

118TH CONGRESS
1ST SESSION

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2023

Mr. GRAVES of Missouri (for himself, Mr. LARSEN of Washington, Mr. GRAVES of Louisiana, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

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

7 (b) TABLE OF CONTENTS.—The table of contents for
8 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.
- 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.

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 airmen 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.

TITLE III—AEROSPACE WORKFORCE

Subtitle A—Growing the Talent Pool

- Sec. 301. Extension of aviation workforce development programs.
- 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.

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.

TITLE IV—AIRPORT INFRASTRUCTURE

Subtitle A—Airport Improvement Program Modifications

Sec. 401. AIP definitions.

Sec. 402. Revenue diversion penalty enhancement.

Sec. 403. Extension of competitive access report requirement.

Sec. 404. Renewal of certain leases.

Sec. 405. Community use of airport land.

Sec. 406. Price adjustment provisions.

Sec. 407. Allowable project costs and letters of intent.

Sec. 408. Small airport letters of intent.

Sec. 409. Prohibition on use of AIP funds to procure certain passenger boarding bridges.

Sec. 410. Fuel infrastructure.

Sec. 411. Apportionments.

Sec. 412. PFC turnback reduction.

Sec. 413. Transfer of AIP supplemental funds to formula program.

Sec. 414. Small airport fund.

Sec. 415. Revision of discretionary categories.

Sec. 416. Terminal development.

Sec. 417. State block grant program.

Sec. 418. Innovative financing techniques.

Sec. 419. Long-term management plans.

Sec. 420. Alternative project delivery.

Sec. 421. Nonmovement area surveillance surface display systems pilot program.

Sec. 422. Repeal of obsolete criminal provisions.

Sec. 423. Limitation on certain rolling stock procurements.

Sec. 424. Regulatory application.

Sec. 425. National priority system formulas.

Sec. 426. Minority and disadvantaged business participation.

Sec. 427. Airport access roads in remote locations.

- Sec. 428. Limited regulation of non-federally sponsored property.
- Sec. 429. Motorcoach enplanement pilot program.
- Sec. 430. Populous counties without airports.
- Sec. 431. Continued availability of aviation gasoline.
- Sec. 432. AIP handbook update.
- Sec. 433. GAO audit of airport financial reporting program.
- Sec. 434. GAO review of nonaeronautical revenue streams at airports.
- Sec. 435. Maintaining safe fire and rescue staffing levels.
- Sec. 436. GAO study of on-site airport generation.
- Sec. 437. Transportation demand management at airports.
- Sec. 438. Coastal airports assessment.

Subtitle B—Passenger Facility Charges

- Sec. 451. PFC application approvals.
- Sec. 452. PFC authorization pilot program implementation.

Subtitle C—Noise and Environmental Programs and Streamlining

- Sec. 471. Streamlining consultation process.
- Sec. 472. Repeal of burdensome emissions credit requirements.
- Sec. 473. Expedited environmental review and One Federal Decision.
- Sec. 474. Subchapter III definitions.
- Sec. 475. Pilot program extension.
- Sec. 476. Part 150 noise standards update.
- Sec. 477. Reducing community aircraft noise exposure.
- Sec. 478. Categorical exclusions.
- Sec. 479. Critical habitat on or near airport property.
- Sec. 480. Updating presumed to conform limits.
- Sec. 481. Recommendations on reducing rotorcraft noise in District of Columbia.
- Sec. 482. UFP study.
- Sec. 483. Aviation and airport community engagement.
- Sec. 484. Community Collaboration Program.
- Sec. 485. Third-party study on aviation noise metrics.

TITLE V—AVIATION SAFETY

Subtitle A—General Provisions

- Sec. 501. Zero tolerance for near misses, runway incursions, and surface safety risks.
- Sec. 502. Global aviation safety.
- Sec. 503. Availability of personnel for inspections, site visits, and training.
- 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.
- Sec. 511. Continued oversight of FAA compliance program.
- Sec. 512. Scalability of safety management systems.
- Sec. 513. Finalize safety management system rulemaking.
- Sec. 514. Improvements to aviation safety information analysis and sharing.
- Sec. 515. Improvement of certification processes.

- Sec. 516. Instructions for continued airworthiness aviation rulemaking committee.
- Sec. 517. Clarity for supplemental type certificate requirements.
- Sec. 518. Use of advanced tools in certifying aerospace products.
- Sec. 519. Transport airplane and propulsion certification modernization.
- Sec. 520. Engine fire protection standards.
- Sec. 521. Risk model for production facility inspections.
- Sec. 522. Secondary cockpit barriers.
- Sec. 523. Review of FAA use of aerospace safety data.
- Sec. 524. Part 135 duty and rest.
- Sec. 525. Cockpit voice and video recorders.
- Sec. 526. Flight data recovery from overwater operations.
- Sec. 527. Emergency medical equipment on passenger aircraft.
- Sec. 528. Navigation aids study.
- Sec. 529. Remote towers.
- Sec. 530. Weather reporting systems study.
- Sec. 531. GAO study on expansion of the FAA weather camera program.
- Sec. 532. Study 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.
- Sec. 535. Crash-resistant fuel systems in rotorcraft.
- Sec. 536. Reducing turbulence on part 121 aircraft operations.
- Sec. 537. Study on radiation exposure.
- Sec. 538. Deterring crewmember interference.
- Sec. 539. Cabin temperature standards.
- Sec. 540. Cabin air quality.
- Sec. 541. Evacuation standards for transport category airplanes.
- Sec. 542. Lithium-ion powered wheelchairs.
- Sec. 543. National simulator program policies and guidance.
- Sec. 544. GAO study on FAA National Simulator Program.
- Sec. 545. GAO study on FAA alignment with best available technologies and standards.
- Sec. 546. Advanced simulation training.

Subtitle B—Aviation Cybersecurity

- Sec. 571. Findings.
- Sec. 572. Aerospace product safety.
- Sec. 573. Federal Aviation Administration regulations, policy, and guidance.
- Sec. 574. Civil aviation cybersecurity rulemaking committee.

TITLE VI—AEROSPACE INNOVATION

Subtitle A—Unmanned Aircraft Systems

- Sec. 601. Definitions.
- Sec. 602. Unmanned aircraft system test ranges.
- Sec. 603. Unmanned aircraft in the Arctic.
- Sec. 604. Public safety use of tethered UAS.
- Sec. 605. Special authority for unmanned aircraft systems.
- Sec. 606. Recreational operations of drone systems.
- Sec. 607. Airport safety and airspace hazard mitigation and enforcement.
- Sec. 608. Applications for designation.
- Sec. 609. Beyond visual line of sight rulemaking.
- Sec. 610. UAS traffic management.
- Sec. 611. Radar data pilot program.

- Sec. 612. Electronic conspicuity study.
- Sec. 613. Remote identification alternative means of compliance.
- Sec. 614. Part 107 waiver improvements.
- Sec. 615. Acceptable levels of risk and risk assessment methodology.
- Sec. 616. Environmental review.
- Sec. 617. Carriage of hazardous materials.
- Sec. 618. Unmanned aircraft system use in wildfire response.
- Sec. 619. Pilot program for UAS inspections of FAA infrastructure.
- Sec. 620. Drone infrastructure inspection grant program.
- Sec. 621. Drone education and workforce training grant program.
- Sec. 622. Drone workforce training program study.
- Sec. 623. UAS Integration Office.
- Sec. 624. Termination of Advanced Aviation Advisory Committee.
- Sec. 625. Unmanned and Autonomous Flight Advisory Committee.
- Sec. 626. NextGen Advisory Committee membership expansion.
- Sec. 627. Temporary flight restriction integrity.
- Sec. 628. Interagency coordination.
- Sec. 629. Review of regulations to enable unescorted UAS operations.
- Sec. 630. UAS operations over high seas.
- Sec. 631. Beyond BEYOND.
- Sec. 632. UAS integration strategy.
- Sec. 633. Authorization of appropriations for Know Before You Fly campaign.
- Sec. 634. Public aircraft definition.

Subtitle B—Advanced Air Mobility

- Sec. 651. Definition.
- Sec. 652. Powered-lift aircraft rulemakings.
- Sec. 653. Powered-lift aircraft entry into service.
- Sec. 654. Sense of Congress on preparation for entry into service of powered-lift aircraft.
- Sec. 655. Infrastructure supporting vertical flight.
- Sec. 656. Charting of aviation infrastructure.
- Sec. 657. Advanced air mobility working group.
- Sec. 658. Advanced air mobility infrastructure pilot program extension.

Subtitle C—Other Provisions

- Sec. 681. Report on national spaceports policy.
- Sec. 682. Airborne debris collision avoidance.
- Sec. 683. Intermodal transportation infrastructure improvement pilot program.
- Sec. 684. Airspace access for high-speed aircraft.
- Sec. 685. ICAO activities on new technologies.
- Sec. 686. AIP eligibility for certain spaceport infrastructure.
- Sec. 687. Commercial space transportation statistics.

TITLE VII—PASSENGER EXPERIENCE IMPROVEMENTS

Subtitle A—General Provisions

- Sec. 701. Advertisements and solicitations for passenger air transportation.
- Sec. 702. Modernization of consumer complaint submissions.
- Sec. 703. Codification of consumer protection provisions.
- Sec. 704. Extension of aviation consumer protection advisory committee.
- Sec. 705. Removal of outdated references to passengers with disabilities.
- Sec. 706. Extension of aviation consumer advocate reporting requirement.
- Sec. 707. Air Carrier Access Act advisory committee.

- Sec. 708. Passenger experience advisory committee.
- Sec. 709. Streamlining of offline ticket disclosures.
- Sec. 710. Ticket agent refund obligations.
- Sec. 711. Updating passenger information requirement regulations.
- Sec. 712. Mobility aids on board improve lives and empower all.
- Sec. 713. Prioritizing accountability and accessibility for aviation consumers.
- Sec. 714. Aircraft accessibility.
- Sec. 715. Accessibility of websites, software applications, and kiosks for individuals with disabilities.
- Sec. 716. Review of methods to report flight delay and cancellation statistics.
- Sec. 717. Reimbursement for incurred costs.
- Sec. 718. Airline operational resiliency plans.
- Sec. 719. Family seating.

Subtitle B—Air Traffic

- Sec. 741. Transfers of air traffic systems acquired with AIP.
- Sec. 742. NextGen programs.
- Sec. 743. Airspace access.
- Sec. 744. Study on national airspace resources.
- Sec. 745. Airspace transition completion.
- Sec. 746. FAA contract towers.
- Sec. 747. FAA contract tower workforce audit.
- Sec. 748. Aviation infrastructure sustainment.
- Sec. 749. Air traffic control tower safety.
- Sec. 750. Inspector general review of space-based ADS-B.
- Sec. 751. Air traffic services data reports.
- Sec. 752. Consideration of small hub control towers.
- Sec. 753. Air traffic control tower replacement process report.

Subtitle C—Small Community Air Service

- Sec. 771. Essential air service reforms.
- Sec. 772. Essential air service authorization.
- Sec. 773. Small community air service development program reform and authorization.
- Sec. 774. GAO study on alternative modes of transportation for essential air service program.
- Sec. 775. GAO study on increased costs of essential air service.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Digitalization of FAA processes.
- Sec. 802. FAA telework.
- Sec. 803. Review of office space.
- Sec. 804. Aircraft weight reduction task force.
- Sec. 805. Audit of technical writing resources and capabilities.
- Sec. 806. FAA participation in industry standards organizations.
- Sec. 807. Sense of Congress on use of voluntary consensus standards.
- Sec. 808. Required designation.
- Sec. 809. Sensitive security information.
- Sec. 810. Preserving open skies while ensuring fair skies.
- Sec. 811. Commercial preference.
- Sec. 812. Consideration of third-party services.
- Sec. 813. Certificates of authorization or waiver.
- Sec. 814. Wing-in-ground-effect craft.

- Sec. 815. Quasquicentennial of aviation.
- Sec. 816. Federal contract tower wage determinations and positions.
- Sec. 817. Internal process improvements review.
- Sec. 818. Acceptance of digital driver's license and identification cards.
- Sec. 819. Buckeye 940 release of deed restrictions.
- Sec. 820. Federal Aviation Administration information technology system integrity.
- Sec. 821. Briefing on radio communications coverage around mountainous terrain.
- Sec. 822. Study on congested airspace.
- Sec. 823. Administrative services franchise fund.
- Sec. 824. Use of biographical assessments.
- Sec. 825. Whistleblower protection enforcement.
- Sec. 826. Final rulemaking on certain manufacturing standards.
- Sec. 827. Remote dispatch.
- Sec. 828. Employee assault prevention and response plans amendment.
- Sec. 829. Crew member self-defense training.
- Sec. 830. Formal sexual assault and harassment policies on air carriers and foreign air carriers.
- Sec. 831. Interference with security screening personnel.
- Sec. 832. Mechanisms to reduce helicopter noise.
- Sec. 833. Technical corrections.

TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD
AMENDMENTS ACT OF 2023

- Sec. 901. Short title.
- Sec. 902. Authorization of appropriations.
- Sec. 903. Clarification of treatment of territories.
- Sec. 904. Additional workforce training.
- Sec. 905. Acquiring mission-essential knowledge and skills.
- Sec. 906. Overtime annual report termination.
- Sec. 907. Strategic workforce plan.
- Sec. 908. Travel budgets.
- Sec. 909. Retention of records.
- Sec. 910. Nondisclosure of interview recordings.
- Sec. 911. Closed unacceptable recommendations.
- Sec. 912. Establishment of Office of Oversight, Accountability, and Quality Assurance.
- Sec. 913. Miscellaneous investigative authorities.
- Sec. 914. Commercial space transportation accident investigations.
- Sec. 915. Public availability of accident reports.
- Sec. 916. Ensuring accountability for timeliness of reports.
- Sec. 917. Ensuring access to data.
- Sec. 918. Public availability of safety recommendations.
- Sec. 919. Improving delivery of family assistance.
- Sec. 920. Updating civil penalty authority.
- Sec. 921. Electronic availability of public docket records.
- Sec. 922. Drug-free workplace.
- Sec. 923. Accessibility in workplace.
- Sec. 924. Most Wanted List.
- Sec. 925. Technical corrections.

1 **TITLE I—AUTHORIZATIONS AND**
2 **FAA ORGANIZATIONAL REFORM**
3 **Subtitle A—Authorizations**

4 **SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND**
5 **NOISE COMPATIBILITY PLANNING AND PRO-**
6 **GRAMS.**

7 (a) AUTHORIZATION.—Section 48103(a) of title 49,
8 United States Code, is amended—

9 (1) in paragraph (5) by striking “and” at the
10 end;

11 (2) in paragraph (6) by striking the period at
12 the end and inserting a semicolon; and

13 (3) by inserting the following new paragraphs:

14 “(7) \$4,000,000,000 for fiscal year 2024;

15 “(8) \$4,000,000,000 for fiscal year 2025;

16 “(9) \$4,000,000,000 for fiscal year 2026;

17 “(10) \$4,000,000,000 for fiscal year 2027; and

18 “(11) \$4,000,000,000 for fiscal year 2028.”.

19 (b) OBLIGATION AUTHORITY.—Section 47104(c) of
20 title 49, United States Code, is amended in the matter
21 preceding paragraph (1) by striking “2023” and inserting
22 “2028”.

23 **SEC. 102. FACILITIES AND EQUIPMENT.**

24 Section 48101(a) of title 49, United States Code, is
25 amended—

- 1 (1) by striking paragraphs (1) through (5);
2 (2) by redesignating paragraph (6) as para-
3 graph (1); and
4 (3) by adding at the end the following:
5 “(2) \$3,375,000,000 for fiscal year 2024.
6 “(3) \$3,425,000,000 for fiscal year 2025.
7 “(4) \$3,475,000,000 for fiscal year 2026.
8 “(5) \$3,475,000,000 for fiscal year 2027.
9 “(6) \$3,475,000,000 for fiscal year 2028.”.

10 **SEC. 103. OPERATIONS.**

11 (a) IN GENERAL.—Section 106(k)(1) of title 49,
12 United States Code, is amended—

- 13 (1) by striking subparagraphs (A) through (E);
14 (2) in subparagraph (F) by striking the period
15 at the end and inserting a semicolon;
16 (3) by redesignating subparagraph (F) as sub-
17 paragraph (A); and
18 (4) by adding at the end the following:
19 “(B) \$12,730,000,000 for fiscal year 2024;
20 “(C) \$13,035,000,000 for fiscal year 2025;
21 “(D) \$13,334,000,000 for fiscal year
22 2026;
23 “(E) \$13,640,000,000 for fiscal year 2027;
24 and

1 “(F) \$13,954,000,000 for fiscal year
2 2028.”.

3 (b) AUTHORIZED EXPENDITURES.—Section
4 106(k)(2)(D) of title 49, United States Code, is amend-
5 ed—

6 (1) by striking clauses (i) through (v);

7 (2) by redesignating clause (vi) as clause (i);

8 and

9 (3) by adding at the end the following:

10 “(ii) \$46,815,000 for fiscal year 2024.

11 “(iii) \$52,985,000 for fiscal year
12 2025.

13 “(iv) \$59,044,000 for fiscal year
14 2026.

15 “(v) \$65,225,000 for fiscal year 2027.

16 “(vi) \$71,529,000 for fiscal year
17 2028.”.

18 (c) AUTHORITY TO TRANSFER FUNDS.—Section
19 106(k)(3) of title 49, United States Code, is amended—

20 (1) by striking “Notwithstanding” and insert-
21 ing the following:

22 “(A) IN GENERAL.—Notwithstanding”;

23 (2) by striking “in each of fiscal years 2018
24 through 2023,”; and

25 (3) by adding at the end the following:

1 “(B) PRIORITIZATION.—In reducing non-
2 safety-related activities of the Administration
3 under subparagraph (A), the Secretary shall
4 prioritize such reductions from amounts other
5 than amounts authorized under this subsection,
6 section 48101, or section 48103.

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

9 **SEC. 104. EXTENSION OF MISCELLANEOUS EXPIRING AU-**
10 **THORITIES.**

11 (a) MARSHALL ISLANDS, MICRONESIA, AND
12 PALAU.—Section 47115(i) of title 49, United States Code,
13 is amended by striking “fiscal years 2018 through 2023”
14 and inserting “fiscal years 2023 through 2028”.

15 (b) WEATHER REPORTING PROGRAMS.—Section
16 48105 of title 49, United States Code, is amended by add-
17 ing at the end the following:

18 “(5) \$45,000,000 for each of fiscal years 2024
19 through 2026.

20 “(6) \$50,000,000 for each of fiscal years 2027
21 through 2028.”.

22 (c) MIDWAY ISLAND AIRPORT.—Section 186(d) of
23 the Vision 100—Century of Aviation Reauthorization Act
24 (Public Law 108–176) is amended by striking “for fiscal

1 years 2018 through 2023” and inserting “for fiscal years
2 2023 through 2028”.

3 (d) EXTENSION OF THE SAFETY OVERSIGHT AND
4 CERTIFICATION ADVISORY COMMITTEE.—Section 202(h)
5 of the FAA Reauthorization Act of 2018 (Public Law
6 115–254) is amended by striking “shall terminate” and
7 all that follows through the period at the end and inserting
8 “shall terminate on October 1, 2028.”.

9 **Subtitle B—FAA Organizational** 10 **Reform**

11 **SEC. 121. FAA LEADERSHIP.**

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

14 (1) in subsection (a) by striking “The Federal”
15 and inserting “IN GENERAL.—The Federal”; and

16 (2) by striking subsection (b) and inserting the
17 following:

18 “(b) ADMINISTRATION LEADERSHIP.—

19 “(1) ADMINISTRATOR.—

20 “(A) IN GENERAL.—The head of the Ad-
21 ministration is the Administrator, who shall be
22 appointed by the President, by and with the ad-
23 vice and consent of the Senate.

24 “(B) QUALIFICATIONS.—The Adminis-
25 trator shall—

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

2 “(ii) not be an active duty or retired
3 member of an Armed Force; and

4 “(iii) have experience in organiza-
5 tional management and a field directly re-
6 lated to aviation.

7 “(C) FITNESS.—In appointing an indi-
8 vidual as Administrator, the President shall
9 consider the fitness of such individual to carry
10 out efficiently the duties and powers of the of-
11 fice.

12 “(D) TERM OF OFFICE.—The Term of of-
13 fice for any individual appointed as Adminis-
14 trator shall be 5 years.

15 “(E) REPORTING CHAIN.—Except as pro-
16 vided in subsection (f) or in other provisions of
17 law, the Administrator reports directly to the
18 Secretary of Transportation.

19 “(2) DEPUTY ADMINISTRATOR FOR PROGRAMS
20 AND MANAGEMENT.—

21 “(A) IN GENERAL.—The Administration
22 has a Deputy Administrator for Programs and
23 Management, who shall be a political appointee
24 of the President.

1 “(B) QUALIFICATIONS.—The Deputy Ad-
2 ministrators for Programs and Management
3 shall—

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

5 and

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

8 “(C) FITNESS.—In appointing an indi-
9 vidual as Deputy Administrator for Programs
10 and Management, the President shall consider
11 the fitness of the individual to carry out effi-
12 ciently the duties and powers of the office, in-
13 cluding the duty to act for the Administrator
14 under the circumstances described in subpara-
15 graph (E).

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

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

21 “(i) manage the Assistant Administra-
22 tors and Chief Council established under
23 subsection (d), except the Assistant Ad-
24 ministrator for Rulemaking and Regu-
25 latory Improvement; and

1 “(ii) carry out duties and powers pre-
2 scribed by the Administrator.

3 “(F) SUCCESSION PLAN.—The Deputy Ad-
4 ministrator for Programs and Management acts
5 for the Administrator when the Administrator
6 is absent or unable to serve, or when the office
7 of the Administrator is vacant.

