering, and development conducted under subsection (a).

**SEC. 1143. AVIATION STRUCTURES, MATERIALS, AND ADVANCED MANUFACTURING RESEARCH AND DEVELOPMENT.**

(a) **IN GENERAL.**—Using the amounts available under section 48102(a) of title 49, United States Code, the Administrator, in coordination with the Director of the National Institute of Standards and Technology, shall carry out a research and development program for advancing aviation structures, materials, and manufacturing for the safe use in and on aircraft.

(b) **INCLUSION.**—The program under subsection (a) shall, to the extent practicable, include research and development relating to the following:

(1) Metallic and non-metallic based additive materials and processes, composites, and other advanced materials.

(2) Process development for the development of design and manufacturing standards for aviation structures, materials, and additive manufacturing.

(3) Improving certification efficiency of aviation structures, materials, and additively manufactured aviation products and components.

(4) Evaluating long-term material and structural behavior and associated maintenance, including support for fatigue life determination, structural changes related to fatigue, thermal, corrosive environments, and expected maintenance of such materials, including recommended repair techniques.

(5) Partnering with commercial entities to mature and certify, as appropriate, the following capabilities for use in aircraft manufacturing:

(A) Additive manufacturing, including large-scale additive manufacturing.

(B) Aviation structures.

(C) Advanced materials capabilities, including the development and qualification of new material chemistries.

(6) Inspection and quality assurance technologies for use with complex geometries enabled by advanced manufacturing methods.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this title, the Administrator shall provide to the appropriate committees of Congress a report on the findings of the research under subsection (a).

**SEC. 1144. RESEARCH PLAN ON THE REMOTE TOWER PROGRAM.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a comprehensive plan for research, development, testing, and evaluation needed to mature remote tower technology and provide a strategic roadmap to support standards development, validation, and operational certification of such technology.

(b) **CONSIDERATIONS.**—As part of the plan required under subsection (a), the Administrator should consider the use of remote tower technologies for advanced air mobility operations.

**SEC. 1145. AIR TRAFFIC CONTROL TRAINING.**

(a) **RESEARCH.**—Subject to the availability of appropriations for such purpose, the Administrator shall carry out a research program to evaluate opportunities to modernize, enhance, and streamline training time to become a Certified Professional Controller.

(b) **REQUIREMENTS.**—The research under subsection (a) shall—

(1) assess the use of advanced technologies, such as artificial intelligence, machine learning, adaptive computer-based simulation, virtual reality, or augmented reality, to enhance controller knowledge retention, improve performance, and improve the effectiveness of training time;

(2) develop a timeline to deploy proven advanced technologies and associated processes for accreditation in training programs and training facilities within the national airspace system; and

(3) include collaboration with labor organizations and other stakeholders.

(c) **REPORT.**—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the findings of the research under subsection (a).

trator shall submit to the appropriate committees of Congress a report on the findings of the research under subsection (a).

**SEC. 1146. REPORT ON AVIATION CYBERSECURITY DIRECTIVES.**

Not later than 180 days after the date of enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the status of the FAA's implementation of section 2111 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 49 U.S.C. 44903 note; relating to the development of a comprehensive and strategic aviation cybersecurity framework and establishment of a research and development plan to mitigate cybersecurity risks in the National Airspace System). The report, at minimum, shall include the following:

(1) A description of the FAA's progress in developing, implementing, and updating such framework.

(2) A description of prioritized research and development activities for the most needed improvements, with target dates, to safeguard the National Airspace System.

(3) An explanation for any delays or challenges in so implementing such section.

**SEC. 1147. RULE OF CONSTRUCTION REGARDING COLLABORATIONS.**

Nothing in this title may be construed as modifying or limiting existing collaborations, or limiting potential engagement on future collaborations, between the Administrator, stakeholders, and labor organizations, including the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, pertaining to Federal Aviation Administration research, development, demonstration, and testing activities.

**SEC. 1148. TURBULENCE RESEARCH AND DEVELOPMENT.**

(a) **IN GENERAL.**—Subject to the availability of appropriations for such purpose, the Administrator, in collaboration with the Administrator of the National Oceanic and Atmospheric Administration, and in consultation with the Administrator of NASA, shall carry out applied research and development to—

(1) enhance the monitoring and understanding of severe turbulence, including clear-air turbulence; and

(2) inform the development of measures to mitigate safety impacts on crew and the flying public that may result from severe turbulence.

(b) **RESEARCH AND DEVELOPMENT ACTIVITIES.**—In conducting the research and development on severe turbulence in accordance with subsection (a), the Administrator shall—

(1) establish processes and procedures for comprehensive and systematic data collection through both instrumentation and pilot reporting, of severe turbulence, including clear-air turbulence;

(2) establish measures for storing and managing such data collection;

(3) support measures for monitoring and characterizing incidents of severe turbulence;

(4) consider relevant existing research and development from other entities, including Federal departments and agencies, academia, and the private sector; and

(5) carry out research and development—

(A) to understand the impacts of climate change and other factors on the nature of turbulence, including severe turbulence and clear-air turbulence;

(B) to enhance turbulence forecasts for flight planning and execution, seasonal predictions for schedule and route-planning, and long-term projections of severe turbulence, including clear-air turbulence; and

(C) on other subject matters areas related to severe turbulence, as determined by the Administrator; and

(6) support the effective transition of the results of research and development to operations, where appropriate.

(c) **NO DUPLICATION.**—The Administrator shall ensure that research and development activities under this section do not duplicate other Federal programs relating to turbulence.

**(d) TURBULENCE DATA.**—

(1) **COMMERCIAL PROVIDERS.**—In conducting research and development activities under subsection (b), the Administrator may enter into agreements with commercial providers for the following:

(A) The purchase of turbulence data.

(B) The placement on aircraft of instruments relevant to understanding and monitoring turbulence.

(2) **DATA ACCESS.**—The Administrator shall make the data collected pursuant to subsection (b) widely available and accessible to the scientific research, user, and stakeholder communities, including the Administrator of the National Oceanic and Atmospheric Administration, to the greatest extent practicable and in accordance with Federal Aviation Administration data management policies.

(e) **REPORT ON TURBULENCE RESEARCH.**—Not later than 15 months after the date of the enactment of this title, the Administrator, in collaboration with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a report that—

(1) details the activities conducted under this section, including how the research and development activities under subsection (b) have contributed to the goals specified in subsection (a);

(2) assesses the current state of scientific understanding of the causes, occurrence rates, and past and projected future trends in occurrence rates of severe turbulence, including clear-air turbulence;

(3) describes the processes and procedures for collecting, storing, and managing, data in pursuant to subsection (b);

(4) assesses—

(A) the use of commercial providers pursuant to subsection (d)(1); and

(B) the need for any future Federal Government collection or procurement of data and instruments related to turbulence, including an assessment of costs;

(5) describes how such data will be made available to the scientific research, user, and stakeholder communities; and

(6) identifies future research and development needed to inform the development of measures to predict and mitigate the safety impacts that may result from severe turbulence, including clear-air turbulence.

**SEC. 1149. RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.**

(a) **IN GENERAL.**—The Administrator shall carry out research, development, testing, evaluation, and demonstration programs for low-carbon alternative aviation fuels, which may include next-generation feedstocks, biofuels, and bioderived chemicals.

(b) **COLLABORATION.**—The Administrator shall collaborate with Federal agencies, industry stakeholders, research institutions, and other relevant stakeholders, to accelerate the research, development, testing, evaluation, and demonstrations programs described in subsection (a) and facilitate United States sustainability and competitiveness in aviation.

**SEC. 1150. LIMITATION.**

None of the funds authorized in this title may be used to conduct research, develop, design, plan, promulgate, implement, or execute a policy, program, order, or contract of any kind with the Chinese Communist Party or any Chinese-owned entity unless such activities are specifically authorized by a law enacted after the date of enactment of this title.

**TITLE XII—AVIATION REVENUE PROVISIONS**

**SEC. 1201. AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.**

(a) **IN GENERAL.**—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking “October 1, 2023” and inserting “October 1, 2028”; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting “or the Securing Growth and Robust Leadership in American Aviation Act.”

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking “October 1, 2023” and inserting “October 1, 2028”.

**SEC. 1202. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.**

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) FUEL TAX.—Section 4043(d) of such Code is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

(2) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking “October 1, 2023” and inserting “October 1, 2028”.

(3) EXEMPTION FROM TICKET TAX.—Section 4261(j) of such Code is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

**SEC. 1203. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.**

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82-37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 86-14 (51 Fed. Reg. 4559) and 87-65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 118-147 and amendments en bloc described in section 3 of House Resolution 597.

Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for the division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the committee or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

**AMENDMENT NO. 1 OFFERED BY MR. GRAVES OF MISSOURI**

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118-147.

Mr. GRAVES of Missouri. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 2, strike “and”.

Page 21, after line 2, insert the following (and redesignate the subsequent clause accordingly):

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

Page 31, strike lines 22 through page 32, line 11 and insert the following:

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

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

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

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

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

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

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

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

Page 59, strike lines 24 through 25 and insert the following:

(1) by transferring paragraph (8) of subsection (p) to subsection (r) and redesignating such paragraph as paragraph (7); and Page 80, line 13, strike “and”.

Page 80, line 17, strike the period and insert “; and”.

Page 80, after line 17, insert the following:

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

Page 81, strike lines 17 and 18 and insert the following:

(A) by striking “(B) WORKLOAD OF SYSTEMS SPECIALISTS.—”; and

Page 81, line 21, insert “and header casing” after “margins”.

Page 153, line 24, insert “(including in any headings)” before the semicolon.

Page 173, after line 24, insert the following (and redesignate the subsequent subparagraphs accordingly):

“(C) to establish or improve apprenticeship, internship, or scholarship programs for individuals pursuing employment as an aviation pilot.”

Page 197, line 19, insert “, including veterans of the Armed Forces,” after “professionals”.

Page 200, line 2, strike “or”.

Page 200, line 13, strike the period and insert “; or”.

Page 200, after line 13, insert the following: “(10) a non-profit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under 501(a) of such Code that assists veterans of the Armed Forces seeking to transition to careers in civil aviation.

Page 201, line 8, strike “and”.

Page 201, line 13, strike the period and insert “; and”.

Page 201, after line 13, insert the following:

“(4) a review of how many recipients engaged veteran populations and how many veterans were recruited and retrained as part of the aviation workforce.

Page 247, line 13, strike “and”.

Page 247, line 16, strike the period and insert “; and”.

Page 247, after line 16, insert the following:

(15) assess and evaluate the user interface and information-sharing capabilities of any online medical portal administered by the Federal Aviation Administration.

Page 257, line 2, insert “for airport airside and landside activities” after “demand”.

Page 260, line 2, insert “and section 47133,” after “(c).”

Page 262, beginning on line 20, strike “December 30, 1987” and insert “January 1, 1989”.

Page 262, beginning on line 23, strike “used as a recreational and public park since January 1, 1995” and insert “leased or licensed through a written agreement with a governmental entity or non-profit entity for recreational or public park uses since July 1, 2003”.

Page 263, line 3, insert “recreational and public use does not impact the aeronautical use of the airport and that the” before “property”.

Page 263, strike lines 10 through 12 (and redesignate the subsequent clauses accordingly).

Page 263, line 14, insert “to the Administrator” after “certification”.

Page 263, line 20, insert “and” after the semicolon.

Page 263, strike line 21 and all that follows through page 264, line 6 and insert the following:

“(vi) if the airport sponsor will—

“(I) lease the property to a local government entity or non-profit entity to operate and maintain the property at no cost to the airport sponsor; or

“(II) sell the property to a local government entity or non-profit entity subject to a permanent deed restriction ensuring compatible airport use under regulations issued pursuant to section 47502.

Page 264, line 9, insert “leasing or” before “selling”.

Page 264, line 11, strike “(2)(B)(viii)(II)” and insert “(2)(B)(vi)”.

Page 264, line 12, insert “lease or” before “sell”.

Page 264, line 15, insert “lease or” before “sale”.

Page 264, line 21, strike the closing quotation marks and the second period.

Page 264, after line 21, insert the following:

“(5) AERONAUTICAL USE; AERONAUTICAL PURPOSE DEFINED.—In this subsection, the terms ‘aeronautical use’ and ‘aeronautical purpose’—

“(A) mean all activities that involve or are directly related to the operation of aircraft, including activities that make the operation of aircraft possible and safe;

“(B) include services located on an airport that are directly and substantially related to the movement of passengers, baggage, mail, and cargo; and

“(C) do not include any uses of an airport that are not described in subparagraph (A) or (B), including any aviation-related uses that do not need to be located on an airport, such

as flight kitchens and airline reservation centers.

“(6) ADMINISTRATOR REVIEW AND APPROVAL.—

“(A) IN GENERAL.—Notwithstanding any other provision of law and subject to the sponsor providing any written statements or certifications to the Administrator required under this subsection, no actions or requirements on the sponsor under this subsection shall require the review or approval of the Secretary of Transportation or Administrator.

“(B) BURDEN OF DEMONSTRATION.—The Secretary shall have the burden of demonstrating that a sponsor does not meet the requirements or restrictions of this subsection.”.

Page 281, line 5, strike “and”.

Page 281, after line 5, insert the following (and redesignate the subsequent subparagraph accordingly):

(B) in subparagraph (A) by striking “50 percent” and inserting “40 percent” each place it appears; and

Page 287, strike lines 4 through 7 and insert “paragraph (1)(A) from apportionment funds made available under section 47114 that are not required during the fiscal year pursuant to subsection (b)(1) in an amount that is not less than—”.

Page 287, line 14, strike “section 47116(a)(2)” and insert “section 47116(b)(2)”.

Page 296, line 5, insert “through alternative project delivery methods, including construction manager-at-risk and progressive design build” after “by a contractor”.

Page 309, line 4, insert “(including a leaded or unleaded gasoline)” after “1986”.

Page 309, line 7, insert “under an investigation initiated by the Administrator under part 13 or 16 of title 14, Code of Federal Regulations, relating to the availability of aviation gasoline” after “airport sponsor”.

Page 309, line 10, insert “or” after the semicolon.

Page 309, strike lines 11 through 14 (and redesignate the subsequent paragraph accordingly).

Page 327, line 3, strike “ELECTRICAL” and insert “ENERGY” (and adjust the table of contents for the bill accordingly).

Page 327, line 6, strike “electrical” and insert “energy”.

Page 327, line 15, strike “electrical” and insert “energy”.

Page 327, beginning on line 18, strike “, including” and insert “and”.

Page 327, line 20, strike “and”.

Page 327, after line 22, insert the following: “(V) vehicles and equipment used to transport passengers and employees between the airport and—

“(aa) nearby facilities owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

“(bb) an intermodal surface transportation facility adjacent to the airport; and

Page 327, line 23, strike “electrical” and insert “energy”.

Page 328, line 17, strike the closing quotation marks and the period.

Page 328, after line 17, insert the following:

“(C) APPLICATION.—To be eligible for a grant under paragraph (1), the sponsor of a public-use airport shall submit an application, including a certification that no safety projects are being deferred by requesting a grant under this section, to the Secretary at such time, in such manner, and containing such information as the Secretary may require.”.

Page 328, line 21 in the quoted material, strike “electrical” and insert “energy”.

Page 328, strike line 10 and insert the following (and adjust the margin of the subsequent text accordingly):

“(b) GRANTS.—

“(1) IN GENERAL.—The Secretary shall make grants from

Page 328, line 14, redesignate paragraph (1) as subparagraph (A) (and adjust the margins of the text accordingly).

Page 328, line 16, redesignate paragraph (2) as subparagraph (B) (and adjust the margins of the text accordingly).

Page 330, after line 16, insert the following:

#### SEC. 447. NOTICE OF FUNDING OPPORTUNITY.

Notwithstanding part 200 of title 2, Code of Federal Regulations, or any other provision of law, funds made available as part of the airport improvement program under subchapter I of chapter 471 or chapter 475 of title 49, United States Code, shall not be subject to any public notice of funding opportunity requirement.

#### SEC. 448. SPECIAL CARRYOVER ASSUMPTION RULE.

Section 47115 of title 49, United States Code, is amended by adding at the end the following:

“(1) SPECIAL CARRYOVER ASSUMPTION RULE.—In addition to amounts made available under paragraphs (1) and (2) of subsection (a), the Secretary may add to the discretionary fund an amount equal to one-third of the apportionment funds made available under section 47114 that were not required during the previous fiscal year pursuant to section 47117(b)(1) out of the anticipated amount of apportionment funds made available under section 47114 that will not be required during the current fiscal year pursuant to section 47117(b)(1).”.

Page 403, line 19, strike “paragraph (1)” and insert “paragraph (2)”.

Page 403, beginning on line 19, strike “Comptroller General” and insert “inspector general”.

Page 413, line 9, strike “(3)” and insert “(4)”.

Page 422, beginning on line 16, strike “AUTHORITY” and inserting “AUTHORIZATION” (and adjust the table of contents for the bill accordingly).

Page 427, line 13, strike the period.

Page 453, line 3, insert “that are not also type certificate holders as included under paragraph (1), production certificate holders as included under paragraph (2), or aircraft operators as included under paragraph (5) (or associated with any such entities)” before the semicolon.

Page 453, line 5, insert “and engineers” after “inspectors”.

Page 453, line 13, insert “described in paragraph (6)” before the semicolon.

Page 469, after line 16, insert the following:

(K) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit the public disclosure of information submitted under a voluntary safety reporting program or that is otherwise protected under section 44735 of title 49, United States Code.

Page 470, line 14, insert “prospective” after “flightcrew”.

Page 471, after line 6, insert the following:

(d) ORGAN TRANSPORTATION FLIGHTS.—In updating guidance and policy pursuant to subsection (b), the Administrator shall consider and allow for appropriate accommodations, including accommodations related to subsections (b)(2) and (b)(4) for operators—

(1) performing organ transportation operations; and

(2) who have in place a means by which to identify and mitigate risks associated with flightcrew duty and rest.

Page 471, line 7, strike “AND VIDEO” (and adjust the table of contents for the bill accordingly).