8 “(G) COMPENSATION.—

9 “(i) ANNUAL RATE OF BASIC PAY.—
10 The annual rate of basic pay of the Deputy
11 Administrator for Programs and Manage-
12 ment shall be set by the Secretary but
13 shall not exceed the annual rate of basic
14 pay payable to the Administrator.

15 “(ii) EXCEPTION.—A retired regular
16 officer of an Armed Force serving as the
17 Deputy Administrator for Programs and
18 Management is entitled to hold a rank and
19 grade not lower than that held when ap-
20 pointed as the Deputy Administrator for
21 Programs and Management and may elect
22 to receive—

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

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

4 “(iii) REIMBURSEMENT OF EX-
5 PENSES.—If the Deputy Administrator for
6 Programs and Management elects to re-
7 ceive compensation described in clause
8 (ii)(II), the Administration shall reimburse
9 the appropriate military department from
10 funds available for the expenses of the Ad-
11 ministration.

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

14 “(A) IN GENERAL.—The Administration
15 has a Deputy Administrator for Safety and Op-
16 erations, who—

17 “(i) shall be appointed by the Admin-
18 istrator; and

19 “(ii) shall not be a political appointee.

20 “(B) QUALIFICATIONS.—The Deputy Ad-
21 ministrator for Safety and Operations shall—

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

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

4 “(C) FITNESS.—In appointing an indi-
5 vidual as Deputy Administrator for Safety and
6 Operations, the Administrator shall consider the
7 fitness of the individual to carry out efficiently
8 the duties and powers of the office, including
9 the duty to act for the Administrator under the
10 circumstances described in subparagraph (E).

11 “(D) REPORTING CHAIN.—The Deputy
12 Administrator for Safety and Operations re-
13 ports to the Administrator.

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

16 “(i) manage the Associate Administra-
17 tors and Chief Operating Officer estab-
18 lished under subsection (c) and the Assist-
19 ant Administrator for Rulemaking and
20 Regulatory Improvement established under
21 subsection (d);

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

24 “(iii) carry out other duties and pow-
25 ers prescribed by the Administrator.

1 “(F) SUCCESSION PLAN.—The Deputy Ad-
2 ministrators for Safety and Operations acts for
3 the Administrator when the Administrator and
4 the Deputy Administrator for Programs and
5 Management are absent or unable to serve, or
6 when the office of the Administrator and the
7 Office of the Deputy Administrator for Pro-
8 grams and Management are vacant.

9 “(G) COMPENSATION.—The annual rate of
10 basic pay of the Deputy Administrator for Safe-
11 ty and Operations shall be set by the Adminis-
12 trator but shall not exceed the annual rate of
13 basic pay payable to the Administrator.

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

17 “(A) the Administrator under paragraph
18 (1);

19 “(B) the Deputy Administrator for Pro-
20 grams and Management under paragraph (2);
21 and

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

1 **SEC. 122. FAA MANAGEMENT BOARD.**

2 (a) FAA MANAGEMENT BOARD.—Section 106 of title
3 49, United States Code, is amended by striking sub-
4 sections (c) and (d) and inserting the following:

5 “(c) ASSOCIATE ADMINISTRATORS.—

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

9 “(A) appointed by the Administrator, an
10 Associate Administrator for Aviation Safety, an
11 Associate Administrator for Commercial Space
12 Transportation, an Associate Administrator for
13 Security and Hazardous Materials Safety, a
14 Chief Operating Officer of the Air Traffic Con-
15 trol System; and

16 “(B) appointed by the President, an Asso-
17 ciate Administrator for Airports.

18 “(2) QUALIFICATIONS.—Associate Administra-
19 tors shall be citizens of the United States.

20 “(3) DUTIES.—The Associate Administrators
21 shall carry out duties and powers of their office de-
22 scribed in this section and those prescribed by the
23 Administrator.

24 “(d) CHIEF COUNSEL; ASSISTANT ADMINISTRA-
25 TORS.—

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

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

5 “(i) advise the Administrator on legal
6 matters relating to the responsibilities,
7 functions, and management of the Admin-
8 istration;

9 “(ii) at the request of the Adminis-
10 trator, provide guidance, counsel, and ad-
11 vice regarding, but shall not have final de-
12 cision-making authority with regards to,
13 the activities of the Administrator, includ-
14 ing—

15 “(I) rulemaking activities;

16 “(II) policy and guidance docu-
17 ment production;

18 “(III) exemption and waiver deci-
19 sions; and

20 “(IV) certification and approval
21 determinations;

22 “(iii) represent the Administration be-
23 fore the National Transportation Safety
24 Board, Department of Transportation law
25 judges, the Equal Employment Oppor-

1 tunity Commission, Federal Courts of the
2 United States, and other bodies and courts
3 as appropriate;

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

6 “(v) perform other functions as deter-
7 mined by the Administrator.

8 “(B) ASSISTANT ADMINISTRATOR FOR
9 RULEMAKING AND REGULATORY IMPROVE-
10 MENT.—The Assistant Administrator for Rule-
11 making and Regulatory Improvement shall be
12 appointed by the Administrator and shall—

13 “(i) be responsible for developing and
14 managing the execution of a regulatory
15 agenda for the Administration that meets
16 statutory and Administration deadlines, in-
17 cluding by—

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

21 “(II) establishing the Adminis-
22 tration’s regulatory agenda; and

23 “(III) coordinating with offices of
24 the Administration, the Department,
25 and other Federal entities as appro-

1 appropriate to improve timely feedback gen-
2 eration and approvals when required
3 by law;

4 “(ii) not delegate overall responsibility
5 for meeting internal timelines and final
6 completion of the regulatory activities of
7 the Administration outside the Office of
8 the Assistant Administrator for Rule-
9 making and Regulatory Improvement;

10 “(iii) on an ongoing basis—

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

13 “(II) reduce undue regulatory
14 burden;

15 “(III) replace prescriptive regula-
16 tions with performance-based regula-
17 tions, as appropriate;

18 “(IV) prevent duplicative regula-
19 tions; and

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

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

1 “(v) receive, coordinate, and respond
2 to petitions for rulemaking and for exemp-
3 tion as provided for in subpart A of part
4 11 of title 14, Code of Federal Regula-
5 tions, and provide an initial response to a
6 petitioner not later than 30 days after the
7 receipt of such a petition that—

8 “(I) acknowledging receipt of
9 such petition;

10 “(II) confirming completeness of
11 such petition;

12 “(III) providing an initial indica-
13 tion of the complexity of the request
14 and how such complexity may impact
15 the timeline for adjudication; and

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

20 “(vi) track the issuance of exemptions
21 and waivers by the Administration to sec-
22 tions of title 14 of the Federal Code of
23 Regulations and establish a methodology
24 by which to determine if it would be more
25 efficient and in the public’s interest to

1 amend a rule to reduce the future need of
2 waivers and exemptions; and

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

6 “(C) APPOINTMENT.—Additional Assistant
7 Administrators, as determined necessary by the
8 Administrator, may be appointed by the Admin-
9 istrator.

10 “(2) QUALIFICATIONS.—The Assistant Admin-
11 istrators shall be a citizen of the United States.

12 “(3) DUTIES.—The Assistant Administrators
13 shall carry out duties and powers of their office de-
14 scribed in this section and those prescribed by the
15 Administrator.

16 “(4) MANAGEMENT BOARD OF THE ADMINIS-
17 TRATION.—In this section, the term ‘Management
18 Board of the Administration’ means—

19 “(A) the Associate Administrators and
20 Chief Operating Office established under sub-
21 section (c); and

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

1 (b) REPEAL.—Section 711 of the FAA Reauthoriza-
2 tion Act of 2018 (49 U.S.C. 106 note) and the item relat-
3 ing to such section in the table of contents in section 1(b)
4 of such Act are repealed.

5 (c) SYSTEMICALLY ADDRESSING NEED FOR EXEMP-
6 TIONS AND WAIVERS.—Not later than 30 months after
7 the of the date of enactment of this Act, the Assistant
8 Administrator for Rulemaking and Regulatory Improve-
9 ment shall brief the Committee on Transportation and In-
10 frastructure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate on the methodology developed pursuant to section
13 106(d)(B)(vi) of title 49, United States Code (as added
14 by this section).

15 **SEC. 123. PROHIBITION ON CONFLICTING PECUNIARY IN-**
16 **TERESTS.**

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

19 “(e) PROHIBITION ON CONFLICTING PECUNIARY IN-
20 TERESTS.—

21 “(1) IN GENERAL.—The leadership of the Ad-
22 ministration and the Management Board of the Ad-
23 ministration may not have a pecuniary interest in, or
24 hold a financial interest in, an aeronautical enter-

1 prise, or engage in another business, vocation, or
2 employment.

3 “(2) TEACHING.—Notwithstanding paragraph
4 (1), the Deputy Administrators and the Manage-
5 ment Board of the Administration may not receive
6 compensation for teaching without prior approval of
7 the Administrator.

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

10 “(A) means—

11 “(i) any current or contingent owner-
12 ship, equity, or security interest;

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

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

17 and

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

20 **SEC. 124. AUTHORITY OF SECRETARY AND ADMINIS-**
21 **TRATOR.**

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

24 (1) in paragraph (1)—

1 (A) by striking “paragraph (2)” and in-
2 serting “paragraphs (2) and (3)”;

3 (B) by striking “Neither” and inserting
4 “In exercising duties, powers, and authorities
5 that are assigned to the Secretary or the Ad-
6 ministrator under this title, neither”; and

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

11 “(A) established by executive order; or

12 “(B) not explicitly directed by legislation
13 to review the exercise of such duties, powers,
14 and authorities by the Secretary or the Admin-
15 istrator.”;

16 (2) in paragraph (2)—

17 (A) in subparagraph (A)(ii) by striking
18 “the acquisition” and all that follows through
19 the semicolon and inserting “the acquisition, es-
20 tablishment, improvement, operation, mainte-
21 nance, security (including cybersecurity) and
22 disposal of property, facilities, services, and
23 equipment of the Administration, including all
24 elements of the air traffic control system owned
25 by the Administration;”;

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

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

10 (D) in subparagraph (D)—

11 (i) by inserting “(formally or infor-
12 mally)” after “required”; and

13 (ii) by inserting “or any other Federal
14 agency” after “Department of Transpor-
15 tation”;

16 (3) in paragraph—

17 (A) in subparagraph (A)—

18 (i) by striking “In the performance”
19 and inserting “(i) ISSUANCE OF REGULA-
20 TIONS.—In the performance”;

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

1 (iii) by striking “The Administrator
2 shall issue” and inserting “(iii) RULE-
3 MAKING TIMELINE.—The Administrator
4 shall issue”; and

5 (iv) by striking “On February 1” and
6 inserting “(iv) REPORTING REQUIRE-
7 MENT.—On February 1”; and

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

10 “(B) APPROVAL OF SECRETARY OF TRANS-
11 PORTATION.—

12 “(i) IN GENERAL.—The Administrator
13 may not issue, unless the Secretary of
14 Transportation approves the issuance of
15 the regulation in advance, a proposed regu-
16 lation or final regulation that—

17 “(I) is likely to result in the ex-
18 penditure by State, local, and Tribal
19 governments in the aggregate, or by
20 the private sector, of \$250,000,000 or
21 more (adjusted annually for inflation
22 beginning with the year following the
23 date of enactment of the Securing
24 Growth and Robust Leadership in

1 American Aviation Act) in any year;

2 or

3 “(II) is significant.

4 “(ii) SIGNIFICANT DEFINED.—For
5 purposes of this paragraph, a regulation is
6 significant if the Administrator, in con-
7 sultation with the Secretary (as appro-
8 priate), determines that the regulation—

9 “(I) will have an annual effect on
10 the economy of \$250,000,000 or more
11 (adjusted annually for inflation begin-
12 ning with the year following the date
13 of enactment of the Securing Growth
14 and Robust Leadership in American
15 Aviation Act);

16 “(II) raises novel or serious legal
17 or policy issues that will substantially
18 and materially affect other transpor-
19 tation modes; or

20 “(III) adversely affect, in a sub-
21 stantial and material way, the econ-
22 omy, a sector of the economy, produc-
23 tivity, competition, jobs, the environ-
24 ment, public health or safety, or a

1 State, local, or Tribal government or
2 communities.

3 “(iii) EMERGENCY REGULATION.—In
4 an emergency, the Administrator may issue
5 a final regulation described in clause (i)
6 without prior approval of the Secretary. If
7 the Secretary objects to the regulation in
8 writing within 5 days (excluding Saturday,
9 Sundays, and legal public holidays) of the
10 issuance, the Administrator shall imme-
11 diately rescind such regulation.

12 “(iv) OTHER REGULATIONS.—The
13 Secretary may not require that the Admin-
14 istrator submit a proposed or final regula-
15 tion to the Secretary for approval, nor may
16 the Administrator submit a proposed or
17 final regulation to the Secretary for ap-
18 proval, if the regulation—

19 “(I) does not require the Sec-
20 retary’s approval under clause (i) (ex-
21 cluding a regulation issued pursuant
22 to clause (iii)); or

23 “(II) is a routine or frequent ac-
24 tion or a procedural action.

1 “(v) TIMELINE.—The Administrator
2 shall submit a copy of any proposed or
3 final regulation requiring approval by the
4 Secretary under clause (i) to the Secretary,
5 who shall either approve the regulation or
6 return the regulation to the Administrator
7 with comments within 30 days after receiv-
8 ing the regulation. If the Secretary fails to
9 approve or return the regulation with com-
10 ments to the Administrator within 30 days,
11 the regulation shall be deemed to have
12 been approved by the Secretary.

13 “(C) PERIODIC REVIEW.—

14 “(i) IN GENERAL.—In addition to the
15 review requirements established under sec-
16 tion 5.13(d) of title 49, Code of Federal
17 Regulations, the Administrator shall review
18 any significant regulation issued 3 years
19 after the effective date of the regulation.

20 “(ii) DISCRETIONAL REVIEW.—The
21 Administrator may review any regulation
22 that has been in effect for more than 3
23 years.

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

4 “(I) the cost assumptions were
5 accurate;

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

8 “(III) the need remains to con-
9 tinue such regulation as in effect; and

10 “(IV) the Administrator rec-
11 ommends updates to such regulation
12 based on the review criteria specified
13 in section 5.13(d) of title 49, Code of
14 Federal Regulations.

15 “(iv) REVIEW MANAGEMENT.—Any
16 periodic review of a regulation under this
17 subparagraph shall be managed by the As-
18 sistant Administrator for Rulemaking and
19 Regulatory Improvement, who may task an
20 advisory committee or the Management
21 Advisory Council established under sub-
22 section (p) to assist in performing the re-
23 view.”;

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

1 (5) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) DUTIES AND POWERS OF THE ADMINIS-
4 TRATOR.—

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

7 “(i) the duties and powers of the Sec-
8 retary under this subsection related to
9 aviation safety (except those related to
10 transportation, packaging, marking, or de-
11 scription of hazardous material) and stated
12 in—

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

15 “(II) sections 40101(c),
16 40103(b), 40106(a), 40108,
17 40109(b), 40113(a), 40113(c),
18 40113(d), 40113(e), 40114(a), and
19 40117;

20 “(III) chapter 443;

21 “(IV) chapter 445, except sec-
22 tions 44502(a)(3), 44503, and 44509;

23 “(V) chapter 447, except sections
24 44721(b), and 44723;

25 “(VI) chapter 448;

1 “(VII) chapter 451;
2 “(VIII) chapter 453;
3 “(IX) section 46104;
4 “(X) subsections (d) and (h)(2)
5 of section 46301, section 46303(c),
6 sections 46304 through 46308, sec-
7 tion 46310, section 46311, and sec-
8 tions 46313 through 46320;
9 “(XI) chapter 465;
10 “(XII) chapter 471;
11 “(XIII) chapter 475; and
12 “(XIV) chapter 509 of title 51;
13 and
14 “(ii) such additional duties and pow-
15 ers as may be prescribed by the Secretary.
16 “(B) APPLICABILITY.—Section 40101(d)
17 applies to the duties and powers specified in
18 subparagraph (A).
19 “(C) TRANSFER.—Any of the duties and
20 powers specified in subparagraph (A) may only
21 be transferred to another part of the Depart-
22 ment if specifically provided by law or in a reor-
23 ganization plan submitted under chapter 9 of
24 title 5.

1 “(D) ADMINISTRATIVE FINALITY.—A deci-
2 sion of the Administrator in carrying out the
3 duties or powers specified in subparagraph (A)
4 is administratively final.”.

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

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

13 **SEC. 125. REVIEW OF FAA RULEMAKING PROCESSES.**

14 (a) IN GENERAL.—Not later than 30 months after
15 the date of enactment of this Act, the Administrator of
16 the Federal Aviation Administration shall enter into the
17 appropriate arrangements with the National Academy of
18 Public Administration to evaluate and make recommenda-
19 tions to improve the Administration’s rulemaking proc-
20 esses.

21 (b) CONTENT OF REVIEW.—In completing the eval-
22 uation, the National Academy of Public Administration
23 shall—

24 (1) review Administration and Department of
25 Transportation policies and procedures for drafting,

1 coordinating, reviewing, editing, and approving rule-
2 making documents;

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

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

8 (B) as amended by this Act; and

9 (3) include in the review—

10 (A) advanced notices of proposed
11 rulemakings;

12 (B) notices of proposed rulemakings;

13 (C) supplemental proposed rulemakings;

14 (D) interim final rules; and

15 (E) final rules, including direct final rules.

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

23 (1) at least 7 rules completed by the Adminis-
24 tration since 2012, including—

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

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

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

9 (2) at least 2 rulemaking processes where a no-
10 tice of proposed rulemaking has not been followed by
11 a final rule for more than 3 years.

12 (d) REPORT.—The National Academy of Public Ad-
13 ministration shall provide to the Administrator, Secretary
14 of Transportation, the Committee on Transportation and
15 Infrastructure of the House of Representatives and the
16 Committee on Commerce, Science, and Transportation of
17 the Senate a report containing the results of the evalua-
18 tion required under subsection (a). The contents of the
19 report shall—

20 (1) identify procedural or resource constraints;

21 (2) identify inefficiencies in the process, includ-
22 ing any causes of delays;

23 (3) provide recommendations for expediting
24 rulemakings, including—

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

3 (B) the use of new routine and frequent
4 rulemakings to allow for the expediting of ac-
5 tivities that may be routinely needed or up-
6 dated;

7 (C) the use of rules of applicability to pro-
8 vide for the expediting of activities that may be
9 routinely needed or updated;

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

12 (E) the use of aviation rulemaking commit-
13 tees; and

14 (F) internal process improvements; and

15 (4) not review the policy merits of the reviewed
16 rulemakings, except to the extent that there are con-
17 clusions that can be drawn from the processes used
18 to develop such rules.

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

22 (1) the electronic management software the Ad-
23 ministration uses to track internal processing of
24 draft documents;

1 (2) appropriately redacted communications be-
2 tween offices and personnel that were used to coordi-
3 nate work outside of the electronic software; and

4 (3) such other documents and records, includ-
5 ing predecisional documents and records, that will
6 assist the National Academy of Public Administra-
7 tion in completing the evaluation required under
8 subsection (a).

9 **SEC. 126. OFFICE OF INNOVATION.**

10 Section 106 of title 49, United States Code, is further
11 amended inserting after subsection (f) the following:

12 “(g) OFFICE OF INNOVATION.—

13 “(1) IN GENERAL.—There is established within
14 the Federal Aviation Administration an Office of In-
15 novation (in this subsection referred to as the ‘Of-
16 fice’) comprised of employees of the Administration
17 who shall—

18 “(A) have a diverse set of expertise;

19 “(B) assist the leadership of the Adminis-
20 tration and the Management Board of the Ad-
21 ministration with—

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

1 “(ii) evaluating internal processes;
2 and

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

5 “(C) receive taskings from the leadership
6 of the Administration and the Management
7 Board of the Administration, as determined
8 necessary by such individuals, and work collabo-
9 ratively with relevant program offices of the Ad-
10 ministration, as necessary, to respond to such
11 taskings.

12 “(2) APPOINTMENT OF MEMBERS.—

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

18 “(i) Office of Aviation Safety.

19 “(ii) The Air Traffic Organization.

20 “(iii) Office of Airports.

21 “(iv) Office of Security and Haz-
22 ardous Materials Safety.

23 “(v) Office of Commercial Space
24 Transportation.

25 “(vi) Office of the Chief Counsel.

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

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

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

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

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

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

16 “(D) shall have expertise in the authorities
17 and duties of the respective office of the em-
18 ployee.

19 “(4) INNOVATION OFFICE LEAD.—The Admin-
20 istrator shall appoint a lead of the Office who shall
21 report to the leadership of the Administration and
22 who—

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

1 “(B) shall manage the personnel and ac-
2 tivities of such Office; and

3 “(C) may be a detailed employee of any of-
4 fice of the Administration, notwithstanding the
5 numerical limits placed on appointments in
6 paragraph (2)(A).

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

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

19 **SEC. 127. FRANK A. LOBIONDO NATIONAL AEROSPACE**
20 **SAFETY AND SECURITY CAMPUS.**

21 (a) IN GENERAL.—The campus and grounds of the
22 Federal Aviation Administration Technical Center located
23 at the Atlantic City International Airport in Egg Harbor
24 Township, New Jersey, shall be known and designated as

1 the “Frank A. LoBiondo National Aerospace Safety and
2 Security Campus”.

3 (b) REFERENCE.—Any reference in a law, map, regu-
4 lation, document, paper, or other record of the United
5 States to the campus and grounds at the Federal Aviation
6 Administration Technical Center referred to in subsection
7 (a) shall be deemed to be a reference to the “Frank A.
8 LoBiondo National Aerospace Safety and Security Cam-
9 pus”.

10 **SEC. 128. TECHNICAL CENTER FOR ADVANCED AERO-**
11 **SPACE.**

12 (a) IN GENERAL.—Section 106 of title 49, United
13 States Code, is further amended by inserting after sub-
14 section (g) (as added by section 127) the following:

15 “(h) TECHNICAL CENTER FOR ADVANCED AERO-
16 SPACE.—

17 “(1) IN GENERAL.—There is established within
18 the Administration a technology center located at
19 the Frank A. LoBiondo National Aerospace Safety
20 and Security Campus to support the advancement of
21 aerospace safety and innovation which shall be
22 known as the ‘William J. Hughes Technical Center
23 for Advanced Aerospace’ (in this subsection referred
24 to as the ‘Technical Center’) that shall be used by
25 the Administrator and, as permitted by the Adminis-

1 trator, other governmental entities, academia, and
2 the aerospace industry.

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

5 “(3) ACTIVITIES.—The activities of the Tech-
6 nical Center shall include—

7 “(A) developing and stimulating technology
8 partnerships with and between industry, aca-
9 demia, and other government agencies and sup-
10 porting such partnerships by—

11 “(i) liaising between external persons
12 and offices of the Administration inter-
13 ested in such work;

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

16 “(iii) providing access to the prop-
17 erties, facilities, and systems of the Tech-
18 nical Center through appropriate agree-
19 ments;

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

22 “(C) identifying software, systems, serv-
23 ices, and technologies that could improve avia-
24 tion safety and the operations and management
25 of the air traffic control system, and working

1 with relevant offices of the Administration to
2 consider the use and integration of such soft-
3 ware, systems, services, and technologies, as ap-
4 propriate;

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

11 “(E) managing the facilities of the Tech-
12 nical Center and the Frank A. LoBiondo Na-
13 tional Aerospace Safety and Security Campus;
14 and

15 “(F) any other duties as determined ap-
16 propriate by the Administrator.”.

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

19 (1) by striking “(a) CIVIL AEROMEDICAL INSTI-
20 TUTE” and all that follows through “The Civil
21 Aeromedical Institute established” and inserting
22 “The Civil Aeromedical Institute established”; and

23 (2) by striking subsection (b).

1 **SEC. 129. OFFICE OF NEXTGEN SUNSET.**

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

6 (b) CLOSURE PROCESS.—In carrying out subsection
7 (a), the Administrator shall transfer duties, authorities,
8 activities, personnel, and assets managed by the Office of
9 NextGen to other officials of the Administration, as appro-
10 priate, including—

11 (1) transferring such duties, authorities, activi-
12 ties, personnel, and assets to—

13 (A) the Director of the William J. Hughes
14 Technical Center for Advanced Aerospace es-
15 tablished under subsection 106(h) of title 49,
16 United States Code;

17 (B) the Assistant Administrator for Fi-
18 nance and Management;

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

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

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

1 **SEC. 130. FAA OMBUDSMAN.**

2 Section 106 of title 49, United States Code, is
3 amended by striking subsection (i) and inserting the fol-
4 lowing:

5 “(i) FAA OMBUDSMAN.—

6 “(1) ESTABLISHMENT.—There is established
7 within the Federal Aviation Administration an Om-
8 budsman who shall coordinate or facilitate the adju-
9 dication of covered submissions.

10 “(2) OMBUDSMAN.—

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

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

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

19 “(A) work with the relevant offices within
20 the Administration to—

21 “(i) with respect to a covered submis-
22 sion, resolve, provide a status update, or
23 provide clarity on the status of such sub-
24 missions;

25 “(ii) bring to the attention of the rel-
26 evant office of the Administration con-

1 cerns, as necessary, regarding Administra-
2 tion processes or considerations discovered
3 while coordinating an activity related to a
4 covered submission under this subsection;
5 and

6 “(iii) address any gaps and commu-
7 nication lapses in Administration coordina-
8 tion processes;

9 “(B) determine if, based on a coordinated
10 activity carried out under this subsection, re-
11 consideration with respect to covered submis-
12 sions or administrative actions are necessary
13 and report to the Administrator or the relevant
14 office within the Administration with rec-
15 ommendations relating to such reconsideration;

16 “(C) determine if trends materialize that
17 could warrant process, procedural, or resource
18 changes and report recommendations regarding
19 such changes to the Administrator and relevant
20 offices within the Administration;

21 “(D) ensure that reporting, processing, or
22 dispute resolution mechanisms within the Ad-
23 ministration are transparent and accessible to
24 the public, and facilitate the use of such report-

1 ing, processing, or dispute resolution mecha-
2 nisms, when appropriate; and

3 “(E) perform other duties as prescribed by
4 the Assistant Administrator.

5 “(4) DISCRETION ON COORDINATION AND RE-
6 VIEW.—

7 “(A) IN GENERAL.—The Ombudsman shall
8 determine whether to coordinate a review of a
9 covered submission in order to provide a re-
10 sponse, coordinate the reconsideration of an ad-
11 ministrative action, or take no additional action.
12 In making a determination under this subpara-
13 graph, the Ombudsman shall consider—

14 “(i) whether there are reporting, proc-
15 essing, or dispute resolution mechanisms
16 that have not been exhausted or that may
17 be more appropriate for dealing with, in-
18 vestigating, and responding to such cov-
19 ered submission;

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

22 “(I) contrary to law or regula-
23 tion;

24 “(II) arbitrary and capricious; or

1 “(III) performed in an unreason-
2 ably inefficient or untimely manner;
3 and

4 “(iii) such other factors as the Om-
5 budsman considers appropriate.

6 “(B) EXCEPTION.—With regard to a cov-
7 ered submission concerning an activity relating
8 to an alleged violation of an order, a regulation,
9 or any other provision of Federal law by the
10 Administration or whistleblower retaliation, the
11 Ombudsman shall refer such covered submis-
12 sion to the appropriate Federal entity to adju-
13 dicate or investigate the subject of such submis-
14 sion.

15 “(C) COOPERATION.—The Administrator
16 shall ensure that the officers and employees of
17 the Administration fully cooperate with the ac-
18 tivities of the Ombudsman and provide such in-
19 formation, documents, or materials as may be
20 requested by the Ombudsman.

21 “(5) RESPONSE REQUIREMENT.—The Ombuds-
22 man shall ensure that the Administration provides
23 an initial response to or status update on a covered
24 submissions within 10 business days of the Ombuds-
25 man receiving such submission.

1 “(6) DEFINITIONS.—In this subsection:

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

4 “(i) an action taken by the Adminis-
5 trator of the Federal Aviation Administra-
6 tion to issue, deny, modify, or revoke a cer-
7 tificate, registration, approval, waiver, li-
8 cense, exemption, determination, interpre-
9 tation, or any other authorizing action; or

10 “(ii) the lack of any action (or activity
11 related to an action) described in clause (i)
12 necessary to be taken by the Adminis-
13 trator.

14 “(B) COVERED SUBMISSION.—The term
15 ‘covered submission’ means an inquiry or objec-
16 tion relating to—

17 “(i) an aircraft, aircraft engine, pro-
18 peller, or appliance certification;

19 “(ii) a pilot certificate, including
20 scheduling an associated appointment with
21 Administration personnel or designees;

22 “(iii) a medical certificate;

23 “(iv) an operator certificate;

24 “(v) a commercial space transpor-
25 tation license;

- 1 “(vi) an aircraft registration;
- 2 “(vii) an operational approval, waiver,
- 3 or exemption;
- 4 “(viii) a legal interpretation;
- 5 “(ix) an outstanding determination;
- 6 “(x) an application of agency guid-
- 7 ance; and
- 8 “(xi) any certificate not otherwise de-
- 9 scribed in this subparagraph that is issued
- 10 pursuant to chapter 447.”.

11 **SEC. 131. PROJECT DASHBOARDS.**

12 (a) IN GENERAL.—The Ombudsman of the Federal

13 Aviation Administration shall, in reviewing Administration

14 processes, receiving, reviewing, and responding to covered

15 submissions, and through general due diligence, determine

16 whether a publicly facing dashboard or portal that pro-

17 vides applicants with the status of an application before

18 the agency would be—

- 19 (1) beneficial to applicants;
- 20 (2) an efficient use of resources to build, main-
- 21 tain, and update; or
- 22 (3) duplicative with other efforts within the Ad-
- 23 ministration to streamline and digitize paperwork
- 24 and certification processes to provide an applicant

1 with a greater awareness of the status of an applica-
2 tion before the Administration.

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

9 (c) BRIEFING.—Not later than 45 days after receiv-
10 ing recommendations under subsection (b), the Adminis-
11 trator shall brief the Committee on Transportation and
12 Infrastructure of the House of Representatives and the
13 Committee on Commerce, Science, and Transportation of
14 the Senate on—

15 (1) any recommendation received from the Om-
16 budsman; and

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

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

22 **SEC. 132. SENSE OF CONGRESS ON FAA ENGAGEMENT DUR-**
23 **ING RULEMAKING ACTIVITIES.**

24 It is the sense of Congress that—

1 (1) the Administrator of the Federal Aviation
2 Administration should engage with aviation stake-
3 holder groups and the public during pre-drafting
4 stages of rulemaking activities and use, to the great-
5 est extent practicable, properly docketed ex-parte
6 discussions during rulemaking activities in order
7 to—

8 (A) inform the work of the Administrator;

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

11 (C) reduce the timeline for issuance of pro-
12 posed and final rules; and

13 (2) when it would reduce the time required for
14 the Administrator to adjudicate public comments,
15 the Administrator should publicly provide informa-
16 tion describing the rationale behind a regulatory de-
17 cision included in proposed regulations in order to
18 better allow for the public to provide clear and in-
19 formed comments on such regulations.

20 **SEC. 133. CIVIL AEROMEDICAL INSTITUTE.**

21 Section 106(j) is amended by striking “There is” and
22 inserting “CIVIL AEROMEDICAL INSTITUTE.—There is”.

23 **SEC. 134. MANAGEMENT ADVISORY COUNCIL.**

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

1 (1) by redesignating paragraph (8) of sub-
2 section (p) as paragraph (7) of subsection (r); and

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

5 “(p) MANAGEMENT ADVISORY COUNCIL.—

6 “(1) ESTABLISHMENT.—The Administrator
7 shall establish an advisory council which shall be
8 known as the Federal Aerospace Management Advi-
9 sory Council (in this subsection referred to as the
10 ‘Council’).

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

13 “(A) a designee of the Secretary of Trans-
14 portation;

15 “(B) a designee of the Secretary of De-
16 fense;

17 “(C) 5 members representing aerospace
18 and technology interests, appointed by the Ad-
19 ministrator;

20 “(D) 5 members representing aerospace
21 and technology interests, appointed by the Sec-
22 retary of Transportation; and

23 “(E) 1 member, appointed by the Sec-
24 retary of Transportation, who is the head of a

1 union representing air traffic control system
2 employees.

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

7 “(4) FUNCTIONS.—

8 “(A) IN GENERAL.—

9 “(i) ADVISE; COUNSEL.—The Council
10 shall provide advice and counsel to the Ad-
11 ministrator on issues which affect or are
12 affected by the activities of the Adminis-
13 trator.

14 “(ii) RESOURCE.—The Council shall
15 function as an oversight resource for man-
16 agement, policy, spending, and regulatory
17 matters under the jurisdiction of the Ad-
18 ministrator.

19 “(iii) SUBMISSIONS TO ADMINISTRA-
20 TION.—With respect to Administration
21 management, policy, spending, funding,
22 data management and analysis, safety ini-
23 tiatives, international agreements, activities
24 of the International Civil Aviation Organi-
25 zation, and regulatory matters affecting

1 the aerospace industry and the national
2 airspace system, the Council may—

3 “(I) regardless of whether solici-
4 ited by the Administrator, submit
5 comments, recommended modifica-
6 tions, proposals, and supporting or
7 dissenting views to the Administrator;
8 and

9 “(II) request the Administrator
10 include in any submission to Con-
11 gress, the Secretary, or the general
12 public, and in any submission for pub-
13 lication in the Federal Register, a de-
14 scription of the comments, rec-
15 ommended modifications, and dis-
16 senting or supporting views received
17 from the Council under subclause (I).

18 “(iv) REASONING.—Together with a
19 Council submission that is published or de-
20 scribed under clause (iii)(II), the Adminis-
21 trator shall provide the reasons for any dif-
22 ferences between the views of the Council
23 and the views or actions of the Adminis-
24 trator.

1 “(v) COST-BENEFIT ANALYSIS.—The
2 Council shall review the rulemaking cost-
3 benefit analysis process and develop rec-
4 ommendations to improve the analysis and
5 ensure that the public interest is fully pro-
6 tected.

7 “(vi) PROCESS REVIEW.—The Council
8 shall review the process through which the
9 Administration determines to use advisory
10 circulars, service bulletins, and other exter-
11 nally facing guidance and regulatory mate-
12 rial.

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

16 “(C) ACCESS TO DOCUMENTS AND
17 STAFF.—The Administration may give the
18 Council appropriate access to relevant docu-
19 ments and personnel of the Administration, and
20 the Administrator shall make available, con-
21 sistent with the authority to withhold commer-
22 cial and other proprietary information under
23 section 552 of title 5 (commonly known as the
24 ‘Freedom of Information Act’), cost data associ-

1 ated with the acquisition and operation of air
2 traffic service systems.

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

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

12 “(A) the Council;

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

15 “(C) such aerospace rulemaking commit-
16 tees as the Secretary shall designate.

17 “(6) ADMINISTRATIVE MATTERS.—

18 “(A) TERMS.—Members of the Council ap-
19 pointed under paragraph (2)(C) shall be ap-
20 pointed for a term of 3 years.

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

1 longer meets the requirements of paragraph
2 (2)(D).

3 “(C) VACANCY.—Any vacancy on the
4 Council shall be filled in the same manner as
5 the original appointment, except that any mem-
6 ber appointed to fill a vacancy occurring before
7 the expiration of the term for which the mem-
8 ber’s predecessor was appointed shall be ap-
9 pointed for the remainder of that term.

10 “(D) CONTINUATION IN OFFICE.—A mem-
11 ber of the Council whose term expires shall con-
12 tinue to serve until the date on which the mem-
13 ber’s successor takes office.

14 “(E) REMOVAL.—Any member of the
15 Council appointed under paragraph (2) may be
16 removed for cause by whomever makes the ap-
17 pointment.

18 “(F) CHAIRMAN; VICE CHAIRMAN.—The
19 Council shall elect a chair and a vice chair from
20 among the members appointed under subpara-
21 graphs (C) and (D) of paragraph (2), each of
22 whom shall serve for a term of 1 year. The vice
23 chair shall perform the duties of the chairman
24 in the absence of the chairman.

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

7 “(H) DETAIL OF PERSONNEL FROM THE
8 ADMINISTRATION.—The Administrator shall
9 make available to the Council such staff, infor-
10 mation, and administrative services and assist-
11 ance as may reasonably be required to enable
12 the Council to carry out its responsibilities
13 under this subsection.”.

14 **SEC. 135. AVIATION NOISE OFFICER.**

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

18 “(q) AVIATION NOISE OFFICER.—

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

22 “(2) DUTIES.—The Noise Officer shall—

23 “(A) serve as a liaison with the public, in-
24 cluding community groups, on issues regarding
25 aircraft noise;

1 “(B) make recommendations to the Ad-
2 ministrator to address concerns raised by the
3 public in decision making processes; and

4 “(C) be consulted when the Administration
5 proposes changes in aircraft routes so as to
6 minimize any increases in aircraft noise over
7 populated areas.

8 “(3) NUMBER OF FULL-TIME EQUIVALENT EM-
9 PLOYEES.—The appointment of an Aviation Noise
10 Officer under this subsection shall not result in an
11 increase in the number of full-time equivalent em-
12 ployees in the Administration.”.

13 (b) CONFORMING AMENDMENTS.—Section 180 of the
14 FAA Reauthorization Act of 2018 (49 U.S.C. 106 note)
15 and the items relating to such section in the table of con-
16 tents contained in section 1(b) of that Act, are repealed.

17 **SEC. 136. CHIEF OPERATING OFFICER.**

18 Subsection 106(r) of title 49, United States Code, is
19 amended—

20 (1) in paragraph (1)—

21 (A) by striking subparagraph (A) and in-
22 serting the following:

23 “(A) APPOINTMENT.—There shall be a
24 Chief Operating Officer for the air traffic con-
25 trol system that is appointed by the Adminis-

1 trator and subject to the authority of the Ad-
2 ministrators.”; and

3 (B) in subparagraph (E) by striking “shall
4 be appointed for the remainder of that term”
5 and inserting “may be appointed for either the
6 remainder of the term or for a full term”;

7 (2) in paragraph (2) by striking “, with the ap-
8 proval of the Air Traffic Services Committee”;

9 (3) in paragraph (3)—

10 (A) by striking “, in consultation with the
11 Air Traffic Services Committee,”; and

12 (B) by striking “annual basis.” and insert-
13 ing— “annual basis and shall include responsi-
14 bility for—

15 “(A) the state of good repair of the air traffic
16 control system;

17 “(B) the continuous improvement of the safety
18 and efficiency of the air traffic control system; and

19 “(C) identifying services and solutions to in-
20 crease the safety and efficiency of airspace use and
21 to support the safe integration of all airspace
22 users.”;

23 (4) in paragraph (4) by striking “such informa-
24 tion as may be prescribed by the Secretary” and in-
25 serting “the annual performance agreement required

1 under paragraph (3), an assessment of the perform-
2 ance of the Chief Operating Officer in relation to the
3 performance goals in the previous year's perform-
4 ance agreement, and such other information as may
5 be prescribed by the Administrator"; and

6 (5) in paragraph (5)—

7 (A) by striking "Chief Operating Officer,
8 or any other authority within the Administra-
9 tion responsibilities, including" and inserting
10 "Chief Operating Officer any authority of the
11 Administrator and shall delegate, at a min-
12 imum";

13 (B) in subparagraph (A)—

14 (i) in clause (iii) by striking "and" at
15 the end;

16 (ii) in clause (iv) by striking the pe-
17 riod at the end and inserting "; and"; and

18 (iii) by adding at the end the fol-
19 lowing:

20 "(v) plans to integrate new entrant
21 operations into the national airspace sys-
22 tem and associated action items."; and

23 (C) in subparagraph (C)(ii) by striking
24 "and the Committee".

1 **SEC. 137. REPORT ON UNFUNDED CAPITAL INVESTMENT**
2 **NEEDS OF AIR TRAFFIC CONTROL SYSTEM.**

3 Section 106(r) of title 49, United States Code, is fur-
4 ther amended by adding at the end the following:

5 “(6) UNFUNDED CAPITAL INVESTMENT NEEDS
6 REPORT.—

7 “(A) IN GENERAL.—Not later than 10
8 days after the date on which the budget of the
9 President for a fiscal year is submitted to Con-
10 gress pursuant to section 1150 of title 31, the
11 Chief Operating Officer shall submit directly to
12 the Administrator, the Secretary, the Com-
13 mittee on Transportation and Infrastructure of
14 the House of Representatives, and the Com-
15 mittee on Commerce, Science, and Transpor-
16 tation of the Senate a report on any unfunded
17 capital investment needs of the air traffic con-
18 trol system.

19 “(B) CONTENTS OF REPORT.—The report
20 required under subparagraph (A) shall include,
21 for each unfunded capital investment need, the
22 following:

23 “(i) A summary description of such
24 unfunded capital investment need.

1 “(ii) Objective to be achieved if such
2 unfunded capital investment need is fund-
3 ed in whole or in part.

4 “(iii) The additional amount of funds
5 recommended in connection with such ob-
6 jective.

7 “(iv) The Budget Line Item Program
8 and Budget Line Item number associated
9 with such unfunded capital investment
10 need, as applicable.

11 “(v) Any statutory requirement asso-
12 ciated with such unfunded capital invest-
13 ment need, as applicable.

14 “(C) PRIORITIZATION OF REQUIRE-
15 MENTS.—The report required under subpara-
16 graph (A) shall present unfunded capital invest-
17 ment needs in overall urgency of priority.

18 “(D) DEFINITION OF UNFUNDED CAPITAL
19 INVESTMENT NEED.—In this paragraph the
20 term ‘unfunded capital investment need’ means
21 a program that—

22 “(i) is not funded in the budget of the
23 President for the fiscal year as submitted
24 to Congress pursuant to section 1105 of
25 title 31;

1 “(ii) is for infrastructure or a system
2 related to necessary modernization or
3 sustainment of the air traffic control sys-
4 tem;

5 “(iii) is listed for any year in the most
6 recent National Airspace System Capital
7 Investment Plan of the Administration;
8 and

9 “(iv) would have been recommended
10 for funding through the budget referred to
11 in subparagraph (A) by the Chief Oper-
12 ating Officer if—

13 “(I) additional resources had
14 been available for the budget to fund
15 the program, activity, or mission re-
16 quirement; or

17 “(II) the program, activity, or
18 mission requirement has emerged
19 since the budget was formulated.”.

20 **SEC. 138. CHIEF TECHNOLOGY OFFICER.**

21 Section 106(s) of title 49, United States Code, is
22 amended—

23 (1) in paragraph (1)—

24 (A) in subparagraph (A) by striking

25 “‘There shall be’ and all that follows through

1 the period at the end and inserting “The Chief
2 Technology Officer shall be appointed by the
3 Chief Operating Officer of the with the consent
4 of the Administrator.”;

5 (B) in subparagraph (B) by striking “man-
6 agement” and inserting “management, systems
7 management,”;

8 (C) by striking subparagraph (D);

9 (D) by redesignating subparagraphs (A)
10 through (C) as subparagraphs (B) through (D),
11 respectively; and

12 (E) by inserting before subparagraph (B),
13 as so redesignated, the following:

14 “(A) ESTABLISHMENT.—There shall be a
15 Chief Technology Officer for the air traffic con-
16 trol system that shall report directly to the
17 Chief Operating Officer of the air traffic control
18 system.”;

19 (2) in paragraph (2)—

20 (A) in subparagraph (A) by striking “pro-
21 gram”; and

22 (B) in subparagraph (F) by striking “air-
23 craft operators” and inserting “the Administra-
24 tion, aircraft operators, or other private pro-

1 viders of information and services related to air
2 traffic management”; and

3 (3) in paragraph (3)—

4 (A) in subparagraph (A) by striking “The
5 Chief Technology Officer shall be subject to the
6 postemployment provisions of section 207 of
7 title 18 as if the position of Chief Technology
8 Officer were described in section
9 207(c)(2)(A)(i) of that title.”;

10 (B) by redesignating subparagraph (B) as
11 subparagraph (C); and

12 (C) by inserting after subparagraph (A)
13 the following:

14 “(B) POST-EMPLOYMENT.—The Chief
15 Technology Officer shall be subject to the
16 postemployment provisions of section 207 of
17 title 18 as if the position of Chief Technology
18 Officer were described in section
19 207(c)(2)(A)(i) of that title.”.