Page 490, beginning on line 26, strike “have on the” and all that follows through “in a timely manner” and insert “have on the national airspace system in a timely manner”.

Page 521, line 2, insert “design” before “change”.

Page 521, line 2, strike “and” at the end.

Page 521, strike line 3 and insert the following:

“(B) improve the overall safety of the aircraft;

“(C) not decrease the level of safety of other components or systems on the aircraft;

“(D) be in the public interest;

“(E) not include any substantial changes;

“(F) be recorded on a type certificate data sheet or other public instrument that notifies the public of such design changes; and

“(G) be considered through a process that applies appropriate requirements as determined by the Administrator.

Page 521, line 7, strike the closing quotation marks and the second period.

Page 521, after line 7, insert the following:

“(4) DEADLINE.—In issuing an approval under this subsection, the Administrator shall impose a deadline by which all non-compliant conditions related to the design change shall be addressed.

“(5) SAFETY-RELATED DESIGN CHANGE DEFINED.—In this subsection, the term ‘safety-related design change’ means a design change that has any effect on the safety of the aircraft.”.

#### SEC. 548. VOLUNTARY REPORTING PROTECTIONS.

(a) IN GENERAL.—Section 40123(a) of title 49, United States Code, is amended in the matter preceding paragraph (1) by inserting “or third party” after “nor any agency”.

(b) PROTECTED INFORMATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall promulgate regulations to amend part 193 of title 14, Code of Federal Regulations, to designate and protect from disclosure information or data submitted, collected, or contained by the Administrator under voluntary safety programs, including the following:

- (1) Aviation Safety Action Program.
- (2) Flight Operational Quality Assurance.
- (3) Line Operations Safety Assessments.
- (4) Air Traffic Safety Action Program.
- (5) Technical Operations Safety Action Program.

(6) Such other voluntarily submitted information or programs as the Administrator determines appropriate.

Page 551, line 2, insert “designation and” before “heading”.

Page 553, strike lines 12 through 14 and insert the following:

(a) IN GENERAL.—Section 44810(c) of title 49, United States Code, is amended by inserting “, and any other location the Administrator determines appropriate” after “Data”.

(b) APPLICATIONS FOR DESIGNATION.—Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44802 note) is further amended—

Page 553, line 13, strike “(Public Law 114-190)” and insert “(49 U.S.C. 44802 note)”.

Page 553, line 13, strike “further”.

Page 553, strike lines 15 through 19 and insert the following:

(1) in subsection (a) by inserting “, including temporarily,” after “restrict”;

Page 553, strike line 20 and all that follows through page 554, line 13 and insert the following:

(2) in subsection (b)(1)(C)(iv) by striking “Other locations that warrant such restrictions” and inserting “State correctional facilities”; and

(3) by adding at the end the following:

Page 578, line 15, strike “Administrator” and insert “Secretary”.

Page 593, strike lines 14 through 21 (and redesignate the subsequent paragraphs accordingly).

Page 595, line 2, strike “system technology” and insert “systems”.

Page 611, after line 16, insert the following:  
**SEC. 635. PROTECTION OF PUBLIC GATHERINGS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a process to allow applicants to request temporary prohibitions of unmanned aircraft operations in close proximity to an eligible large public gathering for a specified period of time.

(b) APPLICATION PROCEDURES.—

(1) IN GENERAL.—In making a determination whether to grant or deny an application for a designation, the Administrator shall consider—

(A) aviation safety;

(B) protection of persons and property on the ground;

(C) national security; or

(D) homeland security.

(2) REQUIREMENTS.—The application procedures under this section shall allow eligible petitions to apply for a prohibition individually or collectively.

(3) ELIGIBLE LARGE GATHERINGS.—Large public gatherings eligible for application under this section shall—

(A) have an estimated attendance of greater than 20,000 people;

(B) be primarily outdoors;

(C) have defined and static geographical boundaries; and

(D) be advertised in the public domain.

(4) ELIGIBLE PETITIONERS.—Applicants eligible to submit petitions for consideration in subsection (a) shall be a credentialed law enforcement organization or public safety organization otherwise recognized by a Federal, State, local, Tribal, or territorial governmental entity.

(c) REVIEW PROCESS.—

(1) IN GENERAL.—The Administrator shall provide for a timely determination on an application submitted under subsection (a) to allow for the public to be notified of a prohibition in advance of the public gathering.

(2) ADDITIONAL REQUIREMENT.—The Administrator shall make every practicable effort to make a determination on an application submitted under subsection (a) not later than 7 days before the expected start date of the large public gathering.

(d) PUBLIC INFORMATION.—Temporary prohibition designated under subsection (a) shall be published by the Federal Aviation Administration in a publicly accessible manner, in English and other non-English languages, at least 2 days before the large public gathering.

(e) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from that large public gathering designated under subsection (b).

(f) DEFINITIONS.—In this section, the terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given such terms in section 44801 of title 49, United States Code.

Page 614, line 8, strike “and”.

Page 616, line 16, insert “, as appropriate” after “operations”.

Page 614, line 16, strike the period and insert “; and”.

Page 614, after line 16, insert the following:

(D) inform such rulemakings based on operations and efforts that occur as a result of the special Federal aviation regulation pursuant to subsection (b).

Page 618, line 12, strike “version of”.

Page 618, beginning on line 13, strike “in effect on the date of enactment of this Act.”.

Page 618, strike lines 21 through 24 and insert the following:

(3) affirm the general permissibility of vertical takeoff and landing capable aircraft to use a heliport when such heliport can safely accommodate the physical and operating characteristics of such aircraft; and

Page 621, strike line 21 through page 622, line 1 (and redesignate the subsequent paragraphs accordingly).

Page 629, line 12, strike “At” and insert “Subject to the availability of appropriations, at”.

Page 688, after line 10, insert the following:

**SEC. 725. SEATING ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS WITH DISABILITIES.**

(a) IN GENERAL.—

(1) ADVANCED NOTICE OF PROPOSED RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability.

(2) NOTICE OF PROPOSED RULEMAKING.—Not later than 2 years after the date on which the advanced notice of proposed rulemaking under paragraph (1) is completed, the Secretary shall issue a notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability.

(b) CONSIDERATIONS.—In carrying out the advanced notice of proposed rulemaking required in subsection (a)(1), the Secretary shall consider the following:

(1) The scope and anticipated number of qualified individuals with a disability who—

(A) may need to be seated with a companion to receive assistance during a flight; or

(B) should be afforded bulkhead seats or other seating considerations.

(2) The types of disabilities that may need seating accommodations.

(3) Whether such qualified individuals with a disability are unable to obtain, or have difficulty obtaining, such a seat.

(4) The scope and anticipated number of individuals assisting a qualified individual with a disability who should be afforded an adjoining seat pursuant to section 382.81 of title 14, Code of Federal Regulations.

(5) Any notification given to qualified individuals with a disability regarding available seating accommodations.

(6) Any method that is adequate to identify fraudulent claims for seating accommodations.

(7) Any other information determined appropriate by the Secretary.

(c) ACCREDITED SERVICE ANIMAL TRAINING PROGRAMS AND AUTHORIZED REGISTRARS.—Not later than 6 months after the date of enactment of this section, the Secretary shall publish on the website of the Department of Transportation and maintain a list of—

(1) accredited programs that train service animals; and

(2) authorized registrars that evaluate service animals.

(d) REPORT TO CONGRESS ON SERVICE ANIMAL REQUESTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on requests for air travel with service animals, including—

(1) during the reporting period, how many requests to board an aircraft with a service animal were made; and

(2) the number and percentage of such requests, categorized by type of request, that were reported by air carriers or foreign air carriers as—

(A) granted;

(B) denied; or

(C) fraudulent.

(e) TRAINING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall, in consultation with the Air Carrier Access Act Advisory Committee, issue guidance regarding improvements to training for airline personnel (including contractors) in recognizing when a qualified individual with a disability is traveling with a service animal.

(2) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

(A) take into account respectful engagement with and assistance for individuals with a wide range of visible and non-visible disabilities;

(B) provide information on—

(i) service animal behavior and whether the service animal is appropriately harnessed, leashed, or otherwise tethered; and

(ii) the various types of service animals, such as guide dogs, hearing or signal dogs, psychiatric service dogs, sensory or social signal dogs, and seizure response dogs; and

(C) outline the rights and responsibilities of the handler of the service animal.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) AIR CARRIER.—The term “air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

(2) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

(3) QUALIFIED INDIVIDUAL WITH A DISABILITY.—The term “qualified individual with a disability” has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations.

(4) SERVICE ANIMAL.—The term “service animal” has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations.

Page 703, strike line 8.

Page 703, line 17, strike the period and insert “; and”.

Page 703, after line 17, insert the following:

(4) consult with the exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

Page 710, strike lines 16 through 24 and insert the following:

(2) EXCEPTION.—The amendment made by paragraph (1) shall not apply to an eligible place that is served by an air carrier selected to receive essential air service compensation under subchapter II of chapter 417 of title 49, if—

(A) such service is in effect upon the date of enactment of this Act; and

(B) such service is provided by the same air carrier that provided service on the date of enactment of this Act.

Page 719, line 7, insert “and engineers” after “inspectors”.

Page 742, beginning on line 3, strike “, or with the concurrence of.”.

Page 742, strike lines 8 and 9 and insert “pursuant to section 541 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note), the conditions”.

Page 742, beginning on line 19, strike “section 352(a)(3) of the Consolidated Appropriations Resolution, 2003 (Public Law 108-7)” and insert “section 521 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note)”.

Page 742, strike line 24 and all that follows through page 743, line 2 and insert the following:

(c) REQUIRED COORDINATION.—

(1) IN GENERAL.—On an annual basis, the Administrator shall convene a meeting with representatives of Administration-approved air shows, the general aviation community,



stadiums and other large outdoor events and venues or organizations that run such events, the Department of Homeland Security, and the Department of Justice—

(A) to identify scheduling conflicts between Administration-approved air shows and large outdoor events and venues where—

(i) flight restrictions will be imposed pursuant to section 521 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note); or

(ii) any other restriction will be imposed pursuant to Federal Aviation Administration Flight Data Center Notice to Airmen 4/3621 (or any successor notice to airmen); and

(B) in instances where a scheduling conflict between events is identified or is found to be likely to occur, develop appropriate operational and communication procedures to ensure for the safety and security of both events, pursuant to the authority prescribed in subsection (a).

(2) **SCHEDULING CONFLICT.**—If the Administrator or any other stakeholder party to the required annual coordination required in paragraph (1) identifies a scheduling conflict outside of the annual meeting at any point prior to the scheduling conflict, the Administrator shall work with impacted stakeholders to develop appropriate operational and communication procedures to ensure for the safety and security of both events, pursuant to the authority prescribed in subsection (a).

(3) **NOTICE.**—Prior to issuing a certificate of authorization or waiver pursuant to subsection (a), the Administrator shall give appropriate due notice to impacted stakeholders and develop appropriate operational and communication procedures to ensure for the safety and security of all impacted events, pursuant to the authority prescribed in subsection (a).

Page 743, beginning on line 12, strike “Section 352(a)(3)(B) of the Consolidated Appropriations Resolution, 2003 (Public Law 109-7)” and insert “Section 521(a)(2)(B)(ii) of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note)”.

Page 743, strike lines 16 and 17.

Page 775, line 21, insert “economic” after “study on the”.

Page 785, after line 11, insert the following:  
**SEC. 844. LIMITATIONS FOR CERTAIN CARGO AIRCRAFT.**

(a) **IN GENERAL.**—The standards adopted by the Administrator of the Environmental Protection Agency in part 1030 of title 40, Code of Federal Regulations, and the requirements finalized by the Administrator of the Federal Aviation Administration from the notice of proposed rulemaking titled “Airplane Fuel Efficiency Certification”, and published on June 15, 2022 (RIN2120-AL54) in part 38 of title 14, Code of Federal Regulations, shall not apply to any covered airplane before the date that is 5 years after January 1, 2028.

(b) **OPERATIONAL LIMITATION.**—The Administrator of the Federal Aviation Administration shall limit the operation of any covered airplane to domestic use or international operations, consistent with relevant international agreements and standards, that—

(1) does not meet the standards and requirements described in subsection (a); and

(2) received an original certificate of airworthiness issued by the Administrator of the Federal Aviation Administration on or after January 1, 2028.

(c) **DEFINITIONS.**—In this section:

(1) **COVERED AIRPLANE.**—The term “covered airplane” means an airplane that—

(A) is a subsonic jet that is a purpose-built freighter;

(B) has a maximum takeoff mass greater than 180,000 kilograms but not greater than 240,000 kilograms; and

(C) has a type design certificated prior to January 1, 2023.

(2) **PURPOSE-BUILT FREIGHTER.**—The term “purpose-built freighter” means any airplane that—

(A) was configured to carry cargo rather than passengers prior to receiving an original certificate of airworthiness; and

(B) is configured to carry cargo rather than passengers.

**SEC. 845. COPYRIGHT PROTECTION FOR ORIGINAL DESIGNS OF AIRCRAFT FLOATS.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall, as appropriate, coordinate with the Register of Copyrights to help, to the extent feasible, aircraft float manufacturers receive design protections provided under section 1301 of title 17, United States Code.

(b) **AIRCRAFT FLOAT DEFINED.**—In this section, the term “aircraft float” means a device suitable for use on an airplane that meets the standards set forth in the technical standard order related to Twin Seaplane Floats issued by the Federal Aviation Administration on July 31, 2018 (TSO-C27a), or any successor standard.

Page 791, beginning on line 18, strike “which shall be incorporated into the annual budget request of the Board”.

Page 814, after line 14, insert the following:  
**SEC. 925. AIR SAFETY INVESTIGATORS.**

(a) **REMOVAL OF FAA MEDICAL CERTIFICATE REQUIREMENT.**—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with the Administrator of the Federal Aviation Administration and the Chairman of the National Transportation Safety Board, shall take such actions as may be necessary to revise the eligibility requirements for the Air Safety Investigating Series 1815 occupational series (and any similar occupational series relating to transportation accident investigating) to remove any requirement that an individual hold a current medical certificate issued by Administrator.

(b) **UPDATES TO OTHER REQUIREMENTS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Director, in coordination with the with the Administrator and Chairman, shall take such actions as may be necessary to update and revise experiential, educational, and other eligibility requirements for the Air Safety Investigating Series 1815 occupational series (and any similar occupational series relating to transportation accident investigating).

(2) **CONSIDERATIONS.**—In updating the requirements under paragraph (1), the Director shall consider—

(A) the direct relationship between any requirement and the duties expected to be performed by the position;

(B) changes in the skills and tools necessary to perform transportation accident investigations; and

(C) such other considerations as the Director, Administrator, or Chairman determines appropriate.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of the Graves-Larsen amendment. This amendment makes several technical conforming and clarifying changes throughout the underlying bill.

Furthermore, the amendment includes provisions that were the result of bipartisan negotiations on several policy issues.

These provisions include additional requirements for FAA to further coordinate the safe integration of new entrants into the National Airspace System, adding pilot apprenticeship, internship, or scholarship programs or veteran career transition nonprofits as an eligible grant recipient under the aviation workforce development program, protections on voluntary safety information disclosures, and several other provisions that reflect the bipartisan work with our colleagues across the aisle.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. LARSEN of Washington. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, this amendment reflects bipartisan agreement on a variety of technical fixes and good policy worthy of inclusion in this bill.

It includes language from Representative SCHRIER of Washington State to focus FAA’s aviation workforce development efforts on transitioning veterans to the civilian workforce, an amendment that the committee worked together on with Representative GOODEN to make happen.

It requires the FAA to develop a process to restrict drones from flying over large outdoor gatherings. It clears unnecessary red tape for the FAA to issue airport improvement grants and ensures our air traffic controllers are consulted on major policy changes, protects information or data reported by pilots or engineers through voluntary safety reporting requirements, and includes language from Representative STANTON of Arizona to require the Secretary of Transportation to propose a rulemaking to improve seating accommodations for individuals with disabilities.

Finally, it expands FAA’s counter-UAS testing authorities to consider the impacts to the safety of the National Airspace System beyond the airport environment.

Mr. Chair, I urge all Members to vote in favor of this amendment, and I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I would urge my colleagues to support this important amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 5, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, and 25 printed in part A of House Report 118–147, offered by Mr. GRAVES of Missouri.

AMENDMENT NO. 2 OFFERED BY MR. BEAN OF FLORIDA

Page 639, line 3, insert “, including connecting taxiways, if the runway is” before “existing”.

Page 639, line 11, strike “runway is” and insert “runways and taxiways are”.

AMENDMENT NO. 5 OFFERED BY MS. BROWN OF OHIO

At the end of subtitle A of title VII, add the following:

**SEC. \_\_\_\_ . PROVISION OF DRINKING WATER TO PASSENGERS.**

The Administrator of the Federal Aviation Administration shall issue such regulations as are necessary to require air carriers and foreign air carriers to provide complementary drinking water to passengers on all domestic and international flights with a scheduled duration of 1 hour or more.

AMENDMENT NO. 8 OFFERED BY MRS. CAMMACK OF FLORIDA

Page 256, strike lines 24 through 25 and insert the following:

(3) in paragraph (5)—

(A) in subparagraph (A) by inserting “and catchment area analyses” after “planning”;

(B) in subparagraph (B) by striking “and” at the end;

(C) in subsection (C) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

AMENDMENT NO. 9 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . DELIVERY OF CLEARANCE TO PILOTS VIA INTERNET PROTOCOL.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct testing and an evaluation to determine the feasibility of the use, in air traffic control towers, technology for delivering clearances via internet protocol to enable mobile device access for general aviation and on-demand Part 135 air carriers at airports that do not have Towered Data Link Services.

(b) AIRPORT SELECTION.—The Administrator shall designate five airports for participation in the initial airport pilot program after consultation with the exclusive representatives of air traffic controllers certified under section 7111 of title 49, United States Code, airport sponsors, aircraft and avionics manufacturers, MITRE, and aircraft operators and the designation should include airports of different size and complexity.

(c) PROGRAM OBJECTIVE.—The program shall address and include safety, security, and operational requirements for mobile clearance delivery at airports and heliports across the United States.

(d) DEFINITIONS.—In this section:

(1) MOBILE CLEARANCE DELIVERY.—The term “mobile clearance delivery” means providing access to departure clearance and clearance cancellation via Internet Protocol via applications to pilots while aircraft are on the ground where traditional data link installations are not feasible or possible.

(2) PART 135.—The term “Part 135” means part 135 of title 14, Code of Federal Regulations.

(3) TOWER DATA LINK SERVICES.—The term “tower data link services” means communications between controllers and pilots using controller-pilot data link communications.

(4) SUITABLE AIRPORT.—The term “suitable airport” shall include towered airports, non-towered airports, and heliports.

(e) REPORT.—Not later than 1 year after the date on which the mobile clearance delivery program becoming operational, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the safety, security, and operational performance of the mobile clearance services at airports pursuant to this section and recommendations on how best to improve the program.

AMENDMENT NO. 11 OFFERED BY MR. CASE OF HAWAII

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . REPORT ON INDO-PACIFIC AIRPORTS.**

The Administrator of the Federal Aviation Administration, in consultation with the Secretary of State, shall submit to Congress a report on airports of strategic importance in the Indo-Pacific region that includes each of the following:

(1) An identification of airports and air routes critical to national security, defense operations, emergency response, and continuity of government activities.

(2) An assessment of the economic impact and contribution of airports and air routes to national and regional economies.

(3) An evaluation of the connectivity and accessibility of airports and air routes, including their importance in supporting domestic and international travel, trade, and tourism.

(4) An analysis of infrastructure and technological requirements necessary to maintain and enhance the strategic importance of identified airports and air routes.

(5) An identification of potential vulnerabilities, risks, and challenges faced by airports and air routes of strategic importance, including cybersecurity threats and physical infrastructure vulnerabilities.

(6) Any recommendations for improving the security, resilience, and efficiency of the identified airports and air routes, including potential infrastructure investments and policy changes.

AMENDMENT NO. 12 OFFERED BY MR. CASE OF HAWAII

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . GAO STUDY ON THE IMPLEMENTATION OF GRANTS AT AIRPORTS.**

The Comptroller General of the United States shall conduct a study on the implementation of grants provided to airports located in the Freely Associated States under section 47115(i) of title 49, United States Code.

AMENDMENT NO. 13 OFFERED BY MR. CASTRO OF TEXAS

At the end of title VIII, add the following:

**SECTION \_\_\_\_ . MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.**

Section 157(b)(2) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47113 note) is amended by adding at the end the following:

“(D) PUBLISHING DATA.—The Secretary of Transportation shall report on a publicly accessible website the uniform report of DBE awards—commitments and payments specified in part 26 of title 49, Code of Federal Regulations, and the uniform report of ACDBE Participation for non-car rental and car rental concessions, for each airport sponsor beginning with fiscal year 2024.”.

AMENDMENT NO. 14 OFFERED BY MR. CISCOMANI OF ARIZONA

At the end of subtitle A of title IV, add the following:

**SEC. \_\_\_\_ . RUNWAY SAFETY PROJECTS.**

In awarding grants under section 47115 of title 49, United States Code, for runway safety projects, the Administrator of the Federal Aviation Administration shall, to the maximum extent practicable—

(1) reduce unnecessary or undesirable project segmentation; and

(2) complete the entire project in an expeditious manner.

AMENDMENT NO. 15 OFFERED BY MR. CISCOMANI OF ARIZONA

At the end of subtitle B of title VII, add the following:

**SEC. \_\_\_\_ . AGREEMENTS FOR STATE AND LOCAL OPERATION OF AIRPORT FACILITIES.**

Section 47124(b)(3)(C) of title 49, United States Code, is amended by adding at the end the following:

“(viii) Air traffic control towers at airports with safety or operational problems related to the lack of an existing tower.

“(ix) Air traffic control towers at airports with projected commercial and military increases in aircraft or flight operations.

“(x) Air traffic control towers at airports with a variety of aircraft operations, including a variety of commercial and military flight operations”.

AMENDMENT NO. 16 OFFERED BY MR. CLOUD OF TEXAS

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.**

Section 47118 of title 49, United States Code, is amended—

(1) in subsection (a) by inserting “on a publicly available website” after “public notice”;

(2) by redesignating subsection (h) as subsection (i);

(3) in subsection (i) (as so redesignated) by adding at the end the following:

“(3) ENERGY PROJECT.—The term ‘energy project’ has the meaning given such term in section 183a(h) of title 10.

“(4) FOREIGN PRINCIPAL; AGENT OF A FOREIGN PRINCIPAL.—The terms ‘foreign principal’ and ‘agent of a foreign principal’ have the meaning given such terms in section 1 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611).”;

(4) by inserting after subsection (g) the following:

“(h) SPECIAL RULE FOR ENERGY PROJECTS.—

“(1) IN GENERAL.—Any person who is required to submit an application for an energy project under this section shall include in such application a disclosure of any relationship such person has with a foreign principal or with an agent of a foreign principal.

“(2) INACCURATE DISCLOSURE OF RELATIONSHIP WITH FOREIGN PRINCIPAL.—

“(A) IN GENERAL.—The Secretary of Transportation, in consultation with the Attorney General of the United States and the head of any other relevant Federal agency, shall establish a process to evaluate the accuracy of a disclosure made under paragraph (1) and determine whether a person has violated such paragraph.

“(B) INITIAL PENALTY FOR INACCURATE DISCLOSURE.—If the Secretary determines that a person has knowingly violated paragraph (1), such person shall be prohibited from submitting an application for an energy project under this section during the period beginning on the date on which the Secretary made the determination under subparagraph

(A) and ending on the date that is 2 years after such determination.

“(C) **PENALTIES FOR SUBSEQUENT INACCURATE DISCLOSURES.**—If the Secretary determines that a person knowingly violates paragraph (1) after an initial violation under subparagraph (B), such person shall be permanently prohibited from submitting an application for an energy project under this section.”.

AMENDMENT NO. 17 OFFERED BY MS. DAVIDS OF KANSAS

Page 424, line 24, strike “30” and insert “60”.

AMENDMENT NO. 18 OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle C of title XI, add the following:

**SEC. \_\_\_\_ . CENTER OF EXCELLENCE FOR ALTERNATIVE JET FUELS AND ENVIRONMENT (ASCENT).**

The Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) shall subject to the availability of appropriations for such purpose and consistent with the research and development strategy in section 1133, conduct research on hydrogen to increase aviation decarbonization. Such research shall be in addition to any other research authorized to be carried out by the Center, including other research relating to hydrogen.

AMENDMENT NO. 19 OFFERED BY DELUZIO OF PENNSYLVANIA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . EFFECT OF AIRLINE MERGERS FOR CONSUMERS.**

(a) **IN GENERAL.**—The Comptroller General of the United States shall submit a report to Congress on the effect of airline mergers for consumers, including passenger fares (including add-on fees), the number of routes, the number of nonstop routes eliminated, and the number of flight delays and cancellations.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report on the results of the study conducted under subsection (a) to the following congressional committees:

- (1) the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives; and
- (2) the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate.

AMENDMENT NO. 20 OFFERED BY DESAULNIER OF CALIFORNIA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . TASK FORCE ON HUMAN FACTORS IN AVIATION SAFETY.**

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene a task force on human factors in aviation safety (in this section referred to as the “Task Force”).

(b) **COMPOSITION.**—The Task Force shall consist of members appointed by the Administrator and having expertise in an operational or academic discipline that is relevant to the analysis of human errors in aviation. The number of members shall be determined by the Administrator to ensure sufficient representation of relevant operational and academic disciplines.

(c) **DURATION.**—

(1) **IN GENERAL.**—Members of the Task Force shall be appointed for the length of the existence of the Task Force.

(2) **LENGTH OF EXISTENCE.**—

(A) **IN GENERAL.**—The Task Force shall have an initial length of existence of 2 years.

(B) **OPTION.**—The Administrator may exercise an option to lengthen the duration of

the existence of the Task Force for a period of 2 years.

(d) **DISCIPLINES.**—For purposes of subsection (b), disciplines may include air carrier operations, line pilot expertise, air traffic control, technical operations, aeronautical information, aircraft maintenance and mechanics psychology, linguistics, human-machine integration, general aviation operations, and organizational behavior and culture.

(e) **EXPERTISE.**—

(1) **IN GENERAL.**—No less than half of the members shall have expertise in aviation.

(2) **ADDITIONAL EXPERTISE.**—The Task Force shall include members with expertise on human factors but whose experience and training are not in aviation specifically and who have not previously been engaged in work related to the Federal Aviation Administration or the aviation industry. The Task Force shall also include pilot labor organization, certificated mechanic labor organizations, and at least one member from an air traffic controller labor organization.

(f) **FEDERAL AVIATION ADMINISTRATION MEMBERS.**—

(1) **IN GENERAL.**—Not more than 4 members may be employees of the Federal Aviation Administration and National Transportation Safety Board, excluding representatives of the labor representatives of employees of the air traffic control system. Not more than 2 members may be employees of the National Transportation Safety Board. The Federal Aviation Administration and the National Transportation Safety Board members shall be non-voting.

(2) **FEDERAL AVIATION ADMINISTRATION EMPLOYEES.**—Any member who is an Federal Aviation Administration employee shall have expertise in safety.

(g) **DUTIES.**—In coordination with the Research, Engineering, and Development Advisory Committee established under section 44508 of title 49, United States Code, the Task Force shall—

(1) not later than the date on which the Task Force is no longer in existence, produce a written report that—

(A) to the greatest extent possible, identifies the most significant human factors and the relative contribution of such factors to aviation safety risk;

(B) identifies new research priorities for research in human factors in aviation safety;

(C) reviews existing products by other working groups related to human factors in aviation safety including the Commercial Aviation Safety Team (CAST)’s work pertaining to flight crew responses to abnormal events;

(D) provides recommendations on potential revisions to any Federal Aviation Administration regulations and guidance pertaining to the certification of aircraft under part 25 of title 14, Code of Federal Regulations, including sections related to presumed pilot response times and assumptions about the reliability of pilot performance during unexpected, stressful events;

(E) reviews rules, regulations, or standards regarding flight crew rest and fatigue, as well as maintenance personnel rest and fatigue, that are used by a sample of international air carriers, including those deemed to be more stringent and less stringent than the current standards pertaining to United States air carriers, and identify risks to the National Airspace System from any such variation in standards across countries;

(F) reviews pilot training requirements and recommend any revisions necessary to ensure adequate understanding of automated systems on aircraft;

(G) reviews approach and landing misalignment and make any recommendations for improving these events;

(H) identifies ways to enhance instrument landing system maintenance schedules; determines how a real-time smart system should be developed that informs the Air Traffic Control System, Airlines, and Airports about any changes in the state of runway and taxiway lights; and identifies how this system could be connected to the Federal Aviation Administration’s maintenance system;

(I) analyzes, with respect to human errors related to aviation safety of part 121 air carriers—

(i) fatigue and distraction during critical phases of work among pilots or other aviation personnel;

(ii) tasks and workload;

(iii) organizational culture;

(iv) communication among personnel;

(v) adherence to safety procedures;

(vi) mental state of personnel; and

(vii) any other relevant factors that are the cause or potential cause of human error related to aviation safety;

(J) includes a tabulation of the number of accidents, incidents, or aviation safety database entries received in which an item identified under subparagraph (I) was a cause or potential cause of human error related to aviation safety; and

(K) includes a list of causes or potential causes of human error related to aviation safety about which the Administrator believes additional information is needed; and

(2) if the Secretary exercises the option described in subsection (c)(2)(B), not later than the date that is 2 years after the date of establishment of the Task Force, produce an interim report containing the information described in paragraph (1).

(h) **METHODOLOGY.**—To complete the report under subparagraphs (I) through (K) of subsection (g)(1), the Task Force shall consult with the National Transportation Safety Board and use all available data compiled and analysis conducted on safety incidents and irregularities collected during the relevant fiscal year from the following:

(1) Flight Operations Quality Assurance.

(2) Aviation Safety Action Program.

(3) Aviation Safety Information Analysis and Sharing.

(4) The Aviation Safety Reporting System.

(5) Aviation safety recommendations and investigation findings of the National Transportation Safety Board.

(6) Other relevant programs or sources.

(i) **APPLICABLE LAW.**—Section 1013 of title 5, United States Code, shall not apply to the Task Force.

AMENDMENT NO. 21 OFFERED BY MR. DONALDS OF FLORIDA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . SENSE OF CONGRESS ENCOURAGING THE FAA TO WELCOME THE USE OF UNMANNED AERIAL VEHICLES.**

It is the sense of Congress that Congress encourages the Federal Aviation Administration to welcome the use of unmanned aerial vehicles, such as drones, to bolster and augment traditional manual inspection, survey, and maintenance operations, including operations that relate to electric transmission infrastructure, water quality and the presence of harmful algal blooms, transportation infrastructure, national parks, and telecommunications infrastructure.

AMENDMENT NO. 22 OFFERED BY MR. DONALDS OF FLORIDA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . EVALUATION OF EMERGENCY RESPONSE PLANS.**

(a) **IN GENERAL.**—The Comptroller General of the United States shall, in consultation with industry stakeholders and the owners

or operators of airports certified by the Administrator of the Federal Aviation Administration, conduct an evaluation of a representative sample of the emergency plans in place at such airports.

(b) **CONTENTS.**—In conducting the evaluation under subsection (a), the Comptroller General shall assess, with respect to such airports, the following:

(1) Electricity supply on normal operating procedures.

(2) Resiliency plans for maintaining appropriate electricity supply to continue airport operations in the case a natural disaster disrupts the airport's primary power source.

(3) Backup electricity plans in the event a natural disaster disrupts, partially or completely, the airport's primary power source.

(4) A comparison of previous versions of the airport's emergency response plans and how current and future airport emergency response plans may be similar or different than the emergency response plans of the past.

(5) The overall impact of an airport losing its primary power source on communities surrounding the airport and any public health and safety risks that may result.

(c) **SUBMISSION.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the evaluation conducted under subsection (a).

AMENDMENT NO. 24 OFFERED BY MS. ESHOO OF CALIFORNIA

Page 380, line 11, strike “and” and insert a comma.

Page 380, line 13, insert “, and recommendations solicited from individuals and local government officials in communities adversely impacted by aircraft noise” after “community engagement”.

AMENDMENT NO. 25 OFFERED BY MR. ESPAILLAT OF NEW YORK

Page 526, line 14, strike “and”.

Page 526, after line 14, insert the following (and redesignate accordingly):

(8) conduct a review of potential vulnerabilities in inflight Wi-Fi service that may put the data of passengers at risk; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

□ 1345

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of en bloc No. 1, containing 18 amendments from my colleagues on both sides of the aisle. This en bloc contains a number of important amendments that address issues of national importance as well as issues that are impacting individual districts.

This package allows airports to use their Federal dollars to better understand the communities which they serve and the length people travel in order to take a flight.

It will instruct the FAA to test and evaluate means by which general and business aviation can utilize technology to receive flight clearances as opposed to using antiquated systems.

It also instructs the FAA to stand up a multidisciplinary task force to review the impact that human factors have on aviation safety and to make related recommendations.

In addition, this package instructs the Government Accountability Office to consult with airports to review emergency response plans and assess electrical resiliency for the safe operations of an airport during emergency scenarios.

This en bloc includes a number of provisions from members of the T&I Committee that were raised at markup but that we didn't have time to resolve. I am very glad that we were able to work together to resolve the few issues and support changes on a bipartisan basis.

Mr. Chair, I urge support of this bipartisan en bloc package and reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc.

It includes a number of provisions that will improve the bill overall, including:

A proposal from Representative BROWN of Ohio to ensure passengers on air carriers and foreign air carriers have the right to free drinking water on any flight longer than an hour;

A proposal from Representatives CARBAJAL, YAKYM, and DAVIDS directing the FAA to test the use of mobile technologies to deliver air traffic control clearances to general aviation pilots and part 135 operators;

A proposal from Representatives CISCOMANI and STANTON to prioritize air traffic control staffing at towers with strategic traffic and safety considerations;

A proposal from Representative DELBENE to expand the FAA's Center of Excellence for Alternative Jet Fuels and Environment to conduct research on hydrogen, supporting increasing efforts to decarbonize the aviation sector;

A proposal from Representative DESAULNIER to create a task force on human factors safety to harmonize disparate human factors work being done currently across the aviation community;

A proposal from Representative DONALDS encouraging the FAA to embrace the use of drones for helping workers to conduct safer, more efficient infrastructure inspections; and

A proposal from Representative ESHOO to ensure community voices are heard on aircraft noise issues.

Mr. Chair, I support this en bloc, and I encourage my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. YAKYM).

Mr. YAKYM. Mr. Chairman, let me begin by thanking Chairman GRAVES as well as Ranking Member LARSEN for the great work that they both did on this FAA reauthorization.

I rise in support of this en bloc, which includes Carbalaj amendment No. 9, of which I am a cosponsor. I thank both the chairman and the ranking member for including this amendment in the en bloc.

This amendment creates a pilot program at five airports to deliver mobile clearances for general aviation and part 135 air carriers. Early FAA trials of this technology have shown promise, and thus it seems worthwhile to continue development and testing in hopes of being able to deploy it more widely.

As a pilot myself, I am excited about something like this down the road. Voice-based clearances can be difficult to understand, which leads to delays and misunderstandings. For airports without Towered Data Link Services, voice-based clearances can take 30 to 40 minutes. Trials of mobile deliveries have reduced that to 2 minutes.

I thank Mr. CARBAJAL and Ms. DAVIDS for their partnership on this amendment, and I thank the chairman and ranking member for their support.

Mr. LARSEN of Washington. Mr. Chair, I have no other speakers on the en bloc, so I will close by asking Members to please support the amendment. I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I urge my colleagues to support this en bloc amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc No. 1 offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 118-147.

It is now in order to consider amendment No. 4 printed in part A of House Report 118-147.