20 **SEC. 139. DEFINITION OF AIR TRAFFIC CONTROL SYSTEM.**

21 Section 40102(a)(47) of title 49, United States Code,
22 is amended—

23 (1) in subparagraph (C) by striking “and” at
24 the end;

1 (2) in subparagraph (D) by striking the period
2 at the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(E) systems, software, and hardware op-
5 erated, owned, and maintained by third parties
6 that support or directly provide air navigation
7 information and air traffic management services
8 with Administration approval.”.

9 **SEC. 140. PEER REVIEW OF OFFICE OF WHISTLEBLOWER**
10 **PROTECTION AND AVIATION SAFETY INVES-**
11 **TIGATIONS.**

12 Section 106(t) of title 49, United States Code, is
13 amended—

14 (1) by striking paragraph (7);

15 (2) by inserting after paragraph (6) the fol-
16 lowing:

17 “(7) DEPARTMENT OF TRANSPORTATION OF-
18 FICE OF THE INSPECTOR GENERAL PEER REVIEW.—

19 “(A) IN GENERAL.—Not later than 2 years
20 after the date of enactment of the Securing
21 Growth and Robust Leadership in American
22 Aviation Act, and every 5 years thereafter, the
23 inspector general of the Department of Trans-
24 portation shall perform a peer review of the Of-

1 fice of Whistleblower Protection and Aviation
2 Safety Investigations.

3 “(B) PEER REVIEW SCOPE.—In completing
4 the peer reviews required under this paragraph,
5 the inspector general shall use the most recent
6 peer review guides published by the Council of
7 the inspector general on Integrity and Effi-
8 ciency Audit Committee and Investigations
9 Committee.

10 “(C) REPORTS TO CONGRESS.—Not later
11 than 90 days after the completion of a peer re-
12 view required under this paragraph, the inspec-
13 tor general shall submit to the Committee on
14 Transportation and Infrastructure of the House
15 of Representatives and the Committee on Com-
16 merce, Science, and Transportation of the Sen-
17 ate a description of any actions taken or to be
18 taken to address the results of the peer re-
19 view.”; and

20 (3) in paragraph (8)(B) by striking the comma.

21 **SEC. 141. CYBERSECURITY LEAD.**

22 (a) IN GENERAL.—The Administrator of the Federal
23 Aviation Administration shall designate an executive of
24 the Administration to serve as the lead for the cybersecu-

1 rity of Administration systems and hardware (hereinafter
2 referred to as the “Cybersecurity Lead”).

3 (b) DUTIES.—The Cybersecurity Lead shall carry out
4 duties and powers prescribed by the Administrator, includ-
5 ing the management of activities required under subtitle
6 B of title VI of the Securing Growth and Robust Leader-
7 ship in American Aviation Act.

8 (c) BRIEFING.—Not later than 1 and 3 years after
9 the date of enactment of this Act, the Cybersecurity Lead
10 shall provide a briefing to the Committee on Transpor-
11 tation and Infrastructure of the House of Representatives
12 and the Committee on Commerce, Science, and Transpor-
13 tation of the Senate on the implementation of subtitle B
14 of title VI of the Securing Growth and Robust Leadership
15 in American Aviation Act.

16 **SEC. 142. REDUCING FAA WASTE, INEFFICIENCY, AND UN-**
17 **NECESSARY RESPONSIBILITIES.**

18 (a) ANNUAL REPORT ON AVIATION ACTIVITIES.—
19 Section 308 of title 49, United States Code, is amended—

20 (1) by striking subsection (b);

21 (2) by redesignating subsection (c) as sub-
22 section (b); and

23 (3) by redesignating subsection (e) as sub-
24 section (c).

1 (b) ANNUAL REPORT ON THE PURCHASE OF FOR-
2 EIGN MANUFACTURED ARTICLES.—Section 40110(d) of
3 title 49, United States Code, is amended by striking para-
4 graph (5).

5 (c) ANNUAL REPORT ON ASSISTANCE TO FOREIGN
6 AVIATION AUTHORITIES.—Section 40113(e) of title 49,
7 United States Code, is amended—

8 (1) by striking paragraph (4); and

9 (2) by redesignating paragraph (5) (as amend-
10 ed by section 104(a)) as paragraph (4).

11 (d) AIP ANNUAL REPORT.—Section 47131 of title
12 49, United States Code, and the item relating to such sec-
13 tion in the analysis for chapter 471 of such title, are re-
14 pealed.

15 (e) TRANSFER OF AIRPORT LAND USE COMPLIANCE
16 REPORT TO NPIAS.—Section 47103 of title 49, United
17 States Code, is amended—

18 (1) by redesignating subsection (d) as sub-
19 section (e); and

20 (2) by inserting after subsection (e) the fol-
21 lowing:

22 “(d) NON-COMPLIANT AIRPORTS.—

23 “(1) IN GENERAL.—The Secretary shall include
24 in the plan a detailed statement listing airports the
25 Secretary has reason to believe are not in compliance

1 with grant assurances or other requirements with re-
2 spect to airport lands and shall include—

3 “(A) the circumstances of noncompliance;

4 “(B) the timeline for corrective action with
5 respect to such noncompliance; and

6 “(C) any corrective action the Secretary
7 intends to require to bring the airport sponsor
8 into compliance.

9 “(2) LISTING.—The Secretary is not required
10 to conduct an audit or make a final determination
11 before including an airport on the list referred to in
12 paragraph (1).”.

13 (f) NOTICE TO AIRPORT SPONSORS REGARDING PUR-
14 CHASE OF AMERICAN MADE EQUIPMENT AND PROD-
15 UCTS.—Section 306 of the Federal Aviation Administra-
16 tion Authorization Act of 1994 (49 U.S.C. 50101 note)
17 is amended—

18 (1) in subsection (a) by striking “(a)” and all
19 that follows through “It is the sense” and inserting
20 “It is the sense”; and

21 (2) by striking subsection (b).

22 (g) OBSOLETE AVIATION SECURITY REQUIRE-
23 MENTS.—Sections 302, 307, 309, and 310 of the Federal
24 Aviation Reauthorization Act of 1996 (Public Law 104—

1 264), and the items relating to such sections in the table
2 of contents in section 1(b) of such Act, are repealed.

3 (h) REGULATION OF ALASKA GUIDE PILOTS.—Sec-
4 tion 732 of the Wendell H. Ford Aviation Investment and
5 Reform Act for the 21st Century (49 U.S.C. 44701 note)
6 is amended—

7 (1) by striking subsection (b);

8 (2) by redesignating subsection (c) as sub-
9 section (b); and

10 (3) in subsection (b), as so redesignated—

11 (A) in the heading by striking “DEFINI-
12 TIONS” and inserting “DEFINITION OF ALASKA
13 GUIDE PILOT”; and

14 (B) by striking “, the following definitions
15 apply” and all that follows through “The term
16 ‘Alaska guide pilot’” and inserting “the term
17 ‘Alaska guide pilot’”.

18 (i) NEXT GENERATION AIR TRANSPORTATION SEN-
19 IOR POLICY COMMITTEE.—Section 710 of the Vision 100–
20 Century of Aviation Reauthorization Act (49 U.S.C.
21 40101 note), and the item relating to such section in the
22 table of contents in section 1(b) of such Act, are repealed.

23 (j) IMPROVED PILOT LICENSES AND PILOT LICENSE
24 RULEMAKING.—

1 (1) INTELLIGENCE REFORM AND TERRORISM
2 PREVENTION ACT.—Section 4022 of the Intelligence
3 Reform and Terrorism Prevention Act of 2004 (49
4 U.S.C. 44703 note), and the item relating to such
5 section in the table of contents in section 1(b) of
6 such act are repealed.

7 (2) FAA MODERNIZATION AND REFORM ACT OF
8 2012.—Section 321 of the FAA Modernization and
9 Reform Act of 2012 (49 U.S.C. 44703 note), and
10 the item relating to such section in the table of con-
11 tents in section 1(b) of such Act, are repealed.

12 (k) TECHNICAL TRAINING AND STAFFING STUDY.—
13 Section 605 of the FAA Modernization and Reform Act
14 of 2012 (Public Law 112–95; 126 Stat. 113) is amend-
15 ed—

16 (1) by striking subsection (a);

17 (2) in subsection (b)—

18 (A) by striking “(b) Workload of Systems
19 Specialists.—”; and

20 (B) by redesignating paragraphs (1)
21 through (3) as subsections (a) through (c); and

22 (3) in subsection (c) (as so redesignated) by
23 striking “paragraph (1)” and inserting “subsection
24 (c)”.

1 (l) FERRY FLIGHT DUTY PERIOD AND FLIGHT TIME
2 RULEMAKINGS.—Section 345 of the FAA Modernization
3 and Reform Act of 2012 (49 U.S.C. 44701 note), and the
4 item relating to such section in the table of contents in
5 section 1(b) of such Act, are repealed.

6 (m) LASER POINTER INCIDENT REPORTS.—Section
7 2104 of FAA Extension, Safety, and Security Act of 2016
8 (49 U.S.C. 46301 note) is amended—

9 (1) in subsection (a) by striking “quarterly”
10 and inserting “annually”; and

11 (2) by adding at the end the following:

12 “(c) REPORT SUNSET.—Subsection (a) shall cease to
13 be effective after September 30, 2028.”.

14 (n) COLD WEATHER PROJECTS BRIEFING.—Section
15 156 of the FAA Reauthorization Act of 2018 (49 U.S.C.
16 47112 note) is amended—

17 (1) by striking subsection (b); and

18 (2) by redesignating subsection (c) as sub-
19 section (b).

1 **TITLE II—GENERAL AVIATION**

2 **Subtitle A—Expanding Pilot**

3 **Privileges and Protections**

4 **SEC. 201. REEXAMINATION OF PILOTS OR CERTIFICATE**
5 **HOLDERS.**

6 The Pilot’s Bill of Rights (49 U.S.C. 44703 note) is
7 amended by adding at the end the following:

8 **“SEC. 5. REEXAMINATION OF AN AIRMAN CERTIFICATE.**

9 “(a) IN GENERAL.—The Administrator shall provide
10 timely, written notification to an individual subject to a
11 reexamination of an airman certificate issued under chap-
12 ter 447 of title 49, United States Code.

13 “(b) INFORMATION REQUIRED.—In providing notifi-
14 cation under subsection (a), the Administrator shall in-
15 form the individual—

16 “(1) of the nature of the reexamination and the
17 specific activity on which the reexamination is neces-
18 sitated;

19 “(2) that the reexamination shall occur within
20 1 year from the date of the notice provided by the
21 Administrator, after which, if the reexamination is
22 not conducted, the airman certificate may be sus-
23 pended or revoked; and

1 “(3) when, as determined by the Administrator,
2 an oral or written response to the notification from
3 the Administrator is not required.

4 “(c) EXCEPTION.—Nothing in this section prohibits
5 the Administrator from reexamining a certificate holder
6 if the Administrator has reasonable grounds—

7 “(1) to establish that an airman may not be
8 qualified to exercise the privileges of a certificate or
9 rating based upon an act or omission committed by
10 the airman while exercising such privileges or per-
11 forming ancillary duties associated with the exercise
12 of such privileges; or

13 “(2) to demonstrate that the airman obtained
14 such a certificate or rating through fraudulent
15 means or through an examination that was substan-
16 tially and inadequate to establish the qualifications
17 of an airman.

18 “(d) STANDARD OF REVIEW.—An order issued by the
19 Administrator to amend, modify, suspend, or revoke an
20 airman certificate after reexamination of the airman is
21 subject to the standard of review provided for under sec-
22 tion 2 of this Act.”.

23 **SEC. 202. GAO REVIEW OF PILOT’S BILL OF RIGHTS.**

24 (a) IN GENERAL.—Not later than 2 years after the
25 date of enactment of this Act, the Comptroller General

1 of the United States shall submit to the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committee on Commerce, Science,
4 and Transportation of the Senate a study of the imple-
5 mentation of the Pilot’s Bill of Rights (Public Law 112–
6 153).

7 (b) CONTENTS.—In conducting the study under sub-
8 section (a), the Comptroller General shall review—

9 (1) the implementation and application of the
10 Pilot’s Bill of Rights;

11 (2) the application of the Federal Rules of Civil
12 Procedure and the Federal Rules of Evidence to cov-
13 ered proceedings by the National Transportation
14 Safety Board, as required by section 2 of the Pilot’s
15 Bill of Rights (49 U.S.C. 44703 note);

16 (3) the appeal process and the typical length of
17 time associated with a final determination in a cov-
18 ered proceeding; and

19 (4) any impacts of the implementation of the
20 Pilot’s Bill of Rights.

21 (c) COVERED PROCEEDINGS.—In this section, the
22 term “covered proceeding” means a proceeding conducted
23 under subpart C, D, or F of part 821 of title 49, Code
24 of Federal Regulations, relating to denial, amendment,

1 modification, suspension, or revocation of an airman cer-
2 tificate.

3 **SEC. 203. EXPANSION OF BASICMED.**

4 (a) IN GENERAL.—Section 2307 of the FAA Exten-
5 sion, Safety, and Security Act of 2016 (49 U.S.C. 44703
6 note) is amended—

7 (1) in subsection (a)—

8 (A) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) the individual holds a medical certificate
11 issued by the Federal Aviation Administration or
12 has held such a certificate at any time after July 14,
13 2006;”;

14 (B) in paragraph (7) by inserting “cal-
15 endar” before “months”; and

16 (C) in paragraph (8)(A) by striking “5”
17 and inserting “6”;

18 (2) in subsection (b)(2)(A)(i) by inserting “(or
19 any successor form)” after “(3–99)”;

20 (3) by striking subsection (h) and inserting the
21 following:

22 “(h) REPORT REQUIRED.—Not later than 4 years
23 after the date of enactment of the Securing Growth and
24 Robust Leadership in American Aviation Act, the Admin-
25 istrator, in coordination with the National Transportation

1 Safety Board, shall submit to the appropriate committees
2 of Congress a report that describes the effect of the regu-
3 lations issued or revised under subsection (a) and includes
4 statistics with respect to changes in small aircraft activity
5 and safety incidents.”; and

6 (4) in subsection (j)—

7 (A) in paragraph (1) by striking “6” and
8 inserting “7”; and

9 (B) in paragraph (2) by striking “6,000”
10 and inserting “12,500”.

11 (b) RULEMAKING.—The Administrator of the Fed-
12 eral Aviation Administration shall update regulations in
13 parts 61 and 68 of title 14, Code of Federal Regulations,
14 as necessary, to implement the amendments made by this
15 section.

16 (c) APPLICABILITY.—Beginning on the date that is
17 120 days after the date of enactment of this Act, the Ad-
18 ministrator shall apply part 68, Code of Federal Regula-
19 tions, in a manner reflecting the amendments made by
20 this section.

21 **SEC. 204. DATA PRIVACY.**

22 (a) IN GENERAL.—Chapter 441 of title 49, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 **“§ 44114. Privacy**

2 “(a) IN GENERAL.—Notwithstanding any other pro-
3 vision of law, the Administrator of the Federal Aviation
4 Administration shall establish and continuously improve a
5 process by which, upon request of a private aircraft owner
6 or operator, the Administrator blocks the registration
7 number and other similar identifiable data or information,
8 except for physical markings required by law, of the air-
9 craft of the owner or operator from any public dissemina-
10 tion or display (except in furnished data or information
11 made available to or from a Government agency pursuant
12 to a government contract, subcontract, or agreement) for
13 the noncommercial flights of the owner or operator.

14 “(b) WITHHOLDING PERSONALLY IDENTIFIABLE IN-
15 FORMATION ON THE AIRCRAFT REGISTRY.—Not later
16 than 1 year after the enactment of this Act and notwith-
17 standing any other provision of law, the Administrator
18 shall establish a procedure by which, upon request of a
19 private aircraft owner or operator, the Administrator shall
20 withhold from public disclosure (except in furnished data
21 or information made available to or from a Government
22 agency pursuant to a government contract, subcontract,
23 or agreement) the personally identifiable information of
24 such individual on the Civil Aviation Registry website.

25 “(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

1 “(1) IN GENERAL.—The Administrator shall es-
2 tablish a program for aircraft owners and operators
3 to apply for a new ICAO aircraft identification code.

4 “(2) LIMITATIONS.—In carrying out the pro-
5 gram described in paragraph (1), the Administrator
6 shall require—

7 “(A) each applicant to substantiate the
8 safety or security need in applying for a new
9 ICAO aircraft identification code; and

10 “(B) each approved applicant who obtains
11 a new ICAO aircraft identification code to com-
12 ply with all applicable aspects of, or related to,
13 part 45 of title 14, Code of Federal Regula-
14 tions, including updating an aircraft’s registra-
15 tion number and N-Number to reflect such air-
16 craft’s new ICAO aircraft identification code.

17 “(d) DECOUPLING MODE S CODES.—The Adminis-
18 trator shall develop a plan for which the Administrator
19 could allow for a process to disassociate an assigned Mode
20 S code with the number assigned to an aircraft that is
21 registered pursuant to section 44103.

22 “(e) DEFINITIONS.—In this section:

23 “(1) ADS-B.—The term ‘ADS-B’ means auto-
24 matic dependent surveillance-broadcast.

1 “(2) ICAO.—The term ‘ICAO’ means the
2 International Civil Aviation Organization.

3 “(3) PERSONALLY IDENTIFIABLE INFORMA-
4 TION.—The term ‘personally identifiable informa-
5 tion’ means—

6 “(A) the mailing address or registration
7 address of an individual;

8 “(B) an electronic address (including an e-
9 mail address) of an individual; or

10 “(C) the telephone number of an indi-
11 vidual.”.

12 (b) STUDY ON ENCRYPTING ADS-B.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall seek to
16 enter into an agreement with a qualified organiza-
17 tion to conduct a study assessing the technical chal-
18 lenges, impact to international aviation operations,
19 benefits, and costs of encrypting ADS-B signals to
20 provide for a safer and more secure environment for
21 national airspace system users.

22 (2) CONSULTATION.—In carrying out the study
23 under paragraph (1), a qualified organization shall
24 consult with representatives of—

25 (A) air carriers;

1 (B) collective bargaining representatives of
2 the Federal Aviation Administration aero-
3 nautical information specialists;

4 (C) original equipment manufacturers of
5 ADS-B equipment;

6 (D) general aviation;

7 (E) business aviation; and

8 (F) aviation safety experts with specific
9 knowledge of aircraft cybersecurity.

10 (3) CONSIDERATIONS.—In carrying out the
11 study under paragraph (1), a qualified organization
12 shall consider—

13 (A) the technical requirements for
14 encrypting ADS-B signals for both the 978
15 Mhz and 1090 Mhz frequencies;

16 (B) the advantages of encrypting ADS-B
17 signals for both the 978 Mhz and 1090 Mhz
18 frequencies, including those related to cyberse-
19 curity protections, safety, and privacy of na-
20 tional airspace system users;

21 (C) the disadvantages of encrypting ADS-
22 B signals for both the 978 Mhz and 1090 Mhz
23 frequencies, including those related to cyberse-
24 curity protections, safety, and privacy of na-
25 tional airspace system users;

1 (D) the challenges of encrypting ADS-B
2 signals for both the 978 Mhz and 1090 Mhz
3 frequencies, including coordination consider-
4 ations with the International Civil Aviation Or-
5 ganization and foreign civil aviation authorities;

6 (E) potential new aircraft equipage re-
7 quirements and estimated costs;

8 (F) the impact to nongovernmental third
9 party users of ADS-B data;

10 (G) the estimated costs to—

11 (i) the Federal Aviation Administra-
12 tion;

13 (ii) aircraft owners required to equip
14 with ADS-B equipment for aviation oper-
15 ations; and

16 (iii) other relevant persons the Admin-
17 istrator determines necessary; and

18 (H) the impact to national airspace system
19 operations during implementation and post-im-
20 plementation.

21 (4) REPORT.—In any agreement entered into
22 under paragraph (1), the Administrator shall ensure
23 that, not later than 1 year after the completion of
24 the study required under paragraph (1), the quali-
25 fied organization that has entered into such agree-

1 “(c) PROHIBITION ON USING ADS-B DATA TO INI-
2 TIALTE AN INVESTIGATION.—

3 “(1) IN GENERAL.—Notwithstanding any provi-
4 sion of this section, the Administrator of the Federal
5 Aviation Administration may not initiate an inves-
6 tigation (excluding a criminal investigation) of a per-
7 son based exclusively on automatic dependent sur-
8 veillance-broadcast data.

9 “(2) RULE OF CONSTRUCTION.—Nothing in
10 this subsection shall prohibit the use of automatic
11 dependent surveillance-broadcast data in an inves-
12 tigation that was initiated for any reason other than
13 the review of automatic dependent surveillance-
14 broadcast data, including if such investigation was
15 initiated as a result of a report or complaint sub-
16 mitted to the Administrator.”.

17 **SEC. 206. PROHIBITION ON N-NUMBER PROFITEERING.**

18 Section 44103 of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(e) PROHIBITION ON N-NUMBER PROFITEERING.—

21 “(1) IN GENERAL.—No person may reserve an
22 aircraft registration number without certifying that
23 such person intends to use such registration num-
24 ber—

25 “(A) immediately on a specific aircraft; or

1 “(B) for future use on an aircraft owned
2 or controlled, or intended to be owned or con-
3 trolled, by such person.

4 “(2) TRANSFERS.—A person may transfer a re-
5 served aircraft registration number to another per-
6 son if—

7 “(A) the transferor certifies that the air-
8 craft registration number is relinquished will-
9 ingly and at a cost to the transferee that does
10 not otherwise exceed the amount paid by the
11 transferor to reserve such number; and

12 “(B) the transferee—

13 “(i) certifies that the transferor did
14 not impose a dollar cost on the transfer
15 that exceeds the amount provided for in
16 subparagraph (A); and

17 “(ii) complies with the certification re-
18 quirement under paragraph (1).”.

19 **SEC. 207. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION**
20 **NUMBERS.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Administrator of the
23 Federal Aviation Administration shall initiate a review of
24 the process for reserving aircraft registration numbers to
25 ensure that such process offers an equal opportunity for

1 members of the general public to obtain specific aircraft
2 registration numbers.

3 (b) ASSESSMENT.—In conducting the review under
4 subsection (a), the Administrator shall assess the fol-
5 lowing:

6 (1) Whether the use of readily available soft-
7 ware to prevent computer or web-based auto-fill sys-
8 tems from reserving aircraft registration numbers in
9 bulk would improve participation in the reservation
10 process by the general public.

11 (2) Whether a limit should be imposed on the
12 number of consecutive years a person may reserve
13 an aircraft registration number.

14 (3) The impact of the prohibition imposed by
15 section 44103(e) of title 49, United States Code.

16 (c) BRIEFING.—Not later than 18 months after the
17 date of enactment of this Act, the Administrator shall
18 brief the Committee on Transportation and Infrastructure
19 of the House of Representatives and the Committee on
20 Commerce, Science, and Transportation of the Senate on
21 the review conducted under subsection (a), including any
22 recommendations of the Administrator to improve equal
23 participation in the process for reserving aircraft registra-
24 tion numbers by the general public.

1 **SEC. 208. TIMELY RESOLUTION OF INVESTIGATIONS.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of issuance of a letter of investigation to any person,
4 the Administrator of the Federal Aviation Administration
5 shall—

6 (1) make a determination regarding such inves-
7 tigation and pursue subsequent action; or

8 (2) close such investigation.

9 (b) EXTENSION.—

10 (1) IN GENERAL.—If, upon review the facts and
11 status of an investigation described in subsection
12 (a), the Administrator determines that the time pro-
13 vided to make a final determination or close such in-
14 vestigation is insufficient, the Administrator may ap-
15 prove an extension of such investigation for 2 years.

16 (2) ADDITIONAL EXTENSIONS.—The Adminis-
17 trator may approve consecutive extensions under
18 paragraph (1).

19 (c) DELEGATION.—The Administrator may not dele-
20 gate the authority to approve an extension described in
21 subsection (b) to anyone other than the leadership of the
22 Administration as described in section 106(b) of title 49,
23 United States Code.

1 **SEC. 209. EXPANSION OF VOLUNTEER PILOT ORGANIZA-**
2 **TION DEFINITION.**

3 Section 821 of the FAA Modernization and Reform
4 Act of 2012 (49 U.S.C. 40101 note) is amended—

5 (1) in subsection (a)—

6 (A) by striking “for the fuel costs associ-
7 ated with” and inserting “for the fuel costs and
8 airport fees attributed to”; and

9 (B) by striking “for an individual or organ
10 for medical purposes (and for other associated
11 individuals)” and inserting “for the purposes
12 described in subsection (c)(2)”; and

13 (2) in subsection (c)(2) by striking “charitable
14 medical transportation.” and inserting the following:
15 “charitable transportation for the following pur-
16 poses:

17 “(A) Assisting individuals in accessing
18 medical care or treatment (and for other associ-
19 ated individuals).

20 “(B) Delivering human blood, tissues, or
21 organs.

22 “(C) Aiding disaster relief efforts pursuant
23 to a—

24 “(i) presidential declaration of a
25 major disaster or an emergency under the
26 Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C.
2 5121 et seq.); or

3 “(ii) declaration of a major disaster or
4 an emergency by a Governor of a State.”.

5 **SEC. 210. CHARITABLE FLIGHT FUEL REIMBURSEMENT EX-**
6 **EMPTIONS.**

7 (a) IN GENERAL.—

8 (1) VALIDITY OF EXEMPTION.—Except as oth-
9 erwise provided in this subsection, an exemption
10 from section 61.113(e) of title 14, Code of Federal
11 Regulations, that is granted by the Administrator of
12 the Federal Aviation Administration for the purpose
13 of allowing a volunteer pilot to accept reimburse-
14 ment from a volunteer pilot organization for the fuel
15 costs and airport fees attributed to a flight operation
16 to provide charitable transportation pursuant to sec-
17 tion 821 of the FAA Modernization and Reform Act
18 of 2012 (49 U.S.C. 40101 note) shall be valid for
19 5 years.

20 (2) FAILING TO ADHERE.—If the Administrator
21 finds an exemption holder under paragraph (1) or a
22 volunteer pilot fails to adhere to the conditions and
23 limitations of the exemption described under such
24 paragraph, the Administrator may rescind or sus-
25 pend the exemption.

1 (3) NO LONGER QUALIFYING.—If the Adminis-
2 trator finds that such exemption holder no longer
3 qualifies as a volunteer pilot organization, the Ad-
4 ministrators shall rescind such exemption.

5 (4) FORGOING EXEMPTION.—If such exemption
6 holder informs the Administrator that such holder
7 no longer plans to exercise the authority granted by
8 such exemption, the Administrator may rescind such
9 exemption.

10 (b) ADDITIONAL REQUIREMENTS.—

11 (1) IN GENERAL.—A volunteer pilot organiza-
12 tion may impose additional safety requirements on a
13 volunteer pilot without—

14 (A) being considered—

15 (i) an air carrier (as such term is de-
16 fined in section 40102 of title 49, United
17 States Code); or

18 (ii) a commercial operator (as such
19 term is defined in section 1.1 of title 14,
20 Code of Federal Regulations); or

21 (B) constituting common carriage.

22 (2) SAVINGS CLAUSE.—Nothing in this sub-
23 section may be construed to limit or otherwise affect
24 the authority of the Administrator to regulate, as
25 appropriate, a flight operation associated with a vol-

1 volunteer pilot organization that constitutes a commer-
2 cial operation or common carriage.

3 (c) REISSUANCE OF EXISTING EXEMPTIONS.—In re-
4 issuing an expiring exemption described in subsection (a)
5 that was originally issued prior to the date of enactment
6 of this Act, the Administrator shall ensure that the re-
7 issued exemption—

8 (1) accounts for the provisions of this section
9 and section 821 of the FAA Modernization and Re-
10 form Act of 2012 (49 U.S.C. 40101 note), as
11 amended by this Act; and

12 (2) is otherwise substantially similar to the pre-
13 viously issued exemption.

14 (d) STATUTORY CONSTRUCTION.—Nothing in this
15 section shall be construed to—

16 (1) affect the authority of the Administrator to
17 exempt a pilot (exercising the private pilot privi-
18 leges) from any restriction on receiving reimburse-
19 ment for the fuel costs and airport fees attributed
20 to a flight operation to provide charitable transpor-
21 tation; or

22 (2) impose or authorize the imposition of any
23 additional requirements by the Administrator on a
24 flight that is arranged by a volunteer pilot organiza-
25 tion in which the volunteer pilot—

1 (A) is not reimbursed the fuel costs and
2 airport fees attributed to a flight operation to
3 provide charitable flights; or

4 (B) pays a pro rata share of expenses as
5 described in section 61.113(c) of title 14, Code
6 of Federal Regulations.

7 (e) DEFINITIONS.—In this section:

8 (1) VOLUNTEER PILOT.—The term “volunteer
9 pilot” means a person who—

10 (A) acts as a pilot in command of a flight
11 operation to provide charitable transportation
12 pursuant to section 821 of the FAA Moderniza-
13 tion and Reform Act of 2012 (49 U.S.C. 40101
14 note); and

15 (B) holds a private pilot certificate, com-
16 mercial pilot certificate, or an airline transpor-
17 tation pilot certificate issued under part 61 of
18 title 14, Code of Federal Regulations.

19 (2) VOLUNTEER PILOT ORGANIZATION.—The
20 term “volunteer pilot organization” has the meaning
21 given such term in section 821(c) of the FAA Mod-
22 ernization and Reform Act of 2012 (49 U.S.C.
23 40101 note).

1 **SEC. 211. GAO REPORT ON CHARITABLE FLIGHTS.**

2 (a) REPORT.—Not later than 4 years after the date
3 of enactment of this Act, the Comptroller General of the
4 United States shall initiate a review of the following:

5 (1) Applicable laws, regulations, policies, legal
6 opinions, and guidance pertaining to charitable
7 flights and the operations of such flights, including
8 reimbursement of fuel costs.

9 (2) Petitions for exemption from the require-
10 ments of section 61.113(c) of title 14, Code of Fed-
11 eral Regulation, for the purpose of allowing a pilot
12 to accept reimbursement for the fuel costs associated
13 with a flight operation to provide charitable trans-
14 portation pursuant to section 821 of the FAA Mod-
15 ernization and Reform Act of 2012 (49 U.S.C.
16 40101 note), as amended by this Act, including as-
17 sessment of—

18 (A) the conditions and limitations a peti-
19 tioner must comply with if the exemption is
20 granted and whether such conditions and limi-
21 tations are—

22 (i) applied to petitioners in a con-
23 sistent manner; and

24 (ii) commensurate with the types of
25 flight operations exemption holders propose
26 to conduct under any such exemptions;

1 (B) denied petitions for such an exemption
2 and the reasons for the denial of such petitions;
3 and

4 (C) the processing time of a petition for
5 such an exemption.

6 (3) Charitable flights conducted without an ex-
7 emption from section 61.113(c) of title 14, Code of
8 Federal Regulations, including an analysis of the
9 certificates, qualifications, and aeronautical experi-
10 ence of the operators of such flights.

11 (b) CONSULTATION.—In carrying out the review initi-
12 ated under subsection (a), the Comptroller General shall
13 consult with charitable organizations, including volunteer
14 pilot organizations, aircraft owners and pilots who volun-
15 teer to provide transportation for or on behalf of a chari-
16 table organization, flight safety experts, and employees of
17 the Federal Aviation Administration.

18 (c) RECOMMENDATIONS.—As part of the review initi-
19 ated under subsection (a), the Comptroller General shall
20 make recommendations, as determined appropriate, to the
21 Administrator of the Federal Aviation Administration to
22 improve the rules, policies, and guidance pertaining to
23 charitable flight operations.

24 (d) REPORT.—Upon completion of the review initi-
25 ated under subsection (a), the Comptroller General shall

1 submit to the Committee on Transportation and Infra-
2 structure of the House of Representatives and the Com-
3 mittee on Commerce, Science, and Transportation of the
4 Senate a report describing the findings of such review and
5 recommendations developed under subsection (c).

6 **SEC. 212. ALL MAKES AND MODELS AUTHORIZATION.**

7 (a) IN GENERAL.—

8 (1) UNLIMITED LETTER OF AUTHORIZATION.—

9 Not later than 180 days after the date of enactment
10 of this Act, the Administrator of the Federal Avia-
11 tion Administration shall take such action as may be
12 necessary to allow for the issuance of letters of au-
13 thorizations to airmen with the authorization for—

14 (A) all types and makes of experimental
15 high-performance single engine piston powered
16 aircraft; and

17 (B) all types and makes of experimental
18 high-performance multiengine piston powered
19 aircraft.

20 (2) REQUIREMENTS.—An individual who holds
21 a letter of authorization and applies for an author-
22 ization described in paragraph (1)(A) or (1)(B)—

23 (A) shall be given an all-makes and models
24 authorization of—

1 (i) experimental single-engine piston
2 powered authorized aircraft; or

3 (ii) experimental multiengine piston
4 powered authorized aircraft;

5 (B) shall hold the appropriate category
6 and class rating for the authorized aircraft;

7 (C) shall hold 3 experimental aircraft au-
8 thorizations in aircraft of the same category
9 and class rating for the authorization sought;
10 and

11 (D) may become qualified in additional ex-
12 perimental aircraft by completing aircraft spe-
13 cific training.

14 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be construed to disallow an individual from being
16 given both an authorization described in paragraph (1)(A)
17 and an authorization described in paragraph (1)(B).

18 (c) FAILURE TO COMPLY.—

19 (1) IN GENERAL.—If the Administrator fails to
20 implement subsection (a) within the time period pre-
21 scribed in such subsection, the Administrator shall
22 brief the Committee on Transportation and Infra-
23 structure of the House of Representatives and the
24 Committee on Commerce, Science, and Transpor-
25 tation of the Senate on the status of the implemen-

1 tation of such subsection on a monthly basis until
2 the implementation is complete.

3 (2) NO DELEGATION.—The Administrator may
4 not delegate the briefing described in paragraph (1).

5 **Subtitle B—General Aviation**
6 **Safety**

7 **SEC. 221. ADS-B SAFETY ENHANCEMENT INCENTIVE PRO-**
8 **GRAM.**

9 (a) ESTABLISHMENT.—Not later than 120 days after
10 the date of enactment of this Act, the Administrator of
11 the Federal Aviation Administration shall establish a pro-
12 gram to provide rebates to owners of covered general avia-
13 tion aircraft for the purchase of covered ADS-B equip-
14 ment.

15 (b) APPLICATION.—To be eligible to receive a rebate
16 under this section, an owner of a covered general aviation
17 aircraft shall submit to the Administrator an application
18 in such form, at such time, and containing such informa-
19 tion as the Administrator may require, including proof of
20 successful installation of covered ADS-B equipment.

21 (c) AUTHORIZED REBATE.—

22 (1) AMOUNT.—A rebate approved by the Ad-
23 ministrator to be issued to an owner of a covered
24 general aviation aircraft shall be equal to the lesser
25 of—

1 (A) the cost of purchasing the covered
2 ADS-B equipment; or

3 (B) \$2,000.

4 (2) TIME.—A rebate issued under the program
5 under this section shall be redeemed or presented for
6 payment not later than 180 days after issuance,
7 after which time the rebate shall be deemed void.

8 (d) SUNSET.—The program established in subsection
9 (a) shall terminate on October 1, 2027.

10 (e) RESTRICTION.—The Administrator may not offer
11 rebates for—

12 (1) a software upgrade for covered ADS-B
13 equipment;

14 (2) covered ADS-B equipment installed prior to
15 the date of enactment of this Act;

16 (3) covered general aviation aircraft manufac-
17 tured after January 1, 2020; or

18 (4) covered general aviation aircraft for which
19 the Administrator has previously issued a rebate re-
20 lated to the purchase and installation of covered
21 ADS-B equipment.

22 (f) DEFINITIONS.—In this section:

23 (1) ADS-B.—The term “ADS-B” means auto-
24 matic dependent surveillance-broadcast.

1 (2) COVERED ADS-B EQUIPMENT.—The term
2 “covered ADS-B equipment” means ADS-B equip-
3 ment that—

4 (A) meets the performance requirements
5 described in section 91.227 of title 14, Code of
6 Federal Regulations (or any successor regula-
7 tion); and

8 (B) is capable of receiving and displaying
9 ADS-B information from other aircraft.

10 (3) COVERED GENERAL AVIATION AIRCRAFT.—

11 The term “covered general aviation aircraft” means
12 a single-engine piston aircraft registered in the
13 United States that is not equipped with covered
14 ADS-B equipment.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—Out of
16 amounts made available under section 106(k) of title 49,
17 United States Code, there is authorized to be expended
18 to carry out this section and pay administrative costs
19 \$25,000,000 for fiscal year 2024 to remain available until
20 expended.

21 **SEC. 222. GAO REPORT ON ADS-B TECHNOLOGY.**

22 (a) IN GENERAL.—The Comptroller General of the
23 United States shall conduct a study on automatic depend-
24 ent surveillance-broadcast equipage and usage rates across
25 the active general aviation fleet in the United States.

1 (b) CONTENTS.—In conducting the study described
2 in subsection (a), the Comptroller General shall, at a min-
3 imum—

4 (1) analyze the reasons why aircraft owners
5 choose not to equip or use an aircraft with auto-
6 matic dependent surveillance-broadcast technology;

7 (2) examine and substantiate any benefits and
8 drawbacks of using automatic dependent surveil-
9 lance-broadcast technology, including safety and
10 operational benefits and drawbacks;

11 (3) survey ways to further incentivize aircraft
12 owners to equip and use aircraft with automatic de-
13 pendent surveillance-broadcast technology; and

14 (4) the benefits, costs, and feasibility of requir-
15 ing equipage of automatic dependent surveillance-
16 broadcast technology on all newly manufactured air-
17 craft other than aircraft issued a special airworthi-
18 ness certificate.

19 (c) REPORT.—Not later than 18 months after the
20 date of enactment of this Act, the Comptroller General
21 shall submit to the Committee on Transportation and In-
22 frastructure of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate a report on automatic dependent surveillance-
25 broadcast described in subsection (b) and make rec-

1 ommendations to incentivize equipage and usage rates
2 across the active general aviation fleet in the United
3 States.

4 **SEC. 223. PROTECTING GENERAL AVIATION AIRPORTS**
5 **FROM FAA CLOSURE.**

6 (a) NON-SURPLUS PROPERTY.—Section 47125 of
7 title 49, United States Code, is amended by adding at the
8 end the following:

9 “(c) WAIVING RESTRICTIONS.—

10 “(1) IN GENERAL.—Subject to paragraph (2),
11 the Secretary may grant to an airport, city, or coun-
12 ty a waiver of any of the terms, conditions, reserva-
13 tions, or restrictions contained in a deed under
14 which the United States conveyed to the airport,
15 city, or county an interest in real property for air-
16 port purposes pursuant to section 16 of the Federal
17 Airport Act (60 Stat. 179), section 23 of the Airport
18 and Airway Development Act of 1970 (84 Stat.
19 232), or this section.

20 “(2) CONDITIONS.—Any waiver granted by the
21 Secretary pursuant to paragraph (1) shall be subject
22 to the following conditions:

23 “(A) The applicable airport, city, county,
24 or other political subdivision shall agree that in
25 conveying any interest in the real property

1 which the United States conveyed to the air-
2 port, city, or county, the airport, city, or county
3 will receive consideration for such interest that
4 is equal to its current fair market value.

5 “(B) Any consideration received by the air-
6 port, city, or county under subparagraph (A)
7 shall be used exclusively for the development,
8 improvement, operation, or maintenance of a
9 public airport by the airport, city, or county.

10 “(C) Such waiver—

11 “(i) will not significantly impair the
12 aeronautical purpose of an airport;

13 “(ii) will not result in the permanent
14 closure of an airport (unless the Secretary
15 determines that the waiver will directly fa-
16 cilitate the construction of a replacement
17 airport); or

18 “(iii) is necessary to protect or ad-
19 vance the civil aviation interests of the
20 United States.

21 “(D) Any other conditions required by the
22 Secretary.

23 “(3) ANNUAL REPORTING.—The Secretary shall
24 include a list and description of each waiver granted

1 pursuant to paragraph (1) in the report required
2 under section 47131.”.

3 (b) SURPLUS PROPERTY.—

4 (1) IN GENERAL.—Section 47151 of title 49,
5 United States Code, is amended—

6 (A) by striking subsection (d) and insert-
7 ing the following:

8 “(d) WAIVER OF CONDITION.—The Secretary may
9 not waive any condition imposed on an interest in surplus
10 property conveyed under subsection (a) that such interest
11 be used for an aeronautical purpose unless the Secretary
12 provides public notice not less than 30 days before the
13 issuance of such waiver and determines that such waiver—

14 “(1) will not significantly impair the aero-
15 nautical purpose of an airport;

16 “(2) will not result in the permanent closure of
17 an airport (unless the Secretary determines that the
18 waiver will directly facilitate the construction of a
19 replacement airport); or

20 “(3) is necessary to protect or advance the civil
21 aviation interests of the United States.”; and

22 (B) by adding at the end the following:

23 “(f) REVERSIONS OF PROPERTY.—The Secretary
24 shall take all necessary action to revert surplus property

1 conveyed under this subchapter back to the United States
2 if—

3 “(1) the Secretary determines that an instru-
4 ment conveying an interest in surplus property
5 under this subchapter incorporates a provision pro-
6 viding for the reversion of such property in the event
7 the property is not used for aeronautical purposes;

8 “(2) other efforts by the Secretary to ensure
9 that the property is used by the relevant airport
10 sponsor is used for aeronautical purposes are unsuc-
11 cessful; and

12 “(3) the Secretary determines that a rever-
13 sion—

14 “(A) will result in the property being used
15 for aeronautical purposes; or

16 “(B) will not transfer liabilities, including
17 environmental liabilities, greater than the fair
18 market value of the property to the Govern-
19 ment.”; and

20 (2) WAIVING AND ADDING TERMS.—Section
21 47153(c) of title 49, United States Code, is amend-
22 ed to read as follows:

23 “(c) RESTRICTIONS ON WAIVER.—Notwithstanding
24 subsections (a) and (b), the Secretary may not waive any

1 term under this section that an interest in land be used
2 for an aeronautical purpose unless—

3 “(1) the Secretary provides public notice not
4 less than 30 days before the issuance of a waiver;
5 and

6 “(2) the Secretary determines that such waiv-
7 er—

8 “(A) will not significantly impair the aero-
9 nautical purpose of an airport;

10 “(B) will not result in the permanent clo-
11 sure of an airport (unless the Secretary deter-
12 mines that the waiver will directly facilitate the
13 construction of a replacement airport); or

14 “(C) is necessary to protect or advance the
15 civil aviation interests of the United States.”.