The Chair understands that amendment No. 6 will not be offered.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2, consisting of amendment Nos. 26, 28, 30, 31, 32, 34, 37, 38, 39, 40, 41, 42, 43, 45, 49, 51, 52, 55, 57, and 58 printed in part A of House Report 118-147, offered by Mr. GRAVES of Missouri:

AMENDMENT NO. 26 OFFERED BY MR. FEENSTRA OF IOWA

At the end of subtitle C of title VII, add the following:

**SEC. \_\_\_\_ . RESPONSE TIME FOR APPLICATIONS TO PROVIDE ESSENTIAL AIR SERVICE.**

The Secretary of Transportation shall take such actions as are necessary to respond with an approval or denial of any application filed by an applicant to provide essential air service under subchapter II of chapter 417 of title 49, United States Code, to the greatest extent practicable no later than 6 months after receiving such application.

AMENDMENT NO. 28 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 462, line 3, insert “commercial passenger” after “barrier on”.

Page 462, line 7, insert “chair and” after “shall”.

Page 462, line 10, strike “each of” and insert “from the constituencies of”.

Page 462, strike line 13.

Page 462, line 14, strike “(4)” and insert “(3)”.

Page 462, strike lines 15 through 17 and insert the following:

(4) passenger aircraft pilots represented by a labor group;

(5) flight attendants represented by a labor group;

(6) airline passengers; and

Page 463, beginning on line 17, strike “18 months” and insert “12 months”.

AMENDMENT NO. 30 OFFERED BY MR. ROBERT GARCIA OF CALIFORNIA

Page 472, line 1, insert “or where crew would reasonably believe an aircraft lined up on an incorrect runway or incorrect taxiway, the aircraft landing at the wrong airport, the aircraft significantly overpassed the destination airport, or the crew have been alerted of a possible pilot deviation” after “Regulations.”.

Page 473, line 11, strike the closing quotation mark and final period.

Page 473, after line 11, insert the following: “(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect—

“(1) the confidentiality of recordings and transcripts under section 1114(c);

“(2) the ban on recordings for civil penalty or certificate action under section 121.359(h) of title 14, Code of Federal Regulations; or

“(3) the prohibition against use of data from flight operational quality assurance programs for enforcement purposes under section 13.401 of 14, Code of Federal Regulations.”.

AMENDMENT NO. 31 OFFERED BY MRS. GONZÁLEZ-COLÓN OF PUERTO RICO

At the end of title VIII, add the following:  
**SEC. \_\_\_\_ . STUDY ON AIR CARGO OPERATIONS IN PUERTO RICO.**

(a) IN GENERAL.—No later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on air cargo operations in Puerto Rico.

(b) CONTENTS.—In conducting the study required under subsection (a), the Comptroller General shall address the following:

(1) The economic impact of waivers authorized by the Secretary of the Department of Transportation related to air cargo operations in Puerto Rico.

(2) Recommendations for security measures that may be necessary to support increased air cargo operations in Puerto Rico.

(3) Potential need for additional staff to safely accommodate additional air cargo operations.

(4) Airport infrastructure improvements that may be needed in the 3 international airports located in Puerto Rico to support increased air cargo operations.

(5) Alternatives to increase private stakeholder engagement and use of the 3 international airports in Puerto Rico to attract increased air cargo operations.

(6) Possible national benefits of increasing air cargo operations in Puerto Rico.

(c) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate Committees of Congress a report on the results of the study described in subsection (a).

AMENDMENT NO. 32 OFFERED BY MR. GOODEN OF TEXAS

At the end of title VIII, insert the following:

# **SEC. 8 \_\_\_\_ . PROHIBITION ON OPERATION OF AIRCRAFT OVER RUSSIAN AIRSPACE.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of State and other relevant Federal officials, shall—

(1) amend NOTAM KICZ NOTAM A0005/22-Security, titled “United States of America Prohibition Against Certain Flights in specified areas of the Moscow (UUVV), Samara (UWWW) and Rostov-Na Donu (URRV) Flight Information Regions (FIR)” to apply the prohibitions equally to air carriers and foreign air carriers landing in or taking off from an airport in the United States;

(2) take other actions within the authorities of the Secretary to apply to foreign air carriers landing in, or taking off from, an airport in the United States prohibitions consistent with the prohibitions in the NOTAM referred to in paragraph (1); or

(3) provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a briefing, in a classified or unclassified setting, if the Secretary finds that the implementation of paragraph (1) or (2) is—

(A) unnecessary;

(B) not in the public interest; or

(C) not consistent with the foreign policy priorities of the United States.

(b) SUNSET.—Any prohibition implemented pursuant to subsection (a) shall terminate on the date on which the NOTAM referred to in subsection (a) is rescinded.

(c) SAVINGS CLAUSE.—Nothing in this section shall be construed as putting any limitation on the authority of the Secretary of Transportation to implement any prohibition in addition or subsequent to a prohibition implemented under subsection (a).

(d) DEFINITIONS.—Each of the terms used in this section shall have the meanings given such terms in section 40102(a) of title 49, United States Code.

AMENDMENT NO. 34 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of title VII, add the following:  
**SEC. \_\_\_\_ . GAO STUDY ON CERTAIN AIRPORT DELAYS.**

The Comptroller General of the United States shall conduct a study on flight delays in the States of New York, New Jersey, and Connecticut and the possible causes of such delays.

AMENDMENT NO. 37 OFFERED BY MS. HAGEMAN OF WYOMING

Page 738, after line 17, insert the following (and redesignate the subsequent subparagraph accordingly):

“(E) ensure that any procurement of new equipment takes into account the life cycle, reliability, performance, service support, and costs to guarantee the acquisition of equipment that is of high quality and reliability resulting in greater performance and cost-related benefits for airports;

AMENDMENT NO. 38 OFFERED BY MS. HAGEMAN OF WYOMING

At the end of subtitle A of title V, add the following:

**SEC. \_\_\_\_ . PROVIDING NON-FEDERAL WEATHER OBSERVER TRAINING TO AIRPORT PERSONNEL.**

The Administrator of the Federal Aviation Administration shall take such actions as are necessary to provide training that is easily accessible and streamlined for airport personnel to become certified as non-Federal weather observers so that such personnel can manually provide weather observations when automated surface observing systems and automated weather observing systems experience outages and errors in order to ensure operational safety at airports.

AMENDMENT NO. 39 OFFERED BY MS. HAGEMAN OF WYOMING

At the end of title VIII, add the following:

**SEC. \_\_\_\_ . GAO STUDY ON AVIATION WORKFORCE.**

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on methods related to the recruitment, retention, employment, education, training, and well-being of the aviation workforce specifically within rural communities.

(b) COLLABORATION.—In conducting the study under subsection (a), the Comptroller General shall collaborate with industry stakeholders and rural aviation facilities to ascertain the best policies for increasing participating in the aviation workforce community from individuals from rural communities.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Comptroller General shall submit the results of the study under subsection (a) to the appropriate congressional committees.

(d) ADMINISTRATIVE ACTIONS.—The Administrator of the Federal Aviation Administration shall take such actions as are reasonable to implement the recommendations made by the Comptroller General from the study conducted under subsection (a).

AMENDMENT NO. 40 OFFERED BY MR. HIGGINS OF LOUISIANA

Add at the end of title VIII the following:  
**SEC. 844. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION OF COUNTER-UAS SYSTEM OPERATIONS.**

(a) ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall assess all actions taken by the Federal Aviation Administration affecting the ability of U.S. Customs and Border Protection to conduct counter-UAS system operations at the southern border of the United States from January 1, 2021, to such date of enactment.

(b) CONSIDERATIONS.—The assessment under subsection (a) shall consider the following impacts:

(1) Operational capabilities of U.S. Customs and Border Protection in detecting and mitigating unauthorized unmanned aircraft systems.

(2) Coordination efforts and information sharing between the Federal Aviation Administration and U.S. Customs and Border Protection regarding counter-UAS system operations.

(3) Any other impacts or considerations the Inspector General of the Department of Transportation determines relevant.

(c) REPORT.—Not later than 90 days after the completion of the assessment under subsection (a), the Inspector General of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings of such assessment.

(d) DEFINITIONS.—In this section:

(1) COUNTER-UAS SYSTEM.—The term “counter-UAS system” has the meaning given such term in section 44801 of title 49, United States Code.

(2) UNMANNED AIRCRAFT SYSTEM.—The term “unmanned aircraft system” has the meaning given such term in section 44801 of title 49, United States Code.

AMENDMENT NO. 41 OFFERED BY MR. HILL OF ARKANSAS

At the end of title VIII, add the following:  
**SEC. \_\_\_\_ . BRIEFING ON LIT VORTAC PROJECT.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Administrator of the Federal Aviation Administration shall provide a briefing on the Little Rock Port Authority Very High Frequency Omni-Directional Radio Range Tactical Air Navigation Aid Project (LIT VORTAC) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) **BRIEFING CONTENTS.**—The briefing required under subsection (a) shall include the following:

(1) (1) The status of the efforts by the Federal Aviation Administration to relocate the LIT VORTAC.

(2) The status of new flight planning of the relocated VORTAC.

(3) A description of and timeline for each remaining phase of the relocation project.

AMENDMENT NO. 42 OFFERED BY MR. HOULAHAN OF PENNSYLVANIA

At the end of title VIII, add the following:

**SEC. \_\_\_\_ REIMBURSEMENT FOR FINANCIAL LOSSES DUE TO CERTAIN AIRPORT CLOSURES.**

(a) **NOTIFICATION REQUIRED.**—Not later than 30 days after the date on which a President takes office, the Administrator of the Federal Aviation Administration shall provide notification to specified aviation entities located at any airports that may be expected to close at any point during the term of such President due to temporary flight restrictions related to any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) **REIMBURSEMENT REQUIRED.**—Subject to the availability of appropriations, the Administrator shall provide financial reimbursement to specified aviation entities in an amount equal to the direct and incremental financial losses incurred while an airport, or portion thereof, is closed solely due to the actions of the Federal Government as described in subsection (a). The Administrator shall provide reimbursement for such losses.

(c) **AUDIT REQUIRED.**—The Administrator may not obligate or distribute reimbursement funding described in subsection (b) until an audit of the financial losses incurred by a specified aviation entity is completed by the Administrator. The Administrator may request that specified aviation entities provide documentation which the Administrator determines is necessary to complete such audit.

(d) **INELIGIBLE COSTS.**—In carrying out this section, the Administrator shall ensure that any loss incurred as a result of a violation of law, or through fault or negligence, of a specified aviation entity are not eligible for reimbursements.

(e) **GOVERNMENT RELEASE FROM LIABILITY.**—The United States Government shall not be liable for claims for financial losses resulting from airport closures described in subsection (a).

(f) **SPECIFIED AVIATION ENTITY DEFINED.**—In this section, the term “specified aviation entity” means—

(1) an airport sponsor that does not provide gateway operations;

(2) a provider of general aviation ground support services; or

(3) an impacted aviation tenant.

AMENDMENT NO. 43 OFFERED BY MR. HOYLE OF OREGON

Page 494, after line 12, insert the following:

(d) **TRAINING MATERIALS.**—Not later than 6 months after the completion of the safety review required under subsection (a), the Administrator shall develop and publish training and related educational materials about aircraft engine ingestion and jet blast haz-

ards for ground crews (including supervisory employees) that includes information on—

(1) the specific dangers and consequences of entering engine ingestion or jet blast zones;

(2) proper protocols to avoid entering an engine ingestion or jet blast zone; and

(3) on-the-job, instructor-led training to physically demonstrate the engine ingestion zone boundaries and jet blast zones for each kind of aircraft the ground crew may encounter.

AMENDMENT NO. 45 OFFERED BY MR. HUIZENGA OF MICHIGAN

At the end of title VIII, add the following:

**SEC. \_\_\_\_ PROHIBITION ON CERTAIN RUNWAY LENGTH REQUIREMENTS.**

Notwithstanding any other provision of law, the Secretary of Transportation may not require an airport to shorten the length or width of the airport's runway, apron, or taxiway as a condition for the receipt of federal financial assistance if the airport directly supports a base of the United States Air Force or the Air National Guard at the airport, regardless of the stationing of military aircraft.

AMENDMENT NO. 49 OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

Page 337, after line 25, insert the following:

“(B) **CLOUD-BASED, INTERACTIVE DIGITAL PLATFORMS.**—The Administrator is encouraged to utilize cloud-based, interactive digital platforms to meet community engagement and agency coordination requirements under subparagraph (A).”.

AMENDMENT NO. 51 OFFERED BY MR. KEAN OF NEW JERSEY

Page 613, line 15, strike “and”.

Page 613, line 19, strike the period and insert “; and”.

Page 613, after line 19, insert the following:

(F) consult with the Secretary of Defense with regard to—

(i) the U.S. Air Force Agility Prime Program and powered-lift aircraft evaluated and deployed for military purposes, including the F35B program;

(ii) the commonalities and differences between powered-lift aircraft types and the handling qualities of such aircraft; and

(iii) the pathways for pilots to gain proficiency and earn the necessary ratings required to act as a pilot in command of powered-lift aircraft.

AMENDMENT NO. 52 OFFERED BY MR. KILMER OF WASHINGTON

Page 256, beginning on line 9, strike “an improvement of any runway, taxiway, or apron” and insert “improvements, or planning for improvements”.

Page 256, beginning on line 12, strike “under visual flight rules”.

Page 256, line 13, insert “(defined as an earthquake, flooding, high water, wildfires, hurricane, storm surge, tidal wave, tornado, tsunami, wind driven water, sea level rise, tropical storm, cyclone, land instability, or winter storm)” after “natural disaster”.

Page 256, line 17, insert “or Incident support base” after “staging area”.

AMENDMENT NO. 55 OFFERED BY MS. LEE OF NEVADA

Page 555, line 16, insert “including research” after “agricultural purposes”.

Page 581, line 15, insert “research,” before “wildfire detection, mitigation, and suppression”.

AMENDMENT NO. 57 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 374, strike lines 6 through 8 and insert the following:

(i) multiple airport communities and communities in the vicinity of airports;

AMENDMENT NO. 58 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 382, line 20, strike “and”.

Page 382, after line 20, insert the following:

(H) ensuring engagement with local community groups as appropriate in conducting the other responsibilities described in this section; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 15 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of en bloc No. 2, containing 20 amendments from my colleagues on both sides of the aisle. This en bloc reflects the bipartisan work of our committee, which has done what we have done to address Members' priorities.

This includes bipartisan agreements on several amendments that we considered during our markup, including requiring the FAA to develop training materials to improve safety for airport ramp workers, and it requires the GAO to conduct a study on air cargo operations in Puerto Rico.

Furthermore, the en bloc package includes amendments to ensure the Secretary responds to essential air service contracts in a timely manner, allowing the FAA to provide weather observer training to airport personnel and ensures that United States passengers on foreign air carriers are protected in the same manner as they would be on United States air carriers by avoiding Russian airspace.

Mr. Chair, I urge my colleagues to support this bipartisan en bloc package, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc. It includes several provisions that will improve the bill overall, including amendments from Representatives LEE, HOYLE, GOTTHEIMER, LYNCH, and others.

I support this en bloc and encourage my colleagues to do the same. I have no other speakers on amendments en bloc No. 2, so I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I don't have any speakers, so I am prepared to close. I urge my colleagues to support these amendments en bloc, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc No. 2, offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.



Amendments en bloc No. 3 consisting of amendment Nos. 54, 56, 59, 63, 66, 72, 78, 79, 80, 81, 82, 83, 84, 86, 95, 96, and 97 printed in part A of House Report number 118-147 offered by Mr. GRAVES of Missouri.

AMENDMENT NO. 54 OFFERED BY MR. LAWLER OF NEW YORK

At the end of title VIII, add the following:  
**SEC. \_\_. STUDY ON PILOT SUPPLY ISSUES.**

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the shortage of pilots faced by air carriers.

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall address ways to overcome challenges to the pilot workforce.

AMENDMENT NO. 56 OFFERED BY MR. LUCAS OF OKLAHOMA

Page 782, beginning on line 18, strike “a plan to” and all that follows through “expand overall” and insert “a plan to expand overall”.

Page 783, line 2, strike “; and” and insert a period.

Page 783, strike line 3.

Page 783, beginning on line 9, strike “Academies” and insert “Academy”.

Page 783, beginning on line 16, strike “, and whether field training can be administered more flexibly, such as at other Federal Aviation Administration locations across the country”.

Page 784, line 1, strike “virtual”.

Page 784, strike lines 5 through 8.

Page 784, beginning on line 9, strike “costs of” and all that follows through “expanding Federal” and insert “costs of expanding Federal”.

Page 784, line 11 insert “at the existing air traffic control academy” after “capacity”.

Page 784, line 12, strike “; and” and insert a period.

Page 784, strike lines 13 through 14.

AMENDMENT NO. 59 OFFERED BY MR. MAGAZINER OF RHODE ISLAND

Page 256, after line 19, insert the following (and redesignate the subsequent subparagraph accordingly):

(V) a project to comply with rulemakings and recommendations on cybersecurity standards from the rulemaking committee convened under section 574 of the Securing Growth and Robust Leadership in American Aviation Act.

AMENDMENT NO. 63 OFFERED BY MS. MENG OF NEW YORK

Page 362, line 1, insert “and in overflight communities” after “in the vicinity of airports”.

Page 362, after line 11, insert the following:

(e) OVERFLIGHT COMMUNITY DEFINED.—In this section, the term “overflight community” means an area—

(1) located under the flight paths of aircraft;

(2) that experiences noise annoyance from such aircraft or airports; and

(3) that is located in an area that experiences a day-night average sound level lower than the threshold of significant noise exposure established by the Administrator of the Federal Aviation Administration.

AMENDMENT NO. 66 OFFERED BY MR. NEGUSE OF COLORADO

Page 380, beginning on line 11, insert “interviews with impacted residents,” after “other Federal agencies,”.

AMENDMENT NO. 72 OFFERED BY MRS. PELTOLA OF ALASKA

Page 438, line 11, strike “reconstructing and rehabilitating” and insert “rehabilitating, reconstructing, or extending”.

AMENDMENT NO. 78 OFFERED BY MS. PETTERSEN OF COLORADO

Page 67, line 6, strike “in decision making processes”.

AMENDMENT NO. 79 OFFERED BY MS. PETTERSEN OF COLORADO

Page 476, line 4, strike “and”.

Page 476, line 13, strike the period and insert “; and”.

Page 476, after line 13, insert the following:

(3) what contents of the emergency medical kits should be readily available, to the extent practicable, for use by flight crews without prior approval by a medical professional.

AMENDMENT NO. 80 OFFERED BY MS. PETTERSEN OF COLORADO

Page 247, line 8, insert “, including antidepressants” before the semicolon.

AMENDMENT NO. 81 OFFERED BY MS. PETTERSEN OF COLORADO

Page 248, line 14, strike “and” at the end.

Page 248, after line 14, insert the following (and redesignate accordingly):

(C) consider implementing the final recommendations report issue by the Office of the inspector general of the Department of Transportation titled, “FAA Conduct Comprehensive Evaluations of Pilots With Mental Health Challenges, but Opportunities Exist to Further Mitigate Safety Risks” and published on July 12, 2023; and

AMENDMENT NO. 82 OFFERED BY MR. PFLUGER OF TEXAS

Page 712, after line 10, insert the following:

(e) SENSE OF CONGRESS.—It is the sense of Congress that route structures to rural airports serve a critical function to our Nation by connecting many of our military installations to major regional airline hubs.

AMENDMENT NO. 83 OFFERED BY MR. PORTER OF CALIFORNIA

At the end of title VIII, add the following:

**SEC. \_\_. GAO STUDY ON FAA RESPONSIVENESS TO CONGRESS.**

(a) GAO STUDY.—The Comptroller General of the United States shall conduct a study on—

(1) the level of responsiveness of the Administrator of the Federal Aviation Administration to a request for information from a Member of Congress, including a written congressional inquiry and staffing a meeting at the request of such a Member; and

(2) the average timeframe responses are provided to the requests described in paragraph (1).

(b) ANNUAL BRIEFING TO CONGRESS.—Section 106 of title 49, United States Code, is amended by adding at the end the following:

“(u) ANNUAL BRIEFING TO CONGRESS.—The Administrator shall annually brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

“(1) the efforts, activities, objectives, and plans of the Administration; and

“(2) the efforts of the Administration to engage with Congress and the public.”.

AMENDMENT NO. 84 OFFERED BY MR. PRESSLEY OF MASSACHUSETTS

At the end of title VIII, add the following:

**SEC. \_\_. GAO STUDY ON TRANSIT ACCESS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study, and make the results of such study publicly accessible, on transit access to airports.

(b) CONTENTS.—In carrying out the study under subsection (a), the Comptroller General shall review public transportation access to commercial service airports through-

out the United States, including cost, disability accessibility, and other potential barriers for individuals.

AMENDMENT NO. 86 OFFERED BY MR. ROSE OF TENNESSEE

At the end of subtitle A of title VII, add the following:

**SEC. \_\_\_\_ . GAO REPORT ON MASS FLIGHT CANCELLATION EVENT.**

(a) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actions of the Department of Transportation during the period beginning 2 weeks before July 4th, 2023, and ending two weeks after July 4th, 2023, that resulted in substantial flight cancellations during such period.

(b) EXAMINATION.—In developing the report under subsection (a), the Comptroller general shall examine—

(1) all actions the Secretary of Transportation and the Administrator of the Federal Aviation Administration took to mitigate flight disruptions and flight cancellations during such period; and

(2) any actions not taken by the Secretary or the Administrator that may have mitigated flight disruptions and cancellations during such period.

AMENDMENT NO. 95 OFFERED BY MR. VAN DREW OF NEW JERSEY

Page 602, after line 15, insert the following:

(J) Operators pursuing or holding a certificate for the operation of an unmanned aircraft weighing 55 pounds or more.

AMENDMENT NO. 96 OFFERED BY MR. WESTERMAN OF ARKANSAS

Strike section 204 of the bill and insert the following:

**SEC. 204. DATA PRIVACY.**

(a) IN GENERAL.—Chapter 441 of title 49, United States Code, is amended by adding at the end the following:

**“§ 44114. Privacy**

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall establish and continuously improve a process by which, upon request of a private aircraft owner or operator, the Administrator blocks the registration number and other similar identifiable data or information, except for physical markings required by law, of the aircraft of the owner or operator from any public dissemination or display (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) for the noncommercial flights of the owner or operator.

“(b) WITHHOLDING PERSONALLY IDENTIFIABLE INFORMATION ON THE AIRCRAFT REGISTRY.—Not later than 1 year after the enactment of this Act and notwithstanding any other provision of law, the Administrator shall establish a procedure by which, upon request of a private aircraft owner or operator, the Administrator shall withhold from public disclosure (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement, including that for traffic management purposes) the personally identifiable information of such individual, including on FAA websites.

“(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

“(1) IN GENERAL.—The Administrator shall establish a program for aircraft owners and operators to apply for a new ICAO aircraft identification code.

“(2) LIMITATIONS.—In carrying out the program described in paragraph (1), the Administrator shall require—

“(A) each applicant to attest to a safety or security need in applying for a new ICAO aircraft identification code; and

“(B) each approved applicant who obtains a new ICAO aircraft identification code to comply with all applicable aspects of, or related to, part 45 of title 14, Code of Federal Regulations, including updating an aircraft's registration number and N-Number to reflect such aircraft's new ICAO aircraft identification code.

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

“(e) DEFINITIONS.—In this section:

“(1) ADS-B.—The term ‘ADS-B’ means automatic dependent surveillance-broadcast.

“(2) ICAO.—The term ‘ICAO’ means the International Civil Aviation Organization.

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term ‘personally identifiable information’ means—

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

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

“(C) the telephone number of an individual.

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

(b) STUDY ON ENCRYPTING ADS-B.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study assessing the technical challenges, impact to international aviation operations, benefits, and costs of encrypting ADS-B signals to provide for a safer and more secure environment for national airspace system users.

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

(A) air carriers;

(B) collective bargaining representatives of the Federal Aviation Administration aeronautical information specialists;

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

(D) general aviation;

(E) business aviation; and

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

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

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

(B) the advantages of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(C) the disadvantages of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(D) the challenges of encrypting ADS-B signals for both the 978 Mhz and 1090 Mhz frequencies, including coordination considerations with the International Civil Aviation Organization and foreign civil aviation authorities;

(E) potential new aircraft equipment requirements and estimated costs;

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

(G) the estimated costs to—

(i) the Federal Aviation Administration;

(ii) aircraft owners required to equip with ADS-B equipment for aviation operations; and

(iii) other relevant persons the Administrator determines necessary; and

(H) the impact to national airspace system operations during implementation and post-implementation.

(4) REPORT.—In any agreement entered into under paragraph (1), the Administrator shall ensure that, not later than 1 year after the completion of the study required under paragraph (1), the qualified organization that has entered into such agreement shall submit to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in paragraph (1), including the findings and recommendations related to each item specified under paragraph (3).

(5) DEFINITION OF QUALIFIED ORGANIZATION.—In this subsection, the term “qualified organization” means an independent nonprofit organization, described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(c) CLERICAL AMENDMENT.—The analysis for chapter 441 of title 49, United States Code, is amended by adding at the end the following: “44114. Privacy.”

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

AMENDMENT NO. 97 OFFERED BY MR. WESTERMAN OF ARKANSAS

In section 609(b)(3), strike “and” after the semicolon.

In section 609(b)(4), strike the period and insert “; and”.

In section 609(b), add at the end the following:

(5) ensure the safety of manned aircraft operating in the national airspace system.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 15 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this en bloc, which contains 17 amendments to H.R. 3935 offered by my colleagues on both sides of the aisle.

This en bloc package includes amendments that seek to require the Government Accountability Office to study the pilot shortage, require community feedback regarding aircraft noise matters, improve emergency medical kits on board aircraft, require an audit of recent flight cancellations that continue to plague passengers and travelers, as well as many more things in this en bloc.

I urge support of this en bloc package and encourage a “yes” vote by all Members.

Mr. Chair, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc.

It includes several amendments that strengthen the bill, including:

A proposal from Representative MAGAZINER to ensure AIP funding can be used for cybersecurity projects;

An amendment from Representatives MENG, NORTON, JOHNSON, NADLER, and RASKIN to ensure overflight community feedback is considered as the FAA updates its aircraft noise policies;

A proposal from Representative NEGUSE of Colorado to ensure the FAA directly interviews residents from communities impacted by aircraft noise as part of its community engagement efforts;

Several proposals from Representative PETERSEN of Colorado to address community noise concerns, in-flight emergency medical kits, and pilot mental health;

A bipartisan proposal from Representatives PORTER and WESTERMAN to audit and improve the FAA's responsiveness to congressional requests—I just can't imagine who couldn't support that; and

A proposal from Representative PRESSLEY to study transit access to airports.

Mr. Chair, I urge all Members to support en bloc No. 3, and I yield back the balance of my time.

□ 1400

Mr. GRAVES of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. ROSE).

Mr. ROSE. Mr. Chair, I rise in support of my amendment, which requires a GAO report on the recent mass flight cancellations and delays that crippled our Nation surrounding the Fourth of July holiday.

Mr. Chair, listen to these headlines:

From Newsweek: “July 4th Travel Chaos as Thousands of Airline Passengers Face Cancellations.”

From the Associated Press: “Travelers endure another day of airport agony.”

From the Insider news site: “Get ready for a nightmare: What to expect if you are one of the 4 million Americans flying this Independence Day weekend.”

Mr. Chair, I include in the RECORD each of these articles.

[From Newsweek.com, June 29, 2023]

JULY 4TH TRAVEL CHAOS AS THOUSANDS OF AIRLINE PASSENGERS FACE CANCELLATIONS  
(By Khaleda Rahman)

Hundreds of flights in the U.S. have been canceled Thursday, a worrying indication of the chaos summer travelers could endure as they prepare to fly during the busy July 4 weekend.

Airline passengers suffered through yet another day of delayed and canceled flights on Wednesday, with the East Coast continuing to be the hardest hit as storms pummel the region.

Around 1,200 U.S. flights were canceled on Wednesday, while nearly 7,000 were delayed, according to flight-tracking website FlightAware.

By early Thursday, 344 flights within, into and out of the U.S. had been canceled and at least 500 more were delayed. Of the cancelled flights, 78 had been scheduled to fly in or out

of New Jersey's Newark Liberty Airport, 74 were at Denver airport, and 62 at Houston's George Bush Intercontinental Airport.

The Federal Aviation Administration expects Thursday to be the busiest travel day of the long weekend, with more than 52,500 total flights.

United Airlines, which uses Newark airport as its New York area hub, canceled 263 flights on Thursday, the most among U.S. airlines for a sixth straight day.

"We're beginning to see improvement across our operation. We expect to cancel far fewer seats today compared to yesterday and our baggage backlog at Newark has dropped more than 30 percent since Tuesday, and off-duty flight attendants are calling in from across the country to staff open trips," United said in a statement to Newsweek on Wednesday night.

"It's all-hands-on-deck as our pilots get aircraft moving, contact center teams work overtime to take care of our customers, and our airport customer service staff works tirelessly to deliver bags and board flights. As our operation improves in the days ahead, we will be on track to restore our operation for the holiday weekend."

Many passengers who were left stranded have taken to social media to express their anger, with some saying they were forced to sleep in airport terminals.

"My wife & 2 toddlers are sleeping in an airport terminal tonight because @united bumped the flight three times, put on standby for a midnight flight, then bumped again until tomorrow morning," a Twitter user named John wrote.

"On hold w a rep since 3 pm today. Nobody at counters. They don't care."

Some, including Margo Osborne, said they would never fly with certain airlines again.

"Will never fly @united again!" Osborne tweeted. "1000s stranded at Newark, after countless flights canceled. No one allowed to retrieve checked bag, even if u have medical equip packed inside. Customer service was worst I've seen."

United Airlines CEO Scott Kirby has blamed a shortage of federal air traffic controllers for massive disruptions at its Newark hub last weekend.

Over 150,000 customers in the New York City area were impacted because of Federal Aviation Administration (FAA) "staffing issues and their ability to manage traffic," Kirby wrote in a memo to employees on Monday night, according to Fox Business. "The FAA frankly failed us this weekend."

"We will always collaborate with anyone seriously willing to join us to solve a problem," an FAA spokesperson told Newsweek.

The spokesperson said the FAA is "working closely with airlines to keep aircraft moving safely and efficiently over the Fourth of July travel period."

They also pointed to weekly updates on the FAA's website with preliminary data on the causes of delays.

"Current delay data shows the vast majority are due to weather and volume," the spokesperson said.

Transportation Secretary Pete Buttigieg, whose department includes the FAA, took to social media on Wednesday to reassure travelers that the FAA is working to "find solutions."

"We are closely watching air travel this week. Weather has been rough, especially in the last four or five days, it's caused a lot of cancellations and delays for many passengers around the country," he said in a video posted on Twitter.

"We've known that summer is going to be a stress test on the system. The good news is we've seen a lot of progress this year through Memorial Day and also a major improvement to passenger rights compared to a year

ago . . . FAA is continuing to work around the clock with airlines and within FAA's own operations to find solutions, get creative, make sure the system is as resilient as possible."

Last week, Buttigieg issued a new warning to airlines, telling them that flights could be disrupted because some planes lack updated equipment to prevent interference from new 5G wireless service. He said only planes retrofitted with the right equipment will be allowed to land when visibility is poor, such as during bad weather.

[From apnews.com, June 27, 2023]

#### TRAVELERS ENDURE ANOTHER DAY OF AIRPORT AGONY. ONE AIRLINE HAS BY FAR THE MOST CANCELLATIONS

(By David Koenig)

DALLAS (AP).—Air travelers endured another wave of flight disruptions Thursday despite better weather along much of the East Coast, while United Airlines continued to account for the majority of canceled flights nationwide.

United vowed to get back on track over the July 4 holiday weekend, when the number of air travelers could set a pandemic-era record.

Hundreds of thousands of people have had travel plans thrown in the air after a wave of storms raked the Northeast over the past few days and frustrations are running high.

Airports in Chicago, Denver and Newark, New Jersey—all hubs for United—were seeing the most delays on Thursday, according to FlightAware.

By early evening on the East Coast, United had canceled more than 400 flights, the bulk of the 600-plus cancellations toted up by FlightAware. The Chicago carrier was poised to lead all U.S. airlines in cancellations for a sixth straight day.

United CEO Scott Kirby has blamed the airline's struggles in Newark on a shortage of air traffic controllers in the New York City area. Transportation Secretary Pete Buttigieg pushed back against the criticism while conceding that a key Federal Aviation Administration facility in New York is severely understaffed.

"United Airlines has some internal issues they need to work through. They have really been struggling this week, even relative to other U.S. airlines," Buttigieg told CNN. "But where we do agree is that there need to be more resources for air traffic control."

The FAA plans to hire 3,300 controllers over two years, but they won't be ready to help this summer, much less this weekend.

The leader of United's union pilots—who are locked in difficult contract negotiations—blamed management for the disruptions, saying the company failed to upgrade a crewscheduling system.

"While Scott Kirby attempts to deflect blame on the FAA, weather and everything in between, further flight delays are a direct result of poor planning by United Airlines executives," Garth Thompson said.

United is offering triple pay to flight attendants who are scheduled off this weekend but agree to pick up extra flights, according to their union. The Association of Flight Attendants also said crews calling in for assignments have been put on hold for three hours or longer.

"The airline actually 'lost' crews in the system for days on end because there was such a significant breakdown in running the operation," said Ken Diaz, president of the flight attendants' group at United. He said the company scheduled summer flights "to the max" even knowing about air traffic control limits in the Northeast.

United said it was getting a handle on its problems.

"We're seeing continued meaningful improvement today after an overnight effort to further repair schedules and match separated crews with aircraft," the airline said in a midday statement. "As the recovery progresses, delays and cancellations will continue to decline as we head into what we expect to be a very busy holiday weekend."

Because planes are packed for the summer, it is hard for airlines to rebook customers when flights are canceled—there aren't many empty seats.

Ariana Duran of Orlando, Florida, said JetBlue rebooked her for seven days later when her flight home from Newark was canceled this week. So she got creative.

Her boyfriend spotted a \$1,200 seat on another airline, but it was gone before they could buy it. She looked into Amtrak. Duran, who does marketing for an insurance company, wound up paying about \$640 for a one-way ticket to Orlando—with a stop in the Florida Keys—on United Express and Silver Airways.

Duran didn't care when they told her it would be a very small plane. "Just put me on a boat at this point," she said.

Sonia Hendrix, who runs a public-relations firm in New York, took four days to get home from a business trip to Colorado. She was stranded one night in Atlanta and two in Orlando, when connecting flights were canceled. She woke up some mornings not knowing where she was.

Hendrix said a Delta agent threatened to cancel her reservation when she complained about being offered only a \$50 voucher for her trip troubles. On the other hand, her pilot, "Captain Dan," waited in the airport and helped passengers after the flight was canceled.

"This is not all Delta's fault. Their pilots and flight crews were working very hard," she said. "I blame the FAA. I blame Buttigieg for sitting on his hands" and not staffing up air traffic control centers sooner.

Hendrix said she lost working time and spent \$700 out of pocket. She is so worried it could happen again that she is reconsidering a business trip next month to Los Angeles.

The FAA said Thursday would be the busiest day of the holiday stretch by number of flights. The Transportation Security Administration said it expected to screen the most travelers on Friday—a predicted 2.82 million people.

Scattered showers and thunderstorms may arrive later Thursday in the Northeast, and storms were also forecast farther south along the East Coast through Saturday. The West is under threat of unstable weather for the next several days.

Along with big crowds and storms, a technology issue could add to travelers' difficulties. Federal officials say some airline planes may be unable to fly in bad weather starting Saturday because of possible interference from new 5G wireless service.

American, United, Southwest, Alaska and Frontier say all their planes have been retrofitted with new radio altimeters—those are devices that measure the plane's height above the ground—and they do not expect disruptions due to 5G service.