16 (c) REPEALS.—

17 (1) AIRPORTS NEAR CLOSED OR REALIGNED
18 BASES.—Section 1203 of the Federal Aviation Reau-
19 thorization Act of 1996 (49 U.S.C. 47101 note) and
20 the item relating to such section in the table of con-
21 tents under section 1(b) of such Act are repealed.

22 (2) RELEASE FROM RESTRICTIONS.—Section
23 817 of the FAA Modernization and Reform Act of
24 2012 (49 U.S.C. 47125 note) and the item relating

1 to such section in the table of contents under section
2 1(b) of such Act are repealed.

3 **SEC. 224. ENSURING SAFE LANDINGS DURING OFF-AIR-**
4 **PORT OPERATIONS.**

5 The Administrator of the Federal Aviation Adminis-
6 tration shall not apply section 91.119 of title 14, Code
7 of Federal Regulations, in any manner that requires a
8 pilot to continue a landing that is unsafe.

9 **SEC. 225. AIRPORT DIAGRAM TERMINOLOGY.**

10 (a) IN GENERAL.—The Administrator of the Federal
11 Aviation Administration shall update Airport Diagram
12 Order JO 7910.4 and any related advisory circulars, pol-
13 icy, and guidance to ensure the clear and consistent use
14 of terms to delineate the types of parking available to gen-
15 eral aviation pilots.

16 (b) COLLABORATION.—In carrying out subsection
17 (a), the Administrator shall collaborate with industry
18 stakeholders and general aviation airports in—

19 (1) facilitating basic standardization of general
20 aviation parking terms;

21 (2) accounting for the majority of uses of gen-
22 eral aviation parking terms; and

23 (3) providing clarity for chart users.

24 (c) IAC SPECIFICATIONS.—The Administrator shall
25 encourage the Interagency Air Committee to incorporate

1 the terms developed under subsection (a) in publications
2 produced by the Committee.

3 **SEC. 226. ALTERNATIVE ADS-B TECHNOLOGIES FOR USE IN**
4 **CERTAIN SMALL AIRCRAFT.**

5 (a) IN GENERAL.—Not later than 3 years after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall publish an approved
8 list of effective alternatives to automatic dependent sur-
9 veillance-broadcast equipment (in this section referred to
10 as “alternative ADS-B equipment”) for covered aircraft
11 operating outside of Mode C veil airspace so that such air-
12 craft may voluntarily broadcast positioning to other air-
13 craft.

14 (b) REVIEW; APPROVAL.—

15 (1) REVIEW.—In carrying out subsection (a),
16 the Administrator shall, to the maximum extent
17 practicable, review available commercial-off-the-shelf
18 alternative ADS-B equipment that are used outside
19 of the United States for purposes of allowing a pilot
20 to voluntarily utilize such equipment while operating
21 outside of Mode C veil airspace and within the na-
22 tional airspace system.

23 (2) APPROVAL.—The Administrator shall work
24 with manufacturers of such equipment to expedite
25 technical standard order authorization, or other ap-

1 provals, required by the Administrator for such
2 equipment for use in covered aircraft.

3 (c) DEFINITIONS.—In this section:

4 (1) ALTERNATIVE ADS-B EQUIPMENT.—The
5 term “alternative ADS-B equipment” means a posi-
6 tioning technology that—

7 (A) does not otherwise meet the perform-
8 ance requirements prescribed in section 91.227
9 of title 14, Code of Federal Regulations;

10 (B) may be affixed to, or portable within,
11 a covered aircraft; and

12 (C) can broadcast positioning of a covered
13 aircraft to other aircraft operating outside of
14 Mode C veil airspace.

15 (2) COVERED AIRCRAFT.—The term “covered
16 aircraft” means—

17 (A) a single-engine piston aircraft;

18 (B) an ultralight aircraft; or

19 (C) an aircraft not equipped with an elec-
20 trical system.

21 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed by the Administrator to require cov-
23 ered aircraft to install—

24 (1) alternative ADS-B equipment; or

1 (2) automatic dependent surveillance-broadcast
2 equipment.

3 **SEC. 227. AIRSHOW SAFETY TEAM.**

4 (a) **IN GENERAL.**—Not later than 180 days after the
5 date of enactment of this Act, the Administrator of the
6 Federal Aviation Administration shall coordinate with the
7 General Aviation Joint Safety Committee to establish an
8 Airshow Safety Team focused on airshow and aerial event
9 safety.

10 (b) **OBJECTIVE.**—The objective of the Airshow Safety
11 Team described in subsection (a) shall be to—

12 (1) serve as a mechanism for Federal Govern-
13 ment and industry cooperation, communication, and
14 coordination on airshow and aerial event safety; and

15 (2) reduce airshow and aerial event accidents
16 and incidents through non-regulatory, proactive safe-
17 ty strategies.

18 (c) **ACTIVITIES.**—In carrying out the objectives pur-
19 suant to subsection (b), the Airshow Safety Team shall,
20 at a minimum—

21 (1) perform an analysis of airshow and aerial
22 event accidents and incidents in conjunction with the
23 Safety Analysis Team;

24 (2) publish and update every 2 years after ini-
25 tial publication an Airshow Safety Plan that incor-

1 porates consensus based and data driven mitigation
2 measures and non-regulatory safety strategies to im-
3 prove and promote safety of the public, performers,
4 and airport personnel; and

5 (3) engage the airshow and aerial event commu-
6 nity to—

7 (A) communicate non-regulatory, proactive
8 safety strategies identified by the Airshow Safe-
9 ty Plan to mitigate incidents; and

10 (B) discuss best practices to uphold and
11 maintain safety at events.

12 (d) MEMBERSHIP.—The Administrator may request
13 the Airshow Safety Team be comprised of at least 10 indi-
14 viduals, each of whom shall have knowledge or a back-
15 ground in the planning, execution, operation, or manage-
16 ment of an airshow or aerial event.

17 (e) MEETINGS.—The Airshow Safety Team shall
18 meet at least twice a year at the direction of the co-chairs
19 of the General Aviation Joint Safety Committee.

20 (f) CONSTRUCTION.—The Administrator shall not
21 initiate a regulatory action based on any—

22 (1) discussion or sharing of information and
23 data that occurs as part of an official meeting of the
24 Airshow Safety Team; or

1 **Subtitle C—Improving FAA**
2 **Services**

3 **SEC. 241. AIRCRAFT REGISTRATION VALIDITY DURING RE-**
4 **NEWAL.**

5 (a) IN GENERAL.—Section 44103 of title 49, United
6 States Code, is further amended by adding at the end the
7 following:

8 “(f) VALIDITY OF AIRCRAFT REGISTRATION DURING
9 RENEWAL.—

10 “(1) IN GENERAL.—An aircraft may be oper-
11 ated on or after the expiration date found on the
12 certificate of registration issued for such aircraft
13 under this section as if it were not expired if the op-
14 erator of such aircraft has aboard the aircraft—

15 “(A) documentation validating that—

16 “(i) an aircraft registration renewal
17 application form (AC Form 8050–1B, or a
18 succeeding form) has been submitted to
19 the Administrator for such aircraft but not
20 yet approved or denied; and

21 “(ii) such aircraft is compliant with
22 maintenance, inspections, and any other
23 requirements for the aircraft’s airworthi-
24 ness certificate issued under section
25 44704(d); and

1 “(B) the most recent aircraft registration.

2 “(2) PROOF OF PENDING RENEWAL APPLICA-
3 TION.—The Administrator shall provide an applicant
4 for renewal of registration under this section with
5 documentation described in paragraph (1)(A). Such
6 documentation shall—

7 “(A) be made electronically available to the
8 applicant immediately upon submitting an air-
9 craft registration renewal application to the
10 Civil Aviation Registry for an aircraft;

11 “(B) notify the applicant of the operational
12 allowance described in paragraph (1);

13 “(C) deems an aircraft’s airworthiness cer-
14 tificate issued under section 44704(d) as valid
15 provided that the applicant confirms acknowl-
16 edgment of the requirements of paragraph
17 (1)(A)(ii);

18 “(D) confirm the applicant acknowledged
19 the limitations described in paragraph (3)(A)
20 and (3)(B); and

21 “(E) include identifying information per-
22 taining to such aircraft and to the registered
23 owner.

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to permit any per-
3 son to operate an aircraft—

4 “(A) with an expired registration, except
5 as specifically provided for under this sub-
6 section; or

7 “(B) if the Administrator has denied an
8 application to renew the registration of such
9 aircraft.”.

10 (b) RULEMAKING; GUIDANCE.—Not later than 18
11 months after the enactment of this Act, the Administrator
12 of the Federal Aviation Administration shall issue a final
13 rule, if necessary, and update all applicable guidance and
14 policies to implement the amendment made by this section.

15 **SEC. 242. TEMPORARY AIRMAN CERTIFICATES.**

16 Section 44703 of title 49, United States Code, is
17 amended by adding at the end the following:

18 “(1) TEMPORARY AIRMAN CERTIFICATE.—An indi-
19 vidual may obtain a temporary airman certificate from the
20 Administrator after requesting a permanent replacement
21 airman certificate issued under this section. A temporary
22 airman certificate shall be—

23 “(1) made available—

24 “(A) electronically to the individual imme-
25 diately upon submitting an online application

1 for a replacement certificate to the Adminis-
2 trator; or

3 “(B) physically to the individual at a flight
4 standards district office—

5 “(i) if the individual submits an online
6 application for a replacement certificate; or

7 “(ii) if the individual applies for a
8 permanent replacement certificate other
9 than by online application and such appli-
10 cation has been received by the Federal
11 Aviation Administration; and

12 “(2) destroyed upon receipt of the permanent
13 replacement airman certificate from the Adminis-
14 trator.”.

15 **SEC. 243. FLIGHT INSTRUCTION OR TESTING.**

16 (a) IN GENERAL.—An authorized flight instructor
17 providing student instruction, flight instruction, or flight
18 training shall not be deemed to be operating an aircraft
19 carrying persons or property for compensation or hire.

20 (b) AUTHORIZED ADDITIONAL PILOTS.—An indi-
21 vidual acting as an authorized additional pilot during
22 Phase I flight testing of aircraft holding an experimental
23 airworthiness certificate, in accordance with section
24 21.191 of title 14, Code of Federal Regulations, and meet-
25 ing the requirements set forth in Federal Aviation Admin-

1 istration regulations and policy in effect as of the date
2 of enactment of this section, shall not be deemed to be
3 operating an aircraft carrying persons or property for
4 compensation or hire.

5 (c) USE OF AIRCRAFT.—An individual who uses,
6 causes to use, or authorizes to use aircraft for flights con-
7 ducted under subsection (a) or (b) shall not be deemed
8 to be operating an aircraft carrying persons or property
9 for compensation or hire.

10 (d) REVISION OF RULES.—

11 (1) IN GENERAL.—The requirements of this
12 section shall become effective upon the date of enact-
13 ment.

14 (2) REVISION.—The Administrator of the Fed-
15 eral Aviation Administration shall issue, revise, or
16 repeal the rules, regulations, guidance, or procedures
17 of the Federal Aviation Administration to conform
18 to the requirements of this section.

19 **SEC. 244. LETTER OF DEVIATION AUTHORITY.**

20 (a) IN GENERAL.—A flight instructor, registered
21 owner, lessor, or lessee of a covered aircraft shall not be
22 required to obtain a letter of deviation authority from the
23 Administrator of the Federal Aviation Administration to
24 allow, conduct, or receive flight training, checking, and
25 testing in such aircraft if—

1 (1) the flight instructor is not providing both
2 the training and the aircraft;

3 (2) no person advertises or broadly offers the
4 aircraft as available for flight training, checking, or
5 testing; and

6 (3) no person receives compensation for use of
7 the aircraft for a specific flight during which flight
8 training, checking, or testing was received, other
9 than expenses for owning, operating, and maintain-
10 ing the aircraft.

11 (b) COVERED AIRCRAFT DEFINED.—In this section,
12 the term “covered aircraft” means—

13 (1) an experimental category aircraft;

14 (2) a limited category aircraft; and

15 (3) a primary category aircraft.

16 **SEC. 245. NATIONAL COORDINATION AND OVERSIGHT OF**
17 **DESIGNATED PILOT EXAMINERS.**

18 (a) IN GENERAL.—Not later than 16 months after
19 the date of enactment of this Act, the Administrator of
20 the Federal Aviation Administration shall establish a pro-
21 gram or office to provide national coordination and over-
22 sight of designated pilot examiners appointed under sec-
23 tion 183.23 of title 14, Code of Federal Regulations.

1 (b) RESPONSIBILITIES.—The program or office es-
2 tablished under subsection (a) shall be responsible for the
3 following:

4 (1) Oversight of designated pilot examiners ap-
5 pointed under section 183.23 of title 14, Code of
6 Federal Regulations, including the selection, train-
7 ing, duties, and deployment of such examiners.

8 (2) Supporting the standardization of policy,
9 guidance, and regulations across the Administration
10 pertaining to the selection, training, duties, and de-
11 ployment of designated pilot examiners appointed
12 under section 183.23 of title 14, Code of Federal
13 Regulations, including evaluating the consistency by
14 which such examiners apply Administration policies,
15 orders, and guidance.

16 (3) Coordinating placement and deployment of
17 such examiners across regions based on demand for
18 examinations from the pilot community.

19 (4) Developing a code of conduct for such ex-
20 aminers.

21 (5) Deploying a survey system to track the per-
22 formance and merit of such examiners.

23 (6) Facilitating an industry partnership to cre-
24 ate a formal mentorship program for such exam-
25 iners.

1 (c) COORDINATION.—In carrying out the responsibil-
2 ities listed in subsection (b), the Administrator shall en-
3 sure the program—

4 (1) coordinates on an ongoing basis with flight
5 standards district offices, designated pilot examiner
6 managing specialists, and aviation industry stake-
7 holders, including representatives of the general
8 aviation community; and

9 (2) considers (or reconsiders) implementing the
10 final recommendations report issued by the Des-
11 ignated Pilot Examiner Reforms Working Group
12 and accepted by the Aviation Rulemaking Advisory
13 Committee on June 17, 2021.

14 (d) BRIEFING.—The Administrator shall brief the
15 Committee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on Com-
17 merce, Science, and Transportation of the Senate in each
18 fiscal year beginning after the date of enactment of this
19 Act through fiscal year 2028 detailing—

20 (1) the methodology by which designated pilot
21 examiners appointed under section 183.23 of title
22 14, Code of Federal Regulations, are deployed and
23 any subsequent changes to the methodology to fulfill
24 the demand for examinations;

1 (2) a review of the previous fiscal year detailing
2 the average time an individual in each region must
3 wait to schedule an appointment with such an exam-
4 iner; and

5 (3) the turnover rates and resource costs associ-
6 ated with such examiners.

7 **SEC. 246. BASICMED FOR EXAMINERS ADMINISTERING**
8 **TESTS OR PROFICIENCY CHECKS.**

9 (a) **EQUIVALENT PILOT-IN-COMMAND MEDICAL RE-**
10 **QUIREMENTS.**—Notwithstanding section 61.23(a)(3)(iv)
11 of title 14, Code of Federal Regulations, an examiner may
12 administer a practical test or proficiency check if such ex-
13 aminer meets the medical qualification requirements
14 under part 68 of title 14, Code of Federal Regulations,
15 if the operation being conducted is in a covered aircraft,
16 as defined in section 2307(j) of the FAA Extension, Safe-
17 ty, and Security Act of 2016 (49 U.S.C. 44703 note).

18 (b) **RULEMAKING.**—Not later than 18 months after
19 the date of enactment of this Act, the Administrator of
20 the Federal Aviation Administration shall issue a final
21 rule to update part 61 of title 14, Code of Federal Regula-
22 tions, to implement the requirements under subsection (a),
23 in addition to any related requirements the Administrator
24 finds are in the interest of aviation safety.

1 **SEC. 247. DESIGNEE LOCATOR TOOL IMPROVEMENTS.**

2 Not later than 2 years after the date of enactment
3 of this Act, the Administrator of the Federal Aviation Ad-
4 ministration shall ensure that the designee locator search
5 function of the public website of the Designee Manage-
6 ment System of the Administration has the functionality
7 to—

8 (1) filter a search for an Aviation Medical Ex-
9 aminer (as described in section 183.21 of title 14,
10 Code of Federal Regulations) by sex, if such infor-
11 mation is available;

12 (2) display credentials and aircraft qualifica-
13 tions of a designated pilot examiner (as described in
14 section 183.23 of such title); and

15 (3) display the scheduling availability of a des-
16 ignated pilot examiner (as described in section
17 183.23 of such title) to administer a test or pro-
18 ficiency check to an airman.

19 **SEC. 248. DEADLINE TO ELIMINATE AIRCRAFT REGISTRA-**
20 **TION BACKLOG.**

21 Not later than 120 days after the date of enactment
22 of this Act, the Administrator of the Federal Aviation Ad-
23 ministration shall take such actions as may be necessary
24 to reduce and maintain the aircraft registration and rec-
25 ordation backlog at the Civil Aviation Registry so that,

1 on average, applications are processed not later than 10
2 business days after receipt.

3 **SEC. 249. PART 135 AIR CARRIER CERTIFICATE BACKLOG.**

4 (a) IN GENERAL.—The Administrator of the Federal
5 Aviation Administration shall take such actions as may
6 be necessary to achieve the goal of reducing the backlog
7 of air carrier certificate applications under part 135 of
8 title 14, Code of Federal Regulations, to—

9 (1) not later than 1 year after the date of en-
10 actment of this Act, maintain an average certificate
11 decision time of less than 60 days; and

12 (2) not later than 2 years after the date of en-
13 actment of this Act, maintain an average certificate
14 decision time of less than 30 days.

15 (b) MEASURES.—In meeting the goal under sub-
16 section (a), the Administrator may—

17 (1) assign, as appropriate, additional personnel
18 or support staff, including on a temporary basis, to
19 review, adjudicate, and approve applications;

20 (2) improve and expand promotion of existing
21 applicant resources which could improve the quality
22 of applications submitted to decrease the need for
23 Administration applicant coordination and commu-
24 nications; and

1 (3) take into consideration any third-party enti-
2 ty that assisted in the preparation of an application
3 for an air carrier certificate under part 135 of title
4 14, Code of Federal Regulations.

5 (c) REVIEW.—Not later than 2 years after of the date
6 of enactment of this Act, the Administrator shall convene
7 a working group comprised of industry stakeholders and
8 aviation experts to study and review methods to modernize
9 and improve the air carrier certification process under
10 part 135 of title 14, Code of Federal Regulations, and to
11 recommend long-term solutions for effective management
12 of Administration resources dedicated to approving air
13 carrier certificate applications under part 135 of title 14,
14 Code of Federal Regulations.

15 (d) CONGRESSIONAL BRIEFING.—Beginning 6
16 months after the date of enactment of this Act, and not
17 less than every 6 months thereafter until the Adminis-
18 trator complies with the requirements under subsection
19 (a)(2), the Administrator shall provide a briefing to the
20 Committee on Transportation and Infrastructure of the
21 House of Representatives and the Committee on Com-
22 merce, Science, and Transportation of the Senate on the
23 status of the backlog of air carrier certificate applications
24 under part 135 of title 14, Code of Federal Regulations,
25 any measures the Administrator has put in place under

1 subsection (b), and any recommendations received from
2 the review under subsection (c).

3 **SEC. 250. LOGGING FLIGHT TIME ACCRUED IN CERTAIN**
4 **PUBLIC AIRCRAFT.**

5 (a) COMPLETION OF RULEMAKING.—Not later than
6 18 months after the date of enactment of this Act, the
7 Administrator of the Federal Aviation Administration
8 shall issue a final rule modifying section 61.51(j)(4) of
9 title 14, Code of Federal Regulations, to include aircraft
10 under the direct operational control of forestry and fire
11 protection agencies, as required by section 517 of the FAA
12 Reauthorization Act of 2018 (49 U.S.C. 44703 note).

13 (b) FAILURE TO COMPLETE RULEMAKING.—If the
14 Administrator fails to issue a final rule pursuant to sub-
15 section (a) by the deadline described in such subsection,
16 beginning on the date that is 18 months after the date
17 of enactment of this Act—

18 (1) notwithstanding section 61.51(j)(4) of title
19 14, Code of Federal Regulations, a pilot, while en-
20 gaged on an official flight for a Federal, State,
21 county, or municipal forestry or fire protection agen-
22 cy, may log flight time so long as the time acquired
23 is in an aircraft that—

24 (A) is identified as an aircraft under sec-
25 tion 61.5(b) of such title; and

1 (B) is a public aircraft under the direct
2 operational control of a forestry or fire protec-
3 tion agency; and

4 (2) the Administrator may not take an enforce-
5 ment action against the pilot for logging such flight
6 time as described in paragraph (1).

7 (c) SUNSET.—Subsection (b) shall cease to be effec-
8 tive on the date on which the final rule required under
9 subsection (a) is effective.

10 **SEC. 251. FLIGHT INSTRUCTOR CERTIFICATES.**

11 (a) COMPLETION OF RULEMAKING.—Not later than
12 36 months after the date of enactment of this Act, the
13 Administrator of the Federal Aviation Administration
14 shall issue a final rule for the rulemaking activity titled
15 “Removal of the Expiration Date on a Flight Instructor
16 Certificate”, published in Fall 2022 in the Unified Agenda
17 of Federal Regulatory and Deregulatory Actions (RIN
18 2120–AL25) to, at a minimum, update part 61 of title
19 14, Code of Federal Regulations, to—

20 (1) remove the expiration date on a flight in-
21 structor certificate; and

22 (2) replace the requirement that a flight in-
23 structor renews their flight instructor certificate
24 with appropriate recent experience requirements for

1 the holder of a flight instructor certificate to exer-
2 cise the privileges of such certificate.