However, Delta Air Lines has about 190 planes in its fleet of more than 900 that have not been updated because it can't get enough altimeters from its supplier. Delta says it will schedule those planes to avoid landing in poor visibility while it works to upgrade them through the summer.

The issue affects several types of single-aisle planes that Delta uses on routes within the United States, including all its Airbus A220s and most of its Airbus A319 and A320 jets.

Smaller airlines that operate regional flights could also be affected by the radio interference issue, as could flights operated to the United States by foreign carriers.

By early evening in the East, about 5,300 flights had been delayed, down from an average of 8,000 a day over the first three days of the week.

[From insider.com]

GET READY FOR A 'FLIGHTMARE' IF YOU'RE FLYING THIS JULY 4 HOLIDAY

(By Hannah Towey and Pete Syme)

Imagine the entire population of Los Angeles heading to an airport—and then throw in Cincinnati, just for fun.

That's how many Americans are expected to fly over this Independence Day weekend, which travel organization AAA predicts will break records for car and air travel.

And the Transportation Security Administration says 17.7 million people will travel across the country from Thursday through July 5.

It expects Friday to be the busiest day, projecting 2.82 million people will pass through TSA checkpoints—which would beat its all-time single-day record of 2.8 million on June 16.

It's a huge test for the country's strained aviation system, and the results aren't inspiring much confidence so far.

Hundreds of thousands of people have had travel plans thrown into chaos after a wave of storms raked the Northeast in the last week of June and frustrations are running high, with some stranded passengers resorting to sleeping on tables and luggage carts.

One United passenger told Insider they were stuck in Newark Liberty International Airport for two-and-a-half days waiting for their flight to South Africa, ultimately causing them to cancel their trip. Another United passenger said she had to drive hundreds of miles and take another flight to meet up with her bags—and she still couldn't get a hold of her luggage.

On Thursday—which the Federal Aviation Administration predicted to be the busiest day—7,845 flights within, into, or out of the US were delayed or canceled, according to flight tracker FlightAware.

Scattered showers and thunderstorms may arrive in the Northeast, and storms were also forecast farther south along the East Coast through Saturday. The West is also under threat of unstable weather for the next several days.

"Storms are hitting the East Coast at the worst time: right as the July 4th travel weekend begins to takeoff," Scott Keyes, the founder and chief flight expert of Going.com, told Travel + Leisure magazine.

"Expect long lines, few empty seats, and lengthy hold times to get ahold of customer service phone agents," he added.

Chris Citrola, an FAA spokesman, said storms on the East Coast had "positioned themselves in the perfect spot."

"What happens is a domino effect of issues," he added. "We have crews that can't get to where they need to, we can't get crews out of where they need to go to, and that starts turning into a lot of issues at the airport itself."

Along with big crowds and storms, a technology issue could add to travelers' difficulties.

Federal officials say some airline planes may be unable to fly in bad weather starting Saturday because of possible interference from new 5G wireless service.

There's concern that boosted 5G signals could interfere with radar altimeters—sensors which measures how high an aircraft is above the ground, and are essential for flying in low-visibility conditions.

Buttigieg warned of "a real risk of delays or cancellations," because hundreds of planes have yet to be retrofitted with updated sensors.

American, United, Southwest, Alaska and Frontier say all their planes have been updated, and they do not expect disruptions due to 5G service.

However, Delta Air Lines has about 190 planes in its fleet of more than 900 that have not been updated because it can't get enough altimeters from its supplier. Delta says it will schedule those planes to avoid landing in poor visibility while it works to upgrade them through the summer.

The issue affects several types of single-aisle planes that Delta uses on routes within the United States, including all its Airbus A220s and most of its A319 and A320 jets.

And JetBlue said it expects its 17 A220 planes won't be upgraded until October, The Wall Street Journal reported.

Smaller airlines that operate regional flights could also be affected by the radio interference issue, as could flights operated to the United States by foreign carriers.

Buttigieg said that around 20 percent of domestic planes and 35% of international ones which fly to the US aren't yet fitted with the updated equipment, per the Journal.

Backups are easing thanks to a break in the weather, but United Airlines continues to bear the brunt of the disruptions. The airline accounted for approximately 69% of canceled flights in the US on Thursday, per FlightAware. The Chicago-based carrier is poised to lead all airlines in cancellations for a sixth straight day.

Airports in Chicago, Denver, and Newark, New Jersey—all hubs for United—were seeing the most delays on Thursday, according to FlightAware.

United CEO Scott Kirby blamed the airline's struggles in Newark on a shortage of air traffic controllers in the New York City area. Transportation Secretary Pete Buttigieg pushed back against the criticism while conceding that a key FM facility in New York is severely understaffed.

"United Airlines has some internal issues they need to work through. They have really been struggling this week, even relative to other U.S. airlines," Buttigieg told CNN. "But where we do agree is that there need to be more resources for air traffic control."

The FAA plans to hire 3,300 controllers over two years, but they won't be ready to help this summer, much less this weekend.

United is offering triple pay to flight attendants who are scheduled off this weekend but agree to pick up extra flights, according to their union. The Association of Flight Attendants also says crews calling in for assignments have been put on hold for three hours or longer.

A spokesperson for United Airlines told Insider that the carrier has seen "meaningful improvement today after an overnight effort to further repair schedules and match separated crews with aircraft."

"As the recovery progresses, delays and cancellations will continue to decline as we head into what we expect to be a very busy holiday weekend," the spokesperson added. "We're closely watching the weather, especially in Denver and Chicago today, and are hopeful our customers will still see fewer last-minute cancellations—which will reduce lines at the airport."

Mr. ROSE. Mr. Chair, with thousands of Fourth of July vacations lying in ruins, it is vitally important for accountability as to what went so catastrophically wrong with our Nation's aviation transportation system.

That is why I was proud to author my amendment to require the GAO to report to Congress on the actions of the Secretary of Transportation and

the Administrator of the Federal Aviation Administration related to this travel nightmare.

Mr. GRAVES of Missouri. Mr. Chair, I have no further speakers at this time.

Mr. Chair, I urge my colleagues to support this en bloc amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

The Acting CHAIR (Mr. ROSE). It is now in order to consider amendment No. 7 printed in part A of House Report 118-147.

AMENDMENT NO. 10 OFFERED BY MR. LANGWORTHY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 118-147.

Mr. LANGWORTHY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 546 (and redesignate the subsequent section accordingly).

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from New York (Mr. LANGWORTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. LANGWORTHY. Mr. Chairman, I yield myself such time as I may consume.

In 2009, Colgan Air Flight 3407 crashed in Clarence, New York, a community in my district in western New York, killing 49 passengers and 1 person on the ground.

As a congressional staffer at the time, I was there on the ground at the crash site. I saw firsthand the sights and the sounds and the grief of the victims' families as they grappled with the reality that their loved ones were gone. The crash was ruled a result of pilot error.

A year later, those families successfully fought to implement a set of enhanced safety standards, including requiring pilots to obtain 1,500 hours of training. The results are indisputable. Since its enactment, domestic airline fatalities have dropped 99.8 percent. Simply put, they are working, and our skies are the safest they have ever been.

My amendment protects the integrity of the 1,500-hour flight training requirement in the face of efforts to lower pilot training standards and jeopardize the safety of passengers and crew alike.

As Captain Sully Sullenberger, the miracle on the Hudson pilot, has said, while simulators have their place for experienced pilots, they are not a replacement for in-the-sky training, and this requirement must be protected.

Our job as elected leaders is to protect public safety and to help ensure

that no other family suffers the heart-break of losing a loved one to an avoidable air tragedy.

Mr. Chair, I urge my colleagues to support my amendment here today to maintain high-quality training standards for our commercial pilots, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I rise in opposition to amendment No. 10 offered by Mr. LANGWORTHY.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is hard to even know where to begin. The sad thing about it is that very few people have actually read the report on what happened to Flight 3407.

Starting out, I have to say that I don't question anybody's motives on whether they oppose or support, or whatever the case may be. The sad thing about it is the wrong questions are being asked.

Now, what we are trying to do does not in any way change or weaken the 1,500-hour rule. What we are trying to say is that simulator time—which you can simulate anything—should be used in training pilots.

I am an ATP, and I will kind of explain how that process works. You get your private pilot certificate, and then you move on to your commercial certificate. After an instrument rating, you get the single-engine commercial rating, the multiengine commercial rating, and then you move on to the ATP. It stands for airline transport pilot, and I have that rating. I have flown all the profiles that anybody would have to go through to achieve an ATP.

What is interesting in this whole process is that if you take a look at the recommendations that came out of the investigation when it comes to Flight 3407, the Buffalo accident, you have to wonder—again, this is where the wrong questions are being asked.

The pilot had 3,379 total hours before the accident. This pilot failed six checkrides, and not just checkrides that were recurrent. He failed his initial instrument checkride. He failed his commercial single-engine checkride. He failed his commercial multiengine checkride. He failed at the Gulfstream Academy when he was checking out in Gulfstreams. He failed his checkride in the Gulfstream. He failed his ATP checkride and had to do remedial training. Then, ultimately, when he was upgraded to the plane that was in the accident, he failed his sixth checkride.

He didn't fail some of his checkrides when he advanced from one rating to the next. He failed all of them and had to go to remedial training.

I ask whether you would get on an airline or a flight or put your family on a flight if you knew that the captain had failed all six checkrides as he advanced through his process. No, you

wouldn't, not in a minute. Would you get on a flight if it was recommended that the pilot have remedial training?

Here we are with a simulator. You can simulate anything. I remember one of my simulator profiles, one of my simulator flights. We were coming in. I was doing an approach and lost my autopilot as a result, so I had to hand-fly the approach—zero visibility, 200-foot ceiling, which is at the minimum.

As I am on approach, I lose sight of the runway because the ceiling comes down. I have to execute a go-around to reestablish my approach. This is all being done in the simulator.

As I am executing my go-around, I lose an engine. I have to execute a go-around with one engine to minimums, and I have to get it on the ground in zero-zero visibility.

You can't simulate that in a real airplane. You can't simulate any of this, any emergency, in a real airplane.

First of all, in an airliner, that means the airplane is going to have to be taken down because it is going to have to be checked. If you do stalls in a full-blown airliner, you are going to have to take that aircraft down to have the airframe inspected because of the stress that is put on it.

Now, what I do want to point out is ALPA, the airline association that represented the pilots, I got on their website and found it fascinating. One of the things that they like to point out—I am glad they were part of the board that was the ARAC. That is the Aviation Rulemaking Advisory Committee, which is who we established to make recommendations on exactly how much simulator time we should add. They co-chaired the ARAC when it came to investigating this accident.

Do you know one of the things that they tout, one of the things that they are very proud of on their website that they push? When it comes to one of the recommendations made by the NTSB, additional training on upset prevention and recovery, a new certification training program course requirement. These new simulator-based training requirements also include performing manual controlled maneuvers, procedures, slow flight—all these things. They actually endorsed more simulator training because you can simulate anything.

Today's simulators, by the way, are far and above what they were just 10 years ago.

I also have the testimony that the NTSB gave in the Senate hearing. It is unfortunate, Mr. Chairman, because the testimony in the Senate hearing says it all.

Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The time of the gentleman has expired.

Mr. GRAVES of Missouri. Mr. Chairman, I urge my colleagues not to support this amendment.

Mr. LANGWORTHY. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BERGMAN), one of only two commercial airline pilots in Con-

gress with more than 20,000 flight hours.

Mr. BERGMAN. Mr. Chairman, as a former commercial airline pilot with more flight hours than pretty much almost anyone in Congress, so I have been told, I value safety first, safety second, and safety third. I am proud to stand with Representative LANGWORTHY in support of his amendment.

The substitution of simulator time—while you could argue that simulators are better today, yes, they are—for a reduction in actual flight time provides no substantive benefit to a prospective pilot.

While some may say that pilots only build hours by spinning around in circles in the sky, I say that is patently false and portrays a pilot workforce that Congress relies on each and every day of the week in a very negative way.

Pilots have a variety of options when it comes to building hours, and we should not assume every pilot will always do the bare minimum. In fact, I have seen pilots always do the extra just to make sure they got it right.

Congress should not be reducing safety and statutory flight hour requirements under the assumption that somehow this will make pilots gravitate toward regional airlines for employment. It won't.

Mr. Chairman, I thank the gentleman, and I offer great support for his amendment.

Mr. LANGWORTHY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HIGGINS), my friend and colleague.

Mr. HIGGINS of New York. Mr. Chairman, as the Congressman has said, prior to the crash in February 2009, we were of the belief that if the plane said Continental, it was operated by the national carrier. It wasn't true. It was operated by a regional carrier, and there were two levels of safety, the larger carrier's 1,500 hours for pilots, and the regional carrier's, in the case of this flight, 750 hours.

The National Transportation Safety Board did a thorough investigation of the crash site and the circumstances surrounding it and made an unequivocal conclusion that it was pilot error. The plane went into an aerodynamic stall. The pilot did exactly the opposite of what they should have done.

The plane pitched. It descended. As Mr. LANGWORTHY has said, 49 people died, including 1 individual on the ground.

Since that change was made, commercial aviation fatalities decreased by nearly 100 percent. We ask that the 1,500-hour pilot training rule be sustained in the FAA reauthorization.

□ 1415

Mr. LANGWORTHY. Mr. Chair, I yield 1 minute to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Chair, Americans do not expect to take their life into their own hands when they board a regional flight. They expect to be safe no matter where they travel in the air.

Since the 1,500-hour flight requirement was passed in response to the tragic 2009 Colgan Air Flight 3407 crash in Clarence, New York, the success of the policy speaks for itself.

American airspace is among the safest in the world, with a 99.8 percent reduction in passenger airline accident fatalities since 2010. This is why most pilot groups oppose any dilution of the flight-hour requirement.

It is vital that our pilots have full competence in the high-stakes environment of a cockpit in flight. I urge my colleagues to vote “yes” on Langworthy amendment No. 5 and stand with the flying public and the Colgan Air Flight families.

Mr. LANGWORTHY. Mr. Chair, we put our lives in the hands of our airline pilots, and we should apply the same standard of safety and training that Americans have come to trust and to expect.

I strongly urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. LANGWORTHY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

#### RECORDED VOTE

Mr. HIGGINS of New York. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

#### AMENDMENT NO. 23 OFFERED BY MR. DONALDS

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 118-147.

Mr. DONALDS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:  
**SEC. \_\_\_\_ APPRENTICESHIP PROGRAM FOR PILOTS.**

(a) DEFINITIONS.—In this section:

(1) APPRENTICE.—The term “apprentice” means a student enrolled at a flight school.

(2) FLIGHT SCHOOL.—The term “flight school” means a flight academy certified under part 141 of title 14, Code of Federal Regulations.

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

(b) ESTABLISHMENT.—The Secretary, in consultation with flight schools and other industry stakeholders, shall establish an apprenticeship program with flight schools to establish a pipeline of qualified and interested individuals to become commercial pilots.

(c) SELECTION.—Under the apprenticeship program established under subsection (b), each flight school participating in the apprenticeship program established under subsection (b) may select up to 8 applicants to flight school to serve as apprentices each academic year.

(d) CURRICULUM AND REQUIREMENTS.—

(1) IN GENERAL.—To graduate from an apprenticeship program established under sub-

section (b), an apprentice shall satisfy any relevant requirements and minimum curriculum under part 141 of title 14, Code of Federal Regulations (or successor regulations), including all curriculum under subpart C of such part.

(2) MINIMUM REQUIREMENTS.—Nothing in this Act prevents a flight school from imposing additional requirements, such as modifying the terms of service of the apprenticeship program, on an apprentice taking part in an apprenticeship program established pursuant to this section.

(e) OPTIONAL PROGRAM.—A flight school may choose not to participate in an apprenticeship program established under this section.

(f) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to implement this Act.

(g) INCENTIVIZING RETIRED PILOTS.—The Secretary shall take such actions as may be appropriate to develop methods to incentivize pilots, including retired military pilots, retiring airline pilots, and graduates of the apprenticeship program established under this section, to become instructors at flight schools, including through the development of pathway programs for such pilots to gain initial qualification or concurrent qualification as certified flight instructors under part 61 of title 14, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Florida (Mr. DONALDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DONALDS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my amendment, which establishes a voluntary pilot apprenticeship program for students at Part 141 flight schools.

Up front, I will stress that this amendment has wide bipartisan support, and providing yet another option to bolster the pilot pipeline shouldn't be a partisan issue. Specifically, for the proposed apprenticeship program, up to eight students enrolled at Part 141 flight schools would be eligible for a new apprenticeship program each academic year.

To emphasize, this is a voluntary program, meaning flight schools can choose to participate. Members might ask: Why establish an apprenticeship program at flight schools?

There are several reasons:

First, apprentices will receive an airline standard of training and will also be provided flexibility in pursuing career aviation opportunities.

Second, the bill will incentivize individuals that have an interest in aviation to attend their local flight schools, which in turn will provide a greater opportunity to bolster the pilot pipeline and a certified flight instructor pipeline simultaneously.

Third, this isn't a one-size-fits-all approach. The amendment provides flexibility to establish an apprenticeship program that fits the needs/curricula of the individual flight schools themselves. After all, a flight school in southwest Florida may have completely different operations compared to a flight school in Alaska.

Moreover, there are approximately 600 Part 141 flight schools in the United States today; however, only approximately 250 of these flight schools are active in a large way.

This amendment includes provisions to incentivize retired airline pilots and retired military pilots to give back, specifically by directing the Secretary of Transportation to develop methods to establish an expedited path that will allow retired pilots to become certified flight instructors. After all, the value of their decades' worth of experience speaks for itself.

Mr. Chair, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would create an apprenticeship program for individuals seeking to become commercial pilots.

I do want to say I am very pleased to be able to support many of Representative DONALDS' amendments to the bill, working in a bipartisan manner.

This one I just couldn't come to a place where I am comfortable, but certainly as a long-time supporter of aviation and STEM-related apprenticeships, I do appreciate the intent of Representative DONALDS' amendment. However, it is duplicative of several provisions in the underlying bill that already bolster the pilot pipeline.

This authorization already triples the funding for FAA's Aviation Workforce Development Grant programs, which funds aviation apprenticeship programs. It creates the Willa Brown Aviation Education Program, which could fund apprenticeship programs focused on underrepresented communities and creates a National Center for the Advancement of Aerospace, an independently, federally chartered non-profit entity to administer grants to establish apprenticeships for aviation careers and serve as a centralized resource to provide comprehensive information on aviation apprenticeship opportunities.

I earlier adopted an amendment in the en bloc amendment that was sponsored by Representatives SCHRIER and GOODEN to help veterans transition into the commercial pilot world. Apprenticeships are already well covered in this underlying bill.

Mr. Chair, I oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. DONALDS. Mr. Chair, I yield 2 minutes to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Chair, let me start by saying, I commend Chairman GRAVES, Ranking Member LARSEN, and Ranking Member COHEN on a very successful bipartisan FAA reauthorization bill.

One of the issues that I feel very adamant about is addressing the pilot shortage, which is crippling the air industry. According to the Bureau of



Labor Statistics, it is projected that 14,500 pilots will be needed every year through the year 2030. Some other outlets have estimated the number to be even higher.

For this reason, I am proud to co-sponsor the Pre-Pilot Pathway Act by my friend BYRON DONALDS. This commonsense amendment requires the Secretary of Transportation to establish a voluntary apprenticeship program at Part 141 flight schools around the country.

More importantly, this program incentivizes retired pilots, those who are often the most experienced—the guys with the gray hair around the temple—to remain involved in the industry and train the next generation of pilots.

Mr. Chair, I support the amendment, and I urge adoption as one of the critical ways to support our pilots and alleviate the pilot shortage.

Mr. LARSEN of Washington. Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. DONALDS. Mr. Chair, I am prepared to close.

Mr. Chair, this is a great amendment with strong bipartisan support. I ask Members to support this amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DONALDS).

The amendment was agreed to.

AMENDMENT NO. 27 OFFERED BY MR. FEENSTRA

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 118-147.

Mr. FEENSTRA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 316, after line 3, insert the following:  
(d) EXCEPTIONS.—The Administrator shall ensure that the requirements described in subsection (a) do not apply to nonhub airports, as such term is defined in section 40102 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Iowa (Mr. FEENSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. FEENSTRA. Mr. Chair, I rise today in strong support of my amendment No. 27, which gives rural airports in my district the flexibility they need to serve their passengers, maintain their workforce, and remain solvent.

Our local airports in Sioux City, Iowa, Fort Dodge, Iowa, and many other locations connect Iowans to the rest of the country and to the world. We cannot allow government mandates to suffocate our rural communities and threaten the existence of our small airports.

Under current law, rural airports provide the staff they need to keep our passengers safe. Injecting the Federal Government into hiring decisions would only make rural communities harder to reach.

By giving our local airports breathing room to manage their budgets and their operations, they can better hire new employees and keep costs low for passengers.

Born and raised in rural Iowa, I know that our rural airports are important to our economic development across the Midwest.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I oppose this amendment because it would create an exemption for nonhub airports from the requirement to have at least one individual who maintains certification as an emergency medical technician, or EMT, during carrier operations.

This amendment poses a safety risk that would be detrimental to passengers. Unlike what the proponent said about the Federal Government imposing an employment requirement on an airport, this is actually a single safety standard that applies to all airports, that there be a certified emergency technician to respond to emergencies at all airports.

It is, indeed, a national standard, but one done for safety, especially in support of passenger carrying air carrier operations.

In the event of a medical emergency that occurs at the airport or on a flight, passengers and airport workers should receive care as quickly as possible regardless of where they are flying to. Having an EMT available at the airport could mean the difference between life and death in the event of an emergency.

All passengers should be reassured that even if they are traveling out of or through a nonhub airport, they have the same safety precautions at that airport as they do at all airports in the United States.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. FEENSTRA. Mr. Chair, I am prepared to close. I urge my colleagues to think through this great amendment. Think about these small airports and the burden that this would project on each of these airports to have a special person that handles just the concerns of things that might happen once every 10 years or whatever it might be.

There are people that are already hired that can handle these situations. Again, these small rural airports cannot be like the large urban airports. It just doesn't work that way.

Mr. Chair, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, as a Member of Congress who represents several small rural airports, including ones that are isolated on islands, I appreciate the argument that the gentleman from Iowa has been making. Yet, given the fact that I have a district with some of the same circumstances, even airports that are isolated on islands, I still believe that there needs to be EMTs available in the event of emergencies at these nonhub airports. I want one safety standard for the country, and I urge my colleagues to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

□ 1430

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. FEENSTRA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. FITZPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 118-147.

Mr. FITZPATRICK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 464, after line 5, insert the following:

(e) INSTALLATION OF SECONDARY COCKPIT BARRIERS OF EXISTING AIRCRAFT.—Not later than 36 months after the date of the submission of the report of subsection (d), the Administrator of the Federal Aviation Administration shall, taking into consideration the final reported findings and recommendations of the aviation rulemaking committee, issue a final rule requiring installation of a secondary cockpit barrier on each commercial passenger aircraft operated under the provisions of part 121 of title 14, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Pennsylvania (Mr. FITZPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Chair, I rise today in favor of my amendment to H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act.

Mr. Chair, 22 years ago this fall, our Nation watched in horror as senseless acts of terror were committed on American soil. That tragic day, our vulnerabilities were exposed when terrorists forcefully took control of passenger airplanes and fatally turned them into guided missiles.

We lost 2,977 mothers and fathers, brothers and sisters, husbands and wives, on that day. Mr. Chair, we also lost one of my constituents, Captain Victor J. Saracini, who was the pilot of United Flight 175, which was hijacked. The entire world watched in horror as that plane flew into the South Tower.

We also lost our misguided sense of protection in an increasingly dangerous world, as well.

Our Nation and this Congress resolved that after September 11 that we would take every action necessary to remember those we lost and to fulfill our promise and our solemn pledge of “never again.”

Since coming to Congress, I have fought nonstop for the installation of secondary cockpit barriers on all commercial passenger aircraft. Alongside my constituent and friend, Ellen Saracini, and countless Members of Congress from both Chambers and both sides of the aisle, we have raised awareness and advocated for this measure to make our skies and our passengers and flight crews much more safe.

In 2018, Congress took one step in the right direction and included a rule-making requirement for secondary barriers on newly manufactured aircraft.

Mr. Chair, my amendment today builds on that effort by directing the FAA to issue a final rule extending the requirement for secondary cockpit barriers to all commercial passenger aircraft. This commonsense, low-cost safety measure will protect the integrity of the flight deck and prevent dangerous and hostile individuals from accessing the cockpit.

Mr. Chair, Congress has a solemn obligation not just to the victims and survivors of 9/11 but to our pilots, to our flight crews, and to our passengers and their families to implement this safety measure on all commercial passenger aircraft as soon as possible.

I am grateful to my bipartisan colleagues, as well as Chairman GRAVES, the committee, and the amazing staff that serve on it for their support of this critical national security issue.

Mr. Chair, I urge all my House colleagues to adopt my amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to the amendment, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. LARSEN of Washington. Mr. Chair, the FAA recently issued a final rule on requiring secondary barriers to protect the flight deck in newly manufactured aircraft. The underlying text of this bill creates a rulemaking committee to consider how to apply this requirement to existing aircraft, and this amendment adds a rulemaking requirement to that text.

Secondary barriers are a critical tool to keeping our pilots and flight decks safe and secure in the event of a horrible, horrible intrusion.

Mr. Chair, therefore, I rise to support this amendment, and I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Chair, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FITZPATRICK. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 33 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part A of House Report 118-147.

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 261 and insert the following:  
**SEC. 261. AIR TOUR MANAGEMENT PLANS.**

Section 40128(b) of title 49, United States Code, is amended—

(1) in paragraph (3)—  
(A) in subparagraph (A) by striking “in whole or”;  
(B) in subparagraph (E) by striking “and” at the end;

(C) in subparagraph (F) by striking “through (E)” and inserting “through (F)”;  
(D) by redesignating subparagraph (F) as subparagraph (G);  
(E) by inserting after subparagraph (E) the following:

“(F) shall consider the economic viability of commercial air tour operations that would result from an air tour management plan; and”;

(2) in paragraph (4)—  
(A) in subparagraph (C) by striking “and” at the end;

(B) in subparagraph (D) by striking the period and inserting “; and”; and  
(C) by adding at the end the following:

“(E) consult with the National Parks Overflights Advisory Group established pursuant to section 805 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note).”; and

(3) by adding at the end the following:

“(8) EXISTING AIR TOUR OPERATORS.—Beginning on the effective date of a new air tour management plan, a commercial tour operator carrying out operations within the boundaries of a national park or tribal area as of such date may not be prohibited from operating pursuant to such plan.”.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise in support of my amendment No. 33, prohibiting changes to existing air tour management plans, or ATMPs.

This amendment would prohibit air tour management plans for national parks from completely banning air tour operations over the parks. Additionally, this amendment requires an air tour management plan to take into consideration the economic viability of commercial air tour operators.

While the ATMPs do real economic harm to the operators, it is also discriminatory against visitors who choose to experience the national parks by aerial sightseeing.

As we move past the pandemic years, many national parks saw their resources strained by the large number of visitors as the public began to travel again. Air tours are an important option for many visitors conducting a once-in-a-lifetime trip to see such famous landmarks.

Visitors taking advantage of air tours benefit by avoiding traffic, wait times, and walking trails that are inaccessible for the disabled or elderly, while reducing congestion and demand on park infrastructure.

The national parks should be available for all visitors to see. Limiting flights over the park unfairly limits the elderly, very young, disabled, and others to experience the park. Limiting flights over the parks is discriminating to those who might not have the resources, time, and physical ability to see them any other way.

Like ground-based tours, air tours are a valid part of our visitor experience, providing a unique window from which we can share our cultural, historical, and environmental sites with the world.

Air tours require no ground-based infrastructure at the park, which allows visitors accessibility without the need for roads, trails, signs, bathrooms, garbage cans, or other services.

By further restricting an already limited number of allowable air tours, we are reducing opportunities to access our parks in a way that leaves little to no environmental footprint or disturbance. Through carbon offset efforts and strict altitude requirements to control noise, just to name a few, air tour operators are working to ensure they have responsible stewardship of the Nation's parks.

Typically, operators pay a fee each time an air tour flies within the park boundary. The National Park Service collects hundreds of thousands of dollars in revenue each year from these air tour flights. Air tours require no infrastructure, leaving the bulk of overflight fees to go toward those supporting services that benefit the public.

If overflight access is removed completely, it removes the ability to use new technologies like electric aircraft.

Mr. Chair, I urge my colleagues to support amendment No. 33, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment requires the FAA to consider the economic viability of commercial air tours over national parks.

In 2022, the National Park Service recorded 312 million recreational visits to our national parks. This number reflects the overwhelming significance our parks have to the American public. They serve as a place of recreation, a place used to teach new generations about conservation and wildlife, and a place to admire the beauty of our great outdoors in the U.S.

National park air tour management plans are in place to help protect the sanctity of our parks from incessant helicopter overflights, which can disrupt both the wildlife and the natural beauty of the parks visitors enjoy.

Mr. Chair, I urge everyone to protect our parks from the noise and disturbance of increased helicopter tours by voting "no" on this amendment.

This amendment would require air tour management plans to consider profits in the development of those plans, which would undoubtedly increase the number of helicopters flying above our parks. This runs contrary to the original purpose of these management plans, which is to protect the integrity of the parks.

Helicopter tours are an incredible way to see national parks for the privileged few, but they simultaneously degrade the park experience for the vast majority of other park visitors.

Our national parks were created as a public good, to preserve our natural wonders for all Americans to enjoy. We must not erode that in favor of tour profits and those who can afford to pay.

Mr. Chair, I reserve the balance of my time.

Mr. GOSAR. Mr. Chair, I yield such time as he may consume to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Chair, every person should have an opportunity to view and experience our amazing national parks, whether it is Mount Rushmore, whether it is select areas in Hawaii, or whether it is the Grand Canyon.

I can't remember the last time somebody in this room or anybody has ever tried to walk it, if you have ever tried to walk it. I bet you there are people up in this gallery who have been to Las Vegas before, and they see these beautiful helicopters that give you an opportunity to view the beautiful Grand Canyon, that big hole in the ground. You can do it, and you can do it safely and effectively through a helicopter.

The ranking member just mentioned that it supports the privileged few. I would argue that for the disabled and elderly, how else are they going to get there? That is not the privileged few. It is right for grandma and grandpa that may want to go and view the Grand Canyon or Mount Rushmore. It makes no sense what we are trying to do here.

Air tours are often the only way that disabled and elderly are allowed to see

our national parks. It is regulated by the FAA, and these operators have a great safety record.

Unfortunately, the Biden administration is attempting to limit the number of air tours at a number of our national parks, all at the request—go figure, no surprise—all at the request of certain environmental stakeholders. This is irresponsible. It is un-American.

Also, air tour operators oftentimes, in the off-season—don't forget what they do in the off-season—partner with Federal, State, and local governments to help fight wildfires.

They are great Americans. We need to continue to support them. I ask my colleagues to support Representative GOSAR's amendment.

Mr. LARSEN of Washington. Mr. Chair, before I yield to my good friend, Representative CASE from Hawaii, I would note that he is a great American, and I do think that the debates here on the floor of the House are a reflection of being great Americans as opposed to being un-American.

Mr. Chair, I yield 3 minutes to the gentleman from Hawaii (Mr. CASE).

Mr. CASE. Mr. Chair, our national parks are among our most universally supported and treasured institutions, and they cannot survive in an atmosphere of incredible popularity. We simply must find accommodations to protect the basic principles and qualities of those parks for which we treasure them so much.

One of the areas where we have significant problems is in overuse of our parks by commercial air tour operations, which severely degrade some of our parks and have the risk of degrading all of our parks for a number of different reasons, whether they be environmental, whether they be protection of our natural resources, or whether they be visitor enjoyment. Fundamentally, commercial air tours overflying a national park with noise and other disruption on the ground does degrade the park experience for the many who enjoy them in that way.

There is no right to overfly our parks. Now, I concede and agree that there is some reasonable area and use for commercial air tours. I certainly want those that cannot experience our parks to experience them in this way, and I certainly believe that they have a place in our parks, but not where they are today and not where they are going.

We recognized this challenge 23 years ago in this Congress by passing a law which essentially required air tour management plans, which accommodated all interests, and those plans are now coming to fruition. This amendment is on the floor because the sponsor and others do not like the results, which accommodate air tour operations in the vast majority of our parks.

□ 1445

This process has been a good one, a difficult one, one in which the opera-

tors have participated. They will continue to have a place under these plans, a reasoned place. The fact that some of them don't like the outcome does not mean that the process is not a valid process.

This process should be continued to its conclusion. It should be accommodated. It should be implemented in a way that is reasonable to all.

This amendment destroys that process and would degrade our parks to the detriment of the vast majority of the people who enjoy our parks.

Mr. Chair, I urge opposition to the amendment, and I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, having had these tour operators in Arizona, they have moved technology to quiet air, and you can barely hear these planes. You can be right next to them, these quiet air turbines, and you don't even hear them.

To say that they are disrupting to the environment, that just does not happen. From that standpoint, I urge everybody to vote for this amendment. It is a smart idea, and this is the way to go.

Mr. Chair, I urge everybody to vote for my amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, there has been a good debate on this bill. Clearly, there is a difference of opinion, and clearly, there are experiences where helicopters and helicopter tours do disrupt the wildlife, other visitors, and the people around national parks.

Mr. Chair, I ask all the Americans in this body to vote "no" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CASE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 35 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part A of House Report 118-147.

Mrs. MILLER of Illinois. Mr. Chair, I rise as the designee for amendment No. 35.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, insert the following:

SEC. 8\_\_\_\_. INSPECTOR GENERAL INVESTIGATION OF DECISION TO INCREASE THE PERMISSIBLE ELECTROCARDIOGRAM RANGE FOR AIRMEN TO FLY.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall

conduct an investigation into the decision of the Federal Aviation Administration to increase the permissible electrocardiogram (ECG/EKG) range for airmen to fly.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chair, this amendment requires the inspector general to investigate the FAA's decision to broaden the acceptable EKG range for pilots to fly.

Mr. Chair, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would require the DOT inspector general to investigate the FAA's decision to increase the electrocardiogram, or EKG, range that is permissible for pilots.

This amendment follows a change made by the agency last October to increase the allowable range of an EKG result from 200 to 300 milliseconds without requiring further documentation from the pilot.

The FAA's change in the allowable EKG result range was based on scientific data from cardiovascular experts documented in the public domain. Such data shows that an EKG result under 300 milliseconds indicates that the pilot has no real risk of sudden heart failure if there are no other medical issues.

Medical standards and recommendations have always evolved over time as medicine becomes more advanced and health professionals learn new information. The FAA should take advantage of the latest guidance from medical experts to ensure these guidelines for pilots are as safe as possible.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. MILLER of Illinois. Mr. Chair, I urge support of amendment No. 35, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, in closing, I will say that the FAA's action, despite some claims, was not taken in response to any change in pilot medical conditions or heart health due to having received the COVID vaccine. That has been a claim in less scientific circles. This decision was made based on science, using the experts, using science, and using data.

Mr. Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 36 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part A of House Report 118-147.

Mrs. MILLER of Illinois. Mr. Chair, I rise as the designee for amendment No. 36.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add at the end:

**SEC. \_\_\_\_\_. REINSTATING PILOTS.**

The Administrator of the Federal Aviation Administration shall take such actions as are necessary to require air carriers to reinstate any pilot who was fired or forced to resign because of a COVID-19 vaccine mandate.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chair, this amendment requires airlines to reinstate pilots who were fired or forced to resign because of vaccine mandates.

Mr. Chair, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim time in opposition to the amendment.

The Acting Chair. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would direct the FAA Administrator to require air carriers, airlines and others, to reinstate pilots that may have lost their jobs because of noncompliance with a COVID-19 vaccine mandate.