3 (b) FAILURE TO COMPLETE RULEMAKING.—If the
4 Administrator fails to issue a final rule pursuant to sub-
5 section (a) before the deadline prescribed in that sub-
6 section, beginning on the date that is 36 months after the
7 date of enactment of this Act—

8 (1) notwithstanding sections 61.19(d) and
9 61.197 of title 14, Code of Federal Regulations, an
10 individual holding a flight instructor certificate that
11 is not expired as of the date that is 36 months after
12 the date of enactment of this Act may exercise the
13 privileges of the certificate regardless of whether the
14 certificate subsequently expires, provided that the in-
15 dividual meets eligibility requirements in accordance
16 with section 61.183 of title 14, Code of Federal Reg-
17 ulations; and

18 (2) the Administrator—

19 (A) shall consider a flight instructor cer-
20 tificate described in paragraph (1) as having no
21 expiration date; and

22 (B) may not enforce any regulation attrib-
23 uted to the renewal of a flight instructor certifi-
24 cate of an individual.

1 (c) SUNSET.—Subsection (b) shall cease to be effec-
2 tive on the effective date of a final rule issued pursuant
3 to subsection (a).

4 **SEC. 252. CONSISTENCY OF POLICY APPLICATION IN**
5 **FLIGHT STANDARDS AND AIRCRAFT CERTIFI-**
6 **CATION.**

7 (a) IN GENERAL.—The inspector general of the De-
8 partment of Transportation shall initiate audits, as de-
9 scribed in subsection (d), of the Flight Standards and Air-
10 craft Certification Services of the Federal Aviation Admin-
11 istration, and the personnel of such offices, on the consist-
12 ency of—

13 (1) the interpretation of policies, orders, guid-
14 ance, and regulations; and

15 (2) the application of policies, orders, guidance,
16 and regulations.

17 (b) COMPONENTS.—In completing the audits re-
18 quired under this section, the inspector general shall inter-
19 view stakeholders, including at a minimum, individuals or
20 entities that—

21 (1) hold a certificate or authorization related to
22 the issue being audited under subsection (d);

23 (2) are from different regions of the country
24 with matters before different flight standards dis-

1 trict offices or aircraft certification offices of the Ad-
2 ministration;

3 (3) work with multiple flight standards district
4 offices or aircraft certification offices of the Admin-
5 istration; or

6 (4) hold a single or multiple relevant certifi-
7 cates or authorizations.

8 (c) REPORTS.—The inspector general of the Depart-
9 ment of Transportation shall submit to the Committee on
10 Transportation and Infrastructure of the House of Rep-
11 resentatives, the Committee on Commerce, Science, and
12 Transportation of the Senate, the Secretary of Transpor-
13 tation, and the Administrator of the Federal Aviation Ad-
14 ministration a report for each audit required in this sec-
15 tion, containing the results of the audit, including findings
16 and recommendations to the Administrator to improve the
17 consistency of decision-making by Flight Standards and
18 Aircraft Certification Services offices of the Administra-
19 tion.

20 (d) AUDITS.—The inspector general shall complete
21 an audit and issue the associated report required under
22 subsection (c) not later than—

23 (1) 18 months after the date of enactment of
24 this Act, with regard to supplemental type certifi-
25 cates;

1 (2) 34 months after the date of enactment of
2 this Act, with regard to repair stations certificated
3 under part 145 of title 14, Code of Federal Regula-
4 tions; and

5 (3) 50 months after the date of enactment of
6 this Act, with regard to technical standards orders.

7 (e) IMPLEMENTATION.—In addressing any rec-
8 ommendations from the inspector general contained in the
9 reports required under subsection (c), the Administrator
10 shall—

11 (1) maintain an implementation plan; and

12 (2) broadly adopt any best practices to improve
13 the consistency of interpretation and application of
14 policies, orders, guidance, and regulations by other
15 offices of the Administration and with regard to
16 other activities of the Administration.

17 (f) BRIEFING.—Not later than 6 months after receiv-
18 ing a report required under subsection (c), the Adminis-
19 trator shall brief the Committee on Transportation and
20 Infrastructure of the House of Representatives and the
21 Committee on Commerce, Science, and Transportation of
22 the Senate on the implementation plan required under
23 subsection (d), the status of any recommendation received
24 pursuant to this section, and any best practices that are
25 being implemented more broadly.

1 **SEC. 253. APPLICATION OF POLICIES, ORDERS, AND GUID-**
2 **ANCE.**

3 Section 44701 of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(g) POLICIES, ORDERS, AND GUIDANCE.—

6 “(1) CONSISTENCY OF APPLICATION.—The Ad-
7 ministrator shall ensure consistency in the applica-
8 tion of policies, orders, and guidance of the Adminis-
9 tration by—

10 “(A) regular audits of the application and
11 interpretation of such material by Administra-
12 tion personnel from person to person and office
13 to office;

14 “(B) updating policies, orders, and guid-
15 ance to resolve inconsistencies and clarify dem-
16 onstrated ambiguities, such as through repeated
17 inconsistent interpretation; and

18 “(C) ensuring officials are properly docu-
19 menting findings and decisions throughout a
20 project to decrease the occurrence of duplicative
21 work and inconsistent findings by subsequent
22 officials assigned to the same project.

23 “(2) ALTERATIONS.—The Administrator shall
24 consult as appropriate with regulated entities who
25 will be impacted by proposed changes to the content

1 or application of policies, orders, and guidance be-
2 fore making such changes.

3 “(3) AUTHORITIES AND REGULATIONS.—The
4 Administrator shall issue policies, orders, and guid-
5 ance documents that are related to a law or regula-
6 tion or clarify the intent of or compliance with spe-
7 cific laws and regulations.”.

8 **SEC. 254. EXPANSION OF THE REGULATORY CONSISTENCY**
9 **COMMUNICATIONS BOARD.**

10 Section 224 of the FAA Reauthorization Act of 2018
11 (49 U.S.C. 44701 note) is amended—

12 (1) in subsection (c)—

13 (A) in paragraph (2) by striking “; and”
14 and inserting a semicolon;

15 (B) in paragraph (3) by striking the period
16 and inserting a semicolon; and

17 (C) by adding at the end the following:

18 “(4) the Office of Airports;

19 “(5) the Office of Security and Hazardous Ma-
20 terials Safety;

21 “(6) the Office of Rulemaking and Regulatory
22 Improvement; and

23 “(7) such other offices as the Administrator de-
24 termines appropriate.”; and

25 (2) in subsection (d)(1)—

1 (A) in subparagraph (A) by striking
2 “anonymous regulatory interpretation ques-
3 tions” and inserting “regulatory interpretation
4 questions, including anonymously,”;

5 (B) in subparagraph (C) by striking
6 “anonymous regulatory interpretation ques-
7 tions” and inserting “regulatory interpretation
8 questions, including anonymously”; and

9 (C) by adding at the end the following:

10 “(6) Submit recommendations, as needed, to
11 the Assistant Administrator for Rulemaking and
12 Regulatory Improvement for consideration.”.

13 **SEC. 255. EXEMPTION OF FEES FOR AIR TRAFFIC SERV-**
14 **ICES.**

15 (a) IN GENERAL.—Chapter 453 of title 49, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 **“§ 45307. Exemption of fees for air traffic services**

19 **“(a) REQUIREMENT TO PROVIDE SERVICES AND RE-**
20 **LATED SUPPORT.—**The Administrator shall provide or en-
21 sure the provisioning of air traffic services and aviation
22 safety support for large, multiday aviation events, includ-
23 ing airshows and fly-ins, where the average daily number
24 of manned operations were 1,000 or greater in at least
25 1 of the preceding 3 years, without the imposition or col-

1 lection of any fee, tax, or other charge for that purpose.
2 Amounts for the provision of such services and support
3 shall be derived from amounts appropriated or otherwise
4 available for the Administration.

5 “(b) DETERMINATION OF SERVICES AND SUPPORT
6 TO BE PROVIDED.—In determining the services and sup-
7 port to be provided for an aviation event for purposes of
8 subsection (a), the Administrator shall take into account
9 the following:

10 “(1) The services and support required to meet
11 levels of activity at prior events, if any, similar to
12 the event.

13 “(2) The anticipated need for services and sup-
14 port at the event.”.

15 (b) CLERICAL AMENDMENT.—The analysis of chap-
16 ter 453 of title 49, United States Code, is amended by
17 adding at the end the following:

“Sec. 45307. Exemption of fees for air traffic services.”.

18 (c) CONFORMING REPEAL.—Section 530 of the FAA
19 Reauthorization of 2018 (49 U.S.C. 40103 note) and the
20 item relating to that section in the table of contents in
21 section 1(b) of such Act are repealed.

22 **SEC. 256. MODERNIZATION OF SPECIAL AIRWORTHINESS**
23 **CERTIFICATION RULEMAKING DEADLINE.**

24 Not later than 24 months after the date of enactment
25 of this Act, the Administrator of the Federal Aviation Ad-

1 ministration shall issue a final rule for the rulemaking ac-
2 tivity titled “Modernization of Special Airworthiness Cer-
3 tification”, published in Fall 2022 in the long-term actions
4 of the Unified Agenda of Federal Regulatory and Deregula-
5 tory Actions (RIN 2120–AL50).

6 **SEC. 257. TERMINATION OF DESIGNEES.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Administrator of the
9 Federal Aviation Administration shall update the Admin-
10 istration’s Designee Management Policy (FAA Order
11 8000.95B), or any successor order, to ensure due process
12 and increase transparency in Federal Aviation Adminis-
13 tration-initiated terminations of designees.

14 (b) UPDATES TO THE DESIGNEE MANAGEMENT POL-
15 ICY.—In updating the Administration’s Designee Manage-
16 ment Policy under subsection (a), the Administrator shall,
17 at a minimum, provide for the following:

18 (1) A process by which a designee—

19 (A) is notified of the root causes and rea-
20 sons for a termination initiated by the Adminis-
21 trator;

22 (B) is notified of the change in a delegated
23 authority to “suspended” or “terminated” dur-
24 ing a Federal Aviation Administration-initiated
25 termination;

1 (C) is provided a point of contact, who is
2 independent of any investigation or termination
3 action involving the designee, within the Admin-
4 istration, to correspond with for purposes of
5 discussing the termination process and the des-
6 ignee's status, including the handling of cor-
7 respondence during the investigation process
8 described in paragraph (2), if applicable, and
9 the review panel described in paragraph (3);

10 (D) is notified of the results of the inves-
11 tigation described in paragraph (2) in a reason-
12 able and timely manner, which shall include no-
13 tice of additional action by the Administrator,
14 if required; and

15 (E) may respond within 30 calendar days
16 to the Administrator if the Administrator deter-
17 mines that a termination for cause is the appro-
18 priate course of action and initiates such action.

19 (2) An investigation process to determine the
20 appropriate outcome in situations in which termi-
21 nation is being considered by the Administrator,
22 which shall include the following elements:

23 (A) The root causes and reasons for the
24 investigation, including any complaints or alle-
25 gations.

1 (B) Collection of evidence related to the in-
2 vestigation.

3 (C) A review of the facts and cir-
4 cumstances surrounding the case.

5 (D) A review of the designee's record in
6 the designee management system and any rel-
7 evant background information in the appro-
8 priate Federal Aviation Administration data-
9 bases to determine if there is a pattern of inap-
10 propriate behavior or misconduct.

11 (E) A review of the designee's response to
12 the investigation, if provided, to include any
13 documentation provided by the designee.

14 (F) A decision on the appropriate course of
15 action based on the results of the investigation.

16 (G) Recording the results of the investiga-
17 tion in the Federal Aviation Administration's
18 designee management system.

19 (H) A notification to the designee that an
20 investigation has been initiated, but only after
21 it is determined through an established process
22 that such notification would not adversely im-
23 pact the investigation or safety.

24 (3) A review panel to determine whether a ter-
25 mination is appropriate when termination for cause

1 is a possible outcome upon the completion of the in-
2 vestigation described in paragraph (2), of which
3 such review panel shall—

4 (A) consider the elements of the investiga-
5 tion process provided for under paragraph (2),
6 including the designee's response to the inves-
7 tigation and any associated documents, if pro-
8 vided; and

9 (B) complete the review process within 45
10 calendar days of the Administrator initiating a
11 for cause termination decision of a designee.

12 (c) SUBSEQUENT REVIEW FOR DESIGNATED PILOT
13 EXAMINERS.—

14 (1) IN GENERAL.—The Administrator shall set
15 up a process through which a Designated Pilot Ex-
16 aminer terminated for cause may request a subse-
17 quent review by the Executive Director of the Flight
18 Standards Service.

19 (2) REQUEST.—A Designated Pilot Examiner
20 terminated for cause may request a subsequent re-
21 view described in paragraph (1) not later than 15
22 calendar days after termination.

23 (3) REVIEW.—The Executive Director shall re-
24 view all relevant information and facts by which the
25 decision was made to terminate the designee, includ-

1 ing the information considered by the review panel,
2 and issue a final determination.

3 (4) **TIMING.**—Such final determination shall be
4 issued by the Director not later than 45 calendar
5 days upon receiving the request.

6 (d) **LIMITATION ON INVESTIGATION AND REVIEW**
7 **PANEL PARTICIPANTS.**—An Administration employee in-
8 volved in the selection, appointment, or management of
9 a designee the Administrator is investigating or termi-
10 nating for cause may not be party—

11 (1) to an investigation described in subsection
12 (b)(2) of such designee; or

13 (2) participating on a review panel described in
14 subsection (b)(3) pertaining to such designee.

15 **SEC. 258. PART 135 CHECK AIRMEN REFORMS.**

16 (a) **IN GENERAL.**—The Administrator of the Federal
17 Aviation Administration shall assign to the Aviation Rule-
18 making Advisory Committee (in this section referred to
19 as the “Committee”) the task of reviewing all regulations
20 and policies related to check airmen for air carrier oper-
21 ations conducted under part 135 of title 14, Code of Fed-
22 eral Regulations.

23 (b) **DUTIES.**—The Committee shall—

24 (1) review the processes and requirements by
25 which authorized check airmen are selected, trained,

1 and approved by the Administrator, and provide rec-
2 ommendations with respect to the regulatory and
3 policy changes necessary to ensure efficient training
4 and utilization of such check airmen;

5 (2) review differences in qualification standards
6 between an inspector of the Federal Aviation Admin-
7 istration and an authorized check airmen in evalu-
8 ating and certifying the knowledge and skills of pi-
9 lots; and

10 (3) make recommendations with respect to the
11 regulatory and policy changes necessary to allow au-
12 thorized check airmen to perform duties beyond the
13 duties permitted on the date of enactment of this
14 Act.

15 (c) ACTION BASED ON RECOMMENDATIONS.—Not
16 later than 1 year after receiving recommendations under
17 subsection (a), the Administrator shall take such action
18 as the Administrator considers appropriate with respect
19 to such recommendations.

20 (d) DEFINITION OF AUTHORIZED CHECK AIRMAN.—
21 In this section, the term “authorized check airman”
22 means an individual employed by an air carrier that meets
23 the qualifications and training requirements of sections
24 135.337 and 135.339 of title 14, Code of Federal Regula-

1 tions, and is approved to evaluate and certify the knowl-
2 edge and skills of pilots employed by such air carrier.

3 **Subtitle D—Other Provisions**

4 **SEC. 261. REQUIRED CONSULTATION WITH NATIONAL** 5 **PARKS OVERFLIGHTS ADVISORY GROUP.**

6 Section 40128(b)(4) of title 49, United States Code,
7 is amended—

8 (1) in subparagraph (C) by striking “and” at
9 the end;

10 (2) in subparagraph (D) by striking the period
11 at the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(E) consult with the advisory group es-
14 tablished under section 805 of the National
15 Parks Air Tour Management Act of 2000 (49
16 U.S.C. 40128 note) and consider all advice, in-
17 formation, and recommendations provided by
18 the advisory group to the Administrator and the
19 Director.”.

20 **SEC. 262. SUPPLEMENTAL OXYGEN REGULATORY REFORM.**

21 (a) IN GENERAL.—Beginning on the date that is 30
22 days after the date of enactment of this Act, the following
23 regulations shall cease to apply to any aircraft operating
24 below 41,000 feet above mean sea level:

1 any successor regulations), is exempt from the require-
2 ments of this section.”.

3 **SEC. 264. AIRSHOW VENUE INFORMATION, AWARENESS,**
4 **TRAINING, AND EDUCATION PROGRAM.**

5 (a) IN GENERAL.—Not later than 4 years after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall establish a pro-
8 gram, in cooperation with the National Center for the Ad-
9 vancement of Aerospace, to be known as the “Airshow
10 Venue Information, Awareness, Training, and Education
11 Program” (in this section referred to as the “AVIATE
12 Program”).

13 (b) OBJECTIVE.—The objectives of the AVIATE Pro-
14 gram shall be—

15 (1) to make information available to general
16 aviation airport managers, local government officials,
17 and other relevant stakeholders about how to host
18 an airshow;

19 (2) to provide guidance and resources to help
20 organizers plan and execute airshows and aerial
21 events, including—

22 (A) compliance with all applicable regula-
23 tions;

24 (B) providing technical assistance in estab-
25 lishing—

1 (i) emergency response plans; and
2 (ii) communication plans between rel-
3 evant event stakeholders, including local
4 enforcement and emergency first respon-
5 ders; and

6 (C) ensuring protection of the public, per-
7 formers, and airport personnel;

8 (3) to promote public awareness and engage-
9 ment with airshows and aerial events, including op-
10 portunities for community education, outreach, and
11 involvement; and

12 (4) to provide access to tools and resources that
13 enable general aviation airport managers, local gov-
14 ernment officials, and other relevant stakeholders to
15 understand the impact of airshows and aerial events
16 on local economies and communities.

17 (c) ADMINISTRATION.—In carrying out the AVIATE
18 Program, the Administrator shall consult and coordinate,
19 as appropriate, with relevant stakeholders, including—

20 (1) airshow safety experts;

21 (2) general aviation aircraft owners and opera-
22 tors, including experimental aircraft owners and op-
23 erators;

24 (3) general aviation airports, including airport
25 officials;

1 (4) air traffic control specialists with knowledge
2 of coordinating airshows and aerial events, including
3 experts from the exclusive bargaining representative
4 of air traffic controllers certified under section 7111
5 of title 5, United States Code; and

6 (5) experts from the exclusive bargaining rep-
7 resentative of air traffic controllers certified under
8 section 7111 of title 5, United States Code.

9 **SEC. 265. LOW ALTITUDE ROTORCRAFT AND POWERED-**
10 **LIFT OPERATIONS.**

11 (a) IN GENERAL.—Not later than 3 years after the
12 date of enactment of this Act, the Administrator of the
13 Federal Aviation Administration shall, as appropriate, es-
14 tablish or update low altitude routes and flight procedures
15 to ensure safe rotorcraft and powered-lift aircraft oper-
16 ations within Class B airspace of the national airspace sys-
17 tem.

18 (b) FLIGHT PROCEDURES.—In carrying out sub-
19 section (a), the Administrator shall, as appropriate, estab-
20 lish or update approach and departure procedures at pub-
21 lic-use airports and heliports within Class B airspace for
22 rotorcraft and powered-lift aircraft operations.

23 (c) FLIGHT ROUTES.—

24 (1) IN GENERAL.—In carrying out this section,
25 the Administrator shall revise part 71 of title 14,

1 Code of Federal Regulations, as necessary, to estab-
2 lish or update low altitude routes related to Class B
3 airspace operations for rotorcraft and powered-lift
4 aircraft.

5 (2) CONSIDERATIONS.—In carrying out this
6 section, the Administrator shall consider the impact
7 of such low altitude flight routes described in para-
8 graph (1) on other airspace users and impacted
9 communities to ensure that such routes are designed
10 to minimize—

11 (A) the potential for conflict with existing
12 national airspace system operations;

13 (B) the workload of air traffic controllers;
14 and

15 (C) negative effects to impacted commu-
16 nities.

17 (d) CONSULTATION.—In carrying out this section,
18 the Administrator shall develop the procedures and routes
19 required under subsection (b) and (c) in consultation
20 with—

21 (1) rotorcraft operators, including air ambu-
22 lance operators;

23 (2) powered-lift operators;

1 shall take such actions as may be necessary under
2 the Administrator's authority to facilitate—

3 (A) the safe elimination of the use of lead-
4 ed aviation gasoline by piston-engine aircraft by
5 the end of 2030 without adversely affecting the
6 piston-engine aircraft fleet;

7 (B) the approval of unleaded alternatives
8 to leaded aviation gasoline for use in all piston-
9 engine aircraft types and piston-engine types;

10 (C) the implementation of the require-
11 ments of section 431 as they relate to the con-
12 tinued availability of aviation gasoline;

13 (D) efforts to make approved unleaded
14 aviation gasoline widely available at airports;
15 and

16 (E) the development and implementation
17 of a transition plan to safely expedite the tran-
18 sition of the piston-engine general aviation air-
19 craft fleet to unleaded fuels by 2030.

20 (3) ACTIVITIES.—In carrying out the Adminis-
21 tration's responsibilities pursuant to paragraph (2),
22 the Administrator, at a minimum, shall—

23 (A) develop and publish, as soon as prac-
24 ticable, a fleet authorization process for the ef-

1 efficient approval or authorization of unleaded
2 aviation gasolines;

3 (B) review, update, and prioritize, as soon
4 as practicable, certification processes and
5 projects for aircraft engines and modifications
6 to such engines to operate with unleaded avia-
7 tion gasoline;

8 (C) evaluate and support programs that
9 accelerate the creation, evaluation, qualification,
10 deployment, and use of unleaded aviation gaso-
11 lines;

12 (D) carry out, in partnership with the gen-
13 eral aviation community, an ongoing campaign
14 for training and educating aircraft owners and
15 operators on how to safely transition to un-
16 leaded aviation gasoline;

17 (E) evaluate aircraft and aircraft engines
18 to ensure that such aircraft and aircraft en-
19 gines can operate with unleaded aviation gaso-
20 line candidates during cold weather conditions;
21 and

22 (F) facilitate Government policy, regu-
23 latory proposals, and voluntary consensus
24 standards with the objective of achieving the
25 following:

1 (i) Establishing a commercially viable
2 supply chain for unleaded aviation gaso-
3 lines.