The FAA cannot direct air carriers on hiring decisions like this. It cannot require air carriers to hire specific individuals. This amendment simply is not implementable.

Is that where we are going with this bill, to let the FAA make hiring and firing decisions for these private aviation companies?

Furthermore, this amendment revives an unnecessary debate on COVID-19 vaccine mandates, one that we had 3 years ago. This is an unwelcome distraction from this very substantive reauthorization discussion on this bill that will enhance safety and the aviation workforce.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. MILLER of Illinois. Mr. Chair, I urge the adoption of this amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, the FAA does not really have a role to play in telling air carriers to hire the folks back. It is not an amendment that is implementable. I am a lit-

tle flummoxed by it myself. However, I encourage my colleagues to vote against this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. HUIZENGA

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part A of House Report 118-147.

Mr. HUIZENGA. Mr. Chairman, I have an amendment made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 626, line 2, strike "and".

Page 626, after line 2, insert the following (and redesignate accordingly):

(B) in paragraph (4)(B) by inserting "the Department of Defense, the National Guard," before "or"; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Michigan (Mr. HUIZENGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA. Mr. Chairman, I rise in support of my amendment to better secure our advanced air mobility future.

The Advanced Air Mobility Infrastructure Pilot Program that is currently in law provides grants to airport sponsors, transit agencies, or other government subdivisions to develop comprehensive plans to advanced air mobility infrastructure.

Under current law, the Secretary of Transportation is required to prioritize awarding grants to eligible recipients that collaborate, with a few criteria. Here are those criteria: that they are a commercial advanced air mobility entity, that they are an institution of higher education, that they are a research institute, or that they are some other relevant stakeholder in this process.

Mr. Chair, my amendment is very simple. It adds the Department of Defense and the National Guard to this list of eligible recipients. There are many qualified airports throughout the Nation that already have a DOD or National Guard presence that are ready to innovate and help develop drone and related infrastructure.

This amendment is a small way to help ensure DOD and the National Guard have a voice in this important future-looking endeavor, especially given that our men and women in uniform likely have expertise in this area.

Not only will they help develop this technology with their expertise, but they will literally be on the front lines of utilizing this technology.

Mr. Chair, I am glad that the underlying legislation takes steps to extend this pilot program, and I urge my colleagues to support my amendment to add the Department of Defense and the National Guard to those lists of entities that are eligible.

Mr. Chair, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I am happy this amendment is coming up because I hope the gentleman from Michigan will vote against a further amendment that may come up later tonight that will get rid of this program altogether, this vertiport infrastructure grant program.

Mr. Chair, I am glad he likes it enough to add to it, and I hope others feel that way, too, so we can protect the basis of this program. I know all about it because I wrote the bill to actually create this program in the first place. It was done with a very specific purpose in mind, and the gentleman noted the criteria involved—to help State, local, and Tribal governments be part of the advanced air mobility future. We were very clear about that.

Another thing we were very clear about when we wrote that bill and got it into law was to ensure that it was as neutral as possible when it came to any number of the advanced air mobility companies that were seeking to develop and get certified by the FAA and operate within the United States.

Prioritizing the grants awarded under the AAM infrastructure program to entities that collaborate with the Department of Defense or the National Guard would actually put a thumb on the scale for the three companies that are actually involved with this effort with the DOD.

There are many other AAM companies that are not involved with the DOD, and this would put these companies sort of at a head start over these others.

Since its inception in 2019, as a for instance, the U.S. Air Force's Agility Prime program has focused on the potential defense applications of eVTOL aircraft, or electric vertical takeoff and landing aircraft, and what we call on the commercial side of things, AAM.

Through Agility Prime, the DOD partners with these industry leaders and key stakeholders to examine the airworthiness and military uses for AAM aircraft and necessary infrastructure to support strategic cargo and personnel transport. In fact, that program within the DOD has awarded over 20 contracts, totaling more than \$100 million, to very innovative aviation companies to further develop their ad-

vanced aircraft as they work toward civil certifications and commercial operations, but doing that with the help of the Department of Defense.

Mr. Chair, I support fostering this U.S. innovation, but this amendment would prioritize the funding through the AAM Infrastructure Pilot program, which funds State and local government planning efforts for future civil AAM infrastructure and operations, to efforts that are being addressed under Agility Prime.

There is a place to do this. It is called DOD's military construction budget. We just passed an authorization of nearly \$886 billion last week out of the House of Representatives. Surely, there are a few dollars in that budget for the DOD to use to improve the taxiways and the aprons at these joint sites that the National Guard and the Air Force use with civilian airports rather than go after the really fairly small amounts that are available in these transportation planning grants that we were able to get through the AAM infrastructure planning grant.

□ 1500

I would just tell folks there is a place for these companies to go. It should not be these planning grants. It should be the DOD construction budget.

Besides, if we do that, it will give these particular companies a head start over many other companies, and, frankly, in fact, the cities and counties [that are trying to access these grants already.

Mr. Chair, I reserve the balance of my time.

Mr. HUIZENGA. Will the gentleman yield for a question?

Mr. Chairman, I was trying to get the gentleman's attention to see if he would yield for a question about his opposition.

So would the gentleman care to answer a question?

Mr. LARSEN of Washington. Mr. Chairman, is it my time or his time he is going to use?

Mr. HUIZENGA. It is currently my time. I guess my question to the gentleman is—this is very short—it says—literally it is a sentence—“in paragraph 4(b) by inserting ‘the Department of Defense and the National Guard’ before ‘or’”—I don't see anything in there in my amendment that will bias the Secretary of Transportation to only utilize fields that have a DOD or National Guard presence. In fact, the opposite could be argued, that those fields, because they have a DOD or a National Guard presence, would somehow be excluded from the gentleman's pilot program.

So, Mr. Chairman, I am happy to yield to him very briefly if he cares to answer what his opposition is.

He doesn't care to address that, which indicates to me that he is either unsure or doesn't know or that I might be right in that.

Anyway, I still do believe that if we are having a pilot program then it

ought to be open to more of our fields and not fewer of those fields.

Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I understand I have the right to close on this argument, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Michigan has 2 minutes remaining.

Mr. HUIZENGA. Mr. Chairman, I yield 1 minute to the gentlewoman from Puerto Rico (Mrs. GONZÁLEZ-COLÓN).

Mrs. GONZÁLEZ-COLÓN. Mr. Chairman, I rise in support of Mr. HUIZENGA's amendment. I think it is logical what he is saying.

I rise, again, in strong support of my amendment to this bill, as well, No. 31, to seek to identify ways in which Puerto Rico can further increase air cargo operations in our three international airports, and thus, better serve domestic and international stakeholders and consumers.

Specifically, this amendment authorizes a GAO report that will look at recommendations for security measures that may be necessary to support increased air cargo operations in Puerto Rico, airport infrastructure improvements that may be needed, alternatives to increase private stakeholder engagement, and the potential need for additional staff.

Airports are drivers of economic activity across our country. My amendment will support Puerto Rico and the Nation as we continue to find ways to generate greater opportunities for financial and infrastructure investments.

This section requires an assessment from the FAA on the resiliency of coastal airports, including those on our island.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. HUIZENGA. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman from Puerto Rico.

Mrs. GONZÁLEZ-COLÓN. Mr. Chairman, I thank my colleagues for supporting en bloc No. 2, and I urge support for the underlying bill.

Mr. LARSEN of Washington. Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, in closing, I, again, appeal to my colleagues. I believe this is a common-sense amendment to a pilot program.

I can assure the gentleman that, yes, if my amendment is adopted on this then I will also be voting against an amendment that would end the underlying pilot program. I think he will have many others of us doing the exact same thing. So the gentleman can help himself, Mr. Chair, if he would be willing to accept my amendment, but that is up to those in opposition.

Mr. Chair, I appeal for approval of my amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, to close, I assure the gentleman that, first, I am 100 percent sure that his amendment will dilute the original grant program. I am 100 percent sure there are other ways to finance this, especially through a very large MilCon budget that passed as part of the defense bill. And I am 100 percent sure that I am correct in opposing this amendment having been the author of the original bill to establish the AAM Infrastructure Act.

Mr. Chair, I ask Members to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 46 will not be offered.

#### AMENDMENT NO. 47 OFFERED BY MR. ISSA

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 118-147.

Mr. ISSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:  
**SEC. \_\_\_\_ . INDEPENDENT REVIEW OF NOTAM REQUESTS BY FAA.**

The Administrator of the Federal Aviation Administration shall make an objective, independent assessment for the necessity of each Notice to Air Missions request from an agency outside of the Administration.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume. I have but 5 minutes to ensure that this goes by voice, so I will do my best.

Mr. Chairman, no one here doubts 100 percent of the time the responsible party from just above the ground to over 60,000 feet belongs to the FAA. Any decision about whether an aircraft can operate or cannot operate belongs exclusively to the FAA. For that reason, the FAA is an independent body that has a responsibility to take seriously the implementation of NOTAMs. These NOTAMs either caution pilots or prevent pilots from flying.

Recently, there have been a number of requests where the FAA has acted not on behalf of its own judgment but on behalf of a request by another agency. These agencies include CBP, the

Department of Justice, FBI, FTC, and many others.

These come in regularly, and I have no objection. There are plenty of good reasons that an entity—we were just talking about a little while ago the Park Service might even have a request. Because the FAA has an obligation to make airspace available wherever possible and at the lowest level of regulation and the greatest freedom and safety for the pilots, and it does have the obligation—when, for safety and other reasons, there needs to be temporary or permanent prohibitions on flying—to implement them.

My amendment simply puts a requirement that when the FAA does so that they do so based on the FAA making an independent and objective judgment when it receives NOTAM requests from other agencies.

Mr. Chairman, I hope my 5 minutes has been well spent, and I reserve the balance of my time.

Mr. COHEN. Mr. Chair, I rise in opposition to the amendment filed by Mr. ISSA.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, I oppose this amendment which would require the FAA to make an independent assessment of each notice to air mission, or NOTAM, request from a non-Federal entity.

Many NOTAMs are simply for general awareness, a temporary crane has been erected in controlled airspace, or a runway at an airport with no traffic control tower being repaved.

Some NOTAMs increase airspace awareness for pilots in the area alerting them about drone operations or balloon flights—some of them from China.

Some of them result in actual flight restrictions, like over sports stadiums during NFL and MLB games or when a concert is going on.

Sometimes FAA requires an operator or an airport to file a NOTAM prior operation in order to provide safety information for other airspace users. These are submitted through a special controlled access system.

NOTAMs are issued for all kinds of reasons. As we all know from the NOTAM system outage earlier this year, there are many of them, which can be a blessing, and it can be a curse.

For example, French Valley Airport, which is a small county-owned public use general aviation airport in Riverside County, California, currently has 80 active NOTAMs within a 10-mile radius. There are tens of thousands of big, medium, and small airports and heliports all over the country—consider the magnitude of bureaucracy this amendment creates.

Requiring the FAA to independently verify every single NOTAM would bring an already cumbersome system to a complete standstill.

NOTAMs keep pilots safe. This amendment would create an enor-

mously burdensome process to get NOTAMs issued.

Finally, this amendment will very likely conflict with recommendations from the NOTAM working group created by the NOTAM Improvement Act that this Congress passed 2 months ago.

Mr. Chair, I urge all Members to vote “no,” and I reserve the balance of my time.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the gentleman's comments, and he is absolutely right. There are a great many NOTAMs. I remind everyone that the requirement in this amendment that it requires the FAA to make an independent and objective judgment does not mean that it must do independent research as to the validity of the request as far as background.

It can, in fact, take the word of an agency's statement of its reason, but it has to make an independent judgment as to the NOTAM.

Now, I am both a pilot of more than 40 years, and I am also a former Army officer, and I can tell you, Mr. Chairman, at the company, the battalion, and the brigade level every unit in the military has a staff duty officer who for the entire evening until morning and over weekends makes judgment on behalf of the commanding officer at that level.

Why do they have that?

It is because a level of review should always be available. It doesn't have to be extensive, but it does have to be sufficient that if it came through the FAA it would independently be looked at by the duty officer before it was put up as a NOTAM. The same is asked.

Nowhere in my amendment does it prohibit delegation all the way down to the lowest level. As a matter of fact, nowhere in this does it prohibit the use of AI and other tools to help them do it.

So I think this is not burdensome, and it is easily compliant. It does say that the FAA makes the decision, not an agency that plugs into a system who may not have the mandate, responsibility, or even the expertise to do so.

Periodic NOTAMs that have had to be pulled back when they have been submitted by other agencies are the reason for this amendment. We have actual examples where the FAA would not have done it had they made an independent decision.

Mr. Chairman, I reserve the balance of my time.

Mr. COHEN. Mr. Chair, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Tennessee has 3½ minutes remaining. The gentleman from California has 1 minute remaining.

Mr. COHEN. Mr. Chair, I would just reiterate the fact that this will add additional burdens to the FAA. They would have to independently verify every single NOTAM. The FAA is already overburdened with work, and



they need more and more folks there to make our civil aeronautics system work properly.

The amendment would conflict with recommendations just passed a few months ago by the NOTAM working group for improvement of that act, and that was passed just 2 months ago. So I have to cite those same reasons for opposing the amendment.

Mr. Chair, I continue to oppose the amendment, and I reserve the balance of my time.

Mr. ISSA. Mr. Chair, briefly, in response to my colleague from Tennessee, the majority of FAA NOTAMs do not originate from outside agencies. This is a fraction of a fraction of all NOTAMs, and it is only those that will be affected by this amendment.

In closing, Mr. Chairman, this is not what some who oppose it would say. This is, in fact, a very minor one, but it comes with specific requirements that exist for a reason. Agencies have chosen and actually embarrass the FAA by asking for a closing of airspace only to find out in the light of day, in a matter of days that, in fact, it was a huge mistake—sometimes politically driven. It doesn't matter why. The FAA has the right and the responsibility, and all we ask for is when it comes from an outside agency that it, in fact, have a once-over before being codified.

Mr. Chairman, I yield back the balance of my time.

Mr. COHEN. Mr. Chairman, Mr. ISSA is a worthy adversary, but it is still 40-love.

Mr. Chair, I ask everybody to vote “no,” and I yield back the balance of my time.

□ 1515

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. OBERNOLTE) assumed the chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Deirdre Kelly, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

The Committee resumed its sitting.

AMENDMENT NO. 48 OFFERED BY MR. JACKSON OF TEXAS

The Acting CHAIR (Mr. ROSE). It is now in order to consider amendment No. 48 printed in part A of House Report 118-147.

Mr. JACKSON of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

#### SEC. \_\_\_\_ DESIGNATIONS FOR MEAT AND FOOD PROCESSING FACILITIES.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44802 note) is further amended—

(1) in subsection (b)(1)(C), by adding at the end the following:

“(v) A concentrated animal feeding operation.

“(vi) An eligible meat and food processing facility.”; and

(2) by adding at the end the following:

“(g) ELIGIBLE MEAT AND FOOD PROCESSING FACILITY DEFINED.—In this section, the term ‘eligible meat and food processing facility’ means a facility that—

“(1) is an establishment operated under Federal meat inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.), and—

“(A) with respect to cattle, has a slaughter capacity of greater than 500 animals per day; or

“(B) with respect to pork and sheep, has a slaughter capacity of greater than 1,000 animals per day;

“(2) is an official establishment operated under Federal poultry inspection pursuant to the Poultry Products Inspection Act (21 U.S.C. 453) and, with respect to poultry, has a slaughter capacity of greater than 10,000 animals per day;

“(3) is an official plant operated under Federal egg inspection pursuant to the Egg Products Inspection Act (21 U.S.C. 1033) with at least 500,000 laying hens;

“(4) is a facility that processes (e.g., washes, grades, packs) shell eggs for the table egg market with at least 500,000 laying hens; or

“(5) is a facility that manufactures or processes food located in any of the State or Territories and operated under section 415(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d(c)).”.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Texas (Mr. JACKSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. JACKSON of Texas. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my amendment will help to safeguard the privacy of America's farmers and ranchers that work day and night to produce the food the world relies on.

This amendment would give our agricultural producers and food processors the opportunity to impose unmanned aircraft restrictions around their operations upon a formal request to prevent drones unauthorized access to their land.

In 2016, Congress created a process by which critical infrastructure facilities can impose restrictions on drone flights around their operations.

The Cybersecurity and Infrastructure Security Agency designates the food and agriculture sector as a critical infrastructure sector, which is so vital to the United States that its success is imperative to our national security and our economic security.

In the event of an emergency situation or disaster, protection of our agricultural land across the country is going to be vital.

Intelligence officials have even gone so far to warn that America's agriculture industry has been targeted by suspicious drone activity, potentially by domestic terrorists or other bad actors.

Food security is national security, plain and simple.

This amendment would ensure that we give our farmers, ranchers, and food producers the same ability to restrict the use of drones around these facilities that we give to amusement parks, outdoor facilities, and a variety of other interests that do not have similar national security implications.

Mr. Chair, I urge every Member in this body to support my amendment, and I reserve the balance of my time.

Mr. COHEN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, this amendment would add animal feeding operations and meat and food processing facilities to a growing list of sites over which the FAA will restrict drone flights.

These restrictions that currently exist are intended to be used for facilities where overhead drone activity would present a potential public safety and security concern—critical infrastructures like energy and oil facilities and State prisons.

There is no practical reason why animal agriculture facilities should qualify for this kind of restriction, particularly when having that restriction might endanger energy and oil facilities. These facilities do not involve sensitive or potentially hazardous operations as energy and oil facilities and State prisons do.

These restrictions already exist to ensure the safety of such facilities, facility workers, and the public.

The designation is not intended to be used to inhibit First Amendment rights, protect intellectual property, or help facilities avoid accountability.

Allowing such exceptions is a slippery slope in restricting First Amendment rights as the national airspace is public space.

This would delay FAA rulemaking to create these public safety restrictions by several months or years, sacrificing public safety to shield meat processing facilities and possibly endangering time that could better be spent with energy and oil facilities and State prisons.

I urge Members to side with public safety, energy and oil facilities, and