4 (ii) Facilitating market-based produc-
5 tion and distribution of unleaded aviation
6 gasolines.

7 (iii) Encouraging procurement of
8 equipment required for the deployment,
9 storage, and dispensing of unleaded avia-
10 tion gasolines.

11 (4) CONSULTATION AND COORDINATION WITH
12 RELEVANT STAKEHOLDERS.—In carrying out the
13 EAGLE Initiative, the Administrator shall continue
14 to consult and coordinate, as appropriate, with rel-
15 evant stakeholders, including—

16 (A) general aviation aircraft engine, air-
17 craft propulsion, and aircraft airframe manu-
18 facturers;

19 (B) general aviation aircraft users, aircraft
20 owners, aircraft pilots, and aircraft operators;

21 (C) airports, heliports, and fixed-base oper-
22 ators;

23 (D) State, local, and Tribal airport offi-
24 cials or public agencies, with representation
25 from both urban and rural areas;

1 (E) representatives of the petroleum indus-
2 try, including developers, refiners, producers,
3 and distributors of unleaded aviation gasolines;
4 and

5 (F) air carriers and commercial operators
6 operating under part 135 of title 14, Code of
7 Federal Regulations.

8 (5) REPORTS TO CONGRESS.—

9 (A) INITIAL REPORT.—Not later than 1
10 year after the date of enactment of this Act, the
11 Administrator shall submit to the Committee on
12 Transportation and Infrastructure of the House
13 of Representatives and the Committee on Com-
14 merce, Science, and Transportation of the Sen-
15 ate a report that—

16 (i) contains an updated strategic plan
17 for developing a fleet authorization process
18 for efficient approval and use of unleaded
19 aviation gasolines;

20 (ii) describes the structure and in-
21 volvement of all Federal Aviation Adminis-
22 tration offices that have responsibilities de-
23 scribed in paragraph (2); and

24 (iii) identifies cost-effective policy ini-
25 tiatives, regulatory initiatives, or legislative

1 initiatives needed to improve and enhance
2 the timely transition to unleaded aviation
3 gasoline for the piston-engine aircraft fleet.

4 (B) ANNUAL REPORTING.—Not later than
5 1 year after the date on which the Adminis-
6 trator submits the initial report under subpara-
7 graph (A), and annually thereafter, the Adminis-
8 trator shall submit to the Committee on
9 Transportation and Infrastructure of the House
10 of Representatives and the Committee on Com-
11 merce, Science, and Transportation of the Sen-
12 ate an annual report on activities and progress
13 of the EAGLE Initiative.

14 (C) SUNSET.—Subparagraph (B) shall
15 cease to be effective after December 31, 2030.

16 (b) TRANSITION PLAN TO UNLEADED FUELS.—

17 (1) IN GENERAL.—In developing the transition
18 plan under subsection (a)(2)(E), the Administrator
19 shall, at a minimum, assess the following:

20 (A) Efforts undertaken by the EAGLE
21 Initiative, including progress towards—

22 (i) safely eliminating the use of leaded
23 aviation gasoline by piston-engine aircraft
24 by the end of 2030 without adversely af-
25 fecting the piston-engine aircraft fleet;

1 (ii) approving unleaded alternatives to
2 leaded aviation gasoline for use in all pis-
3 ton-engine aircraft types and piston-engine
4 types; and

5 (iii) facilitating efforts to make ap-
6 proved unleaded aviation gasoline widely
7 available at airports.

8 (B) The evaluation and development of
9 necessary airport infrastructure, including fuel
10 storage and dispensing facilities, to support the
11 distribution and storage of unleaded aviation
12 gasoline.

13 (C) The establishment of best practices for
14 piston-engine aircraft owners and operators,
15 airport managers and personnel, aircraft main-
16 tenance technicians, and other appropriate per-
17 sonnel for protecting against exposure to lead
18 containment when—

19 (i) conducting fueling operations;

20 (ii) disposing of inspected gasoline
21 samples;

22 (iii) performing aircraft maintenance;

23 and

24 (iii) conducting engine run-ups.

1 (D) Efforts to address supply chain and
2 other logistical barriers inhibiting the timely
3 distribution of unleaded aviation gasoline to air-
4 ports.

5 (E) Outreach efforts to educate and up-
6 date piston-engine aircraft owners and opera-
7 tors, airport operators, and other members of
8 the general aviation community on the potential
9 benefits, availability, and safety of unleaded
10 aviation gasoline.

11 (2) CONSULTATION.—In developing such transi-
12 tion plan, the Administrator shall consult, at a min-
13 imum, with representatives of entities described in
14 subsection (a)(4).

15 (3) PUBLICATION; GUIDANCE.—Upon comple-
16 tion of developing such transition plan, the Adminis-
17 trator shall—

18 (A) make the plan available to the public
19 on an appropriate webpage of the Administra-
20 tion; and

21 (B) provide guidance supporting the imple-
22 mentation of the transition plan.

23 (4) COORDINATION WITH EAGLE INITIATIVE.—
24 In developing such transition plan and associated
25 guidance pertaining to the implementation of such

1 transition plan, the Administrator shall consult and
2 coordinate with individuals carrying out the EAGLE
3 Initiative.

4 (5) MAPPING UNLEADED AVIATION GASO-
5 LINE.—The Administrator shall develop and con-
6 tinuously update websites, brochures, and other com-
7 munication materials associated with such transition
8 plan to clearly convey the availability of unleaded
9 aviation gasoline at airports.

10 (6) BRIEFING TO CONGRESS.—Not later than
11 60 days after the publication of such transition plan,
12 the Administrator shall brief the Committee on
13 Transportation and Infrastructure of the House of
14 Representatives and the Committee on Commerce,
15 Science, and Technology of the Senate on such tran-
16 sition plan and any efforts or actions pertaining to
17 the implementation of such transition plan.

18 **TITLE III—AEROSPACE**

19 **WORKFORCE**

20 **Subtitle A—Growing the Talent** 21 **Pool**

22 **SEC. 301. EXTENSION OF AVIATION WORKFORCE DEVELOP-**
23 **MENT PROGRAMS.**

24 Section 625(b)(1) of the FAA Reauthorization Act of
25 2018 (49 U.S.C. 40101 note) is amended by striking “sec-

1 tion 48105” and all that follows through the period at the
2 end and inserting the following: “section 48105 of title
3 49, United States Code, not more than—

4 “(A) \$15,000,000 for each of fiscal years
5 2024 through 2026 is authorized to be ex-
6 pended to provide grants under the program es-
7 tablished under subsection (a)(1);

8 “(B) \$15,000,000 for each of fiscal years
9 2024 through 2026 is authorized to provide
10 grants under the program established under
11 subsection (a)(2); and

12 “(C) \$15,000,000 for each of fiscal years
13 2024 through 2026 is authorized to be ex-
14 pended to provide grants under the program es-
15 tablished under subsection (a)(3).”.

16 **SEC. 302. IMPROVING AVIATION WORKFORCE DEVELOP-**
17 **MENT PROGRAMS.**

18 (a) **MANUFACTURING PROGRAM.**—Section 625(a) of
19 the FAA Reauthorization Act of 2018 (49 U.S.C. 40101
20 note) is amended—

21 (1) in paragraph (1) by striking “and” at the
22 end;

23 (2) in paragraph (2) by striking the period and
24 inserting “; and”; and

25 (3) by adding at the end the following:

1 “(3) a program to provide grants for eligible
2 projects to support the education and recruitment of
3 aviation manufacturing workers and the development
4 of the aviation manufacturing workforce.”.

5 (b) PROJECT GRANTS.—Section 625(b) of the FAA
6 Reauthorization Act of 2018 (49 U.S.C. 40101 note) is
7 amended—

8 (1) in paragraph (2) by striking “\$500,000”
9 and inserting “\$750,000”; and

10 (2) by adding at the end the following:

11 “(3) EDUCATION PROJECTS.—The Secretary
12 shall ensure that not less than 20 percent of the
13 amounts authorized to be expended under this sub-
14 section shall be used to carry out a grant program
15 which shall be referred to as the ‘Willa Brown Avia-
16 tion Education Program’ (in this paragraph referred
17 to as the ‘Program’) under which the Secretary shall
18 provide grants for eligible projects described in sub-
19 section (d) that are carried out in communities in
20 counties containing at least 1 qualified opportunity
21 zone (as such term is defined in section 1400Z–1(a)
22 of the Internal Revenue Code of 1986).”.

23 (c) ELIGIBLE APPLICATIONS.—Section 625(c) of the
24 FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)

1 is amended by striking paragraphs (1) and (2) and insert-
2 ing the following:

3 “(1) APPLICATION FOR AIRCRAFT PILOT PRO-
4 GRAM.—An application for a grant under the pro-
5 gram established under subsection (a)(1) may be
6 submitted, in such form as the Secretary may speci-
7 fy, by—

8 “(A) an air carrier, as defined in section
9 40102 of title 49, United States Code;

10 “(B) an entity that holds management
11 specifications under subpart K of title 91 of
12 title 14, Code of Federal Regulations;

13 “(C) an institution of higher education (as
14 defined in section 101 of the Higher Education
15 Act of 1965 (20 U.S.C. 1001)), a postsecondary
16 vocational institution (as defined in section
17 102(c) of the Higher Education Act of 1965
18 (20 U.S.C. 1002)), or a high school or sec-
19 ondary school (as such terms are defined in sec-
20 tion 8101 of the Elementary and Secondary
21 Education Act of 1965 (20 U.S.C. 7801));

22 “(D) a flight school that provides flight
23 training, as defined in part 61 of title 14, Code
24 of Federal Regulations, or that holds a pilot

1 school certificate under part 141 of title 14,
2 Code of Federal Regulations;

3 “(E) a labor organization representing pro-
4 fessional pilots;

5 “(F) an aviation-related nonprofit organi-
6 zation described in section 501(c)(3) of the In-
7 ternal Revenue Code of 1986 that is exempt
8 from taxation under section 501(a) of such
9 Code; or

10 “(G) a State, local, territorial, or Tribal
11 governmental entity.

12 “(2) APPLICATION FOR AVIATION MAINTEN-
13 NANCE PROGRAM.—An application for a grant under
14 the program established under subsection (a)(2) may
15 be submitted, in such form as the Secretary may
16 specify, by—

17 “(A) a holder of a certificate issued under
18 part 21, 121, 135, 145, or 147 of title 14, Code
19 of Federal Regulations;

20 “(B) a labor organization representing
21 aviation maintenance workers;

22 “(C) an institution of higher education (as
23 defined in section 101 of the Higher Education
24 Act of 1965 (20 U.S.C. 1001)), a postsecondary
25 vocational institution (as defined in section

1 102(c) of the Higher Education Act of 1965
2 (20 U.S.C. 1002)), or a high school or sec-
3 ondary school (as such terms are defined in sec-
4 tion 8101 of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 7801));

6 “(D) an aviation-related nonprofit organi-
7 zation described in section 501(c)(3) of the In-
8 ternal Revenue Code of 1986 that is exempt
9 from taxation under section 501(a) of such
10 Code; or

11 “(E) a State, local, territorial, or Tribal
12 governmental entity.

13 “(3) APPLICATION FOR AVIATION MANUFAC-
14 TURING PROGRAM.—An application for a grant
15 under the program established under subsection
16 (a)(3) may be submitted, in such form as the Sec-
17 retary may specify, by—

18 “(A) an entity that—

19 “(i) actively designs or manufactures
20 any aircraft, aircraft engine, propeller, or
21 appliance, or a component, part, or system
22 thereof, covered under a type or production
23 certificate issued under section 44704; and

24 “(ii) has significant operations in the
25 United States and a majority of the em-

1 ployees of such entity that are engaged in
2 aviation manufacturing or development ac-
3 tivities and services are based in the
4 United States;

5 “(B) an institution of higher education (as
6 defined in section 101 of the Higher Education
7 Act of 1965 (20 U.S.C. 1001)), a postsecondary
8 vocational institution (as defined in section
9 102(c) of the Higher Education Act of 1965
10 (20 U.S.C. 1002)), or a high school or sec-
11 ondary school (as such terms are defined in sec-
12 tion 8101 of the Elementary and Secondary
13 Education Act of 1965 (20 U.S.C. 7801));

14 “(C) an aviation-related nonprofit organi-
15 zation described in section 501(c)(3) of the In-
16 ternal Revenue Code of 1986 that is exempt
17 from taxation under section 501(a) of such
18 Code; or

19 “(D) a State, local, territorial, or Tribal
20 governmental entity.”.

21 (d) ELIGIBLE PROJECTS.—Section 625(d) of the
22 FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)
23 is amended by striking paragraphs (1) and (2) and insert-
24 ing the following:

1 “(1) AIRCRAFT PILOT PROGRAM.—For purposes
2 of the program established under subsection (a)(1),
3 an eligible project is a project—

4 “(A) to create and deliver curriculum that
5 provides high school or secondary school stu-
6 dents with meaningful aviation education to be-
7 come aircraft pilots, aerospace engineers, or un-
8 manned aircraft systems operators, including
9 purchasing and operating a computer-based
10 simulator associated with such curriculum;

11 “(B) to support the professional develop-
12 ment of teachers using the curriculum described
13 in subparagraph (A);

14 “(C) to create and deliver curriculum that
15 provides certified flight instructors with the
16 necessary instructional, leadership, and commu-
17 nication skills to better educate student pilots;

18 “(D) to support transition to professional
19 pilot careers, including for members of the
20 Armed Forces; or

21 “(E) to support robust outreach about ca-
22 reers in the commercial aviation as a profes-
23 sional pilot, including outreach to primary, sec-
24 ondary, and post-secondary school students.

1 “(2) AVIATION MAINTENANCE PROGRAM.—For
2 purposes of the program established under sub-
3 section (a)(2), an eligible project is a project—

4 “(A) to create and deliver curriculum that
5 provides high school and secondary school stu-
6 dents with meaningful aviation maintenance
7 education to become an aviation mechanic or
8 aviation maintenance technician, including pur-
9 chasing and operating equipment associated
10 with such curriculum;

11 “(B) to support the professional develop-
12 ment of teachers using the curriculum described
13 in subparagraph (A);

14 “(C) to establish or improve apprentice-
15 ship, internship, or scholarship programs for in-
16 dividuals pursuing employment in the aviation
17 maintenance industry;

18 “(D) to support transition to aviation
19 maintenance careers, including for members of
20 the Armed Forces; or

21 “(E) to support robust outreach about ca-
22 reers in the aviation maintenance industry, in-
23 cluding outreach to primary, secondary, and
24 post-secondary school students.

1 “(3) AVIATION MANUFACTURING PROGRAM.—
2 For purposes of the program established under sub-
3 section (a)(3), and eligible project is a project—

4 “(A) to create and deliver curriculum that
5 provides high school and secondary school stu-
6 dents with meaningful aviation manufacturing
7 education, including teaching the technical
8 skills used in the production of components,
9 parts, or systems thereof for inclusion in an air-
10 craft, aircraft engine, propeller, or appliance;

11 “(B) to support the professional develop-
12 ment of teachers using the curriculum described
13 in subparagraph (A);

14 “(C) to establish apprenticeship, intern-
15 ship, or scholarship programs for individuals
16 pursuing employment in the aviation manufac-
17 turing industry;

18 “(D) to support transition to aviation
19 manufacturing careers, including for members
20 of the Armed Forces; or

21 “(E) to support robust outreach about ca-
22 reers in the aviation manufacturing industry,
23 including outreach to primary, secondary, and
24 post-secondary school students.”.

1 (e) REPORTING AND MONITORING REQUIRE-
2 MENTS.—Section 625 of the FAA Reauthorization Act of
3 2018 (49 U.S.C. 40101 note) is amended by adding at
4 the end the following:

5 “(f) REPORTING AND MONITORING REQUIRE-
6 MENTS.—The Secretary shall establish reasonable report-
7 ing and monitoring requirements for grant recipients
8 under this section to measure relevant outcomes for the
9 grant programs established under paragraphs (1), (2),
10 and (3) of subsection (a).

11 “(g) NOTICE OF GRANTS.—

12 “(1) TIMELY PUBLIC NOTICE.—The Secretary
13 shall provide public notice of any grant awarded
14 under this section in a timely fashion after the Sec-
15 retary awards such grant.

16 “(2) NOTICE TO CONGRESS.—The Secretary
17 shall provide to the Committee on Transportation
18 and Infrastructure of the House of Representatives
19 and the Committee on Commerce, Science, and
20 Transportation of the Senate advance notice of a
21 grant to be made under this section.

22 “(h) TERMINATION.—The authority of the Secretary
23 to issue grants under this section shall terminate on Sep-
24 tember 30, 2026.”.

1 **SEC. 303. NATIONAL CENTER FOR THE ADVANCEMENT OF**
2 **AEROSPACE.**

3 (a) IN GENERAL.—Chapter 1 of title 49, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 120. National Center for the Advancement of Aero-**
7 **space**

8 “(a) FEDERAL CHARTER AND STATUS.—

9 “(1) IN GENERAL.—The National Center for
10 the Advancement of Aerospace (in this section re-
11 ferred to as the ‘Center’) is a federally chartered en-
12 tity which shall be incorporated in the District of
13 Columbia. The Center is a private independent enti-
14 ty, not a department, agency, or instrumentality of
15 the United States Government or a component
16 thereof. Except as provided in subsection (f)(1), an
17 officer or employee of the Center is not an officer or
18 employee of the Federal Government.

19 “(2) PERPETUAL EXISTENCE.—Except as oth-
20 erwise provided, the Center shall have perpetual ex-
21 istence.

22 “(b) GOVERNING BODY.—

23 “(1) IN GENERAL.—The Board of Directors (in
24 this section referred to as the ‘Board’) is the gov-
25 erning body of the Center.

26 “(2) AUTHORITY.—

1 “(A) IN GENERAL.—The Board shall adopt
2 bylaws, policies, and procedures to carry out the
3 purpose of the Center and may take any other
4 action that it considers necessary (in accord-
5 ance with the duties and powers of the Center)
6 for the management and operation of the Cen-
7 ter. The Board is responsible for the general
8 policies and management of the Center and for
9 the control of all funds of the Center.

10 “(B) POWERS OF BOARD.—The Board
11 shall have the power to do the following:

12 “(i) Adopt and alter a corporate seal.

13 “(ii) Establish and maintain offices to
14 conduct its activities.

15 “(iii) Enter into contracts or agree-
16 ments as a private entity not subject to the
17 requirements of title 41.

18 “(iv) Acquire, own, lease, encumber,
19 transfer, and dispose of property as nec-
20 essary and appropriate to carry out the
21 purposes of the Center.

22 “(v) Publish documents and other
23 publications in a publicly accessible man-
24 ner.

1 “(vi) Incur and pay obligations as a
2 private entity not subject to the require-
3 ments of title 31.

4 “(vii) Perform any other act necessary
5 and proper to carry out the purposes of
6 the Center as described in its bylaws or
7 duties outlined in this section.

8 “(3) MEMBERSHIP OF THE BOARD.—

9 “(A) IN GENERAL.—The Board shall have
10 Directors as follows:

11 “(i) EX-OFFICIO MEMBERSHIP.—The
12 following individuals, or their designees,
13 shall be considered ex-officio members of
14 the Board:

15 “(I) The Administrator of the
16 Federal Aviation Administration.

17 “(II) The Executive Director,
18 pursuant to paragraph (5)(D).

19 “(ii) APPOINTMENTS.—

20 “(I) IN GENERAL.—From among
21 those members of the public who are
22 highly respected and have expert
23 knowledge and experience in the fields
24 of aviation, finance, or academia—

1 “(aa) the Secretary of
2 Transportation shall appoint 5
3 members to the Board;

4 “(bb) the Secretary of De-
5 fense shall appoint 1 member to
6 the Board;

7 “(cc) the Secretary of Vet-
8 erans Affairs shall appoint 1
9 member to the Board; and

10 “(dd) the Secretary of Edu-
11 cation shall appoint 1 member to
12 the Board.

13 “(II) TERMS.—

14 “(aa) IN GENERAL.—The
15 members appointed under sub-
16 clause (I) shall serve for a term
17 of 3 years and may be re-
18 appointed.

19 “(bb) STAGGERING
20 TERMS.—The Board shall stag-
21 ger the duration of the terms of
22 the initial members appointed to
23 promote the stability of the
24 Board.

1 “(B) VACANCIES.—A vacancy on the
2 Board shall be filled in the same manner as the
3 initial appointment.

4 “(C) STATUS.—All Members of the Board
5 shall have equal voting powers, regardless if
6 they are ex-officio members or appointed.

7 “(4) CHAIR OF THE BOARD.—The Board shall
8 choose a Chair of the Board from among the mem-
9 bers of the Board that are not ex-officio members
10 under paragraph (3)(A)(i).

11 “(5) ADMINISTRATIVE MATTERS.—

12 “(A) MEETINGS.—

13 “(i) IN GENERAL.—The Board shall
14 meet at the call of the Chair but not less
15 than 2 times each year and may, as appro-
16 priate, conduct business by telephone or
17 other electronic means.

18 “(ii) OPEN.—

19 “(I) IN GENERAL.—Except as
20 provided in subclause (II), a meeting
21 of the Board shall be open to the pub-
22 lic.

23 “(II) EXCEPTION.—A meeting,
24 or any portion of a meeting, may be
25 closed if the Board, in public session,

1 votes to close the meeting because the
2 matters to be discussed—

3 “(aa) relate solely to the in-
4 ternal personnel rules, practices,
5 and matters of the Center;

6 “(bb) may result in dislo-
7 sure of commercial or financial
8 information obtained from a per-
9 son that is privileged or confiden-
10 tial;

11 “(cc) may disclose informa-
12 tion of a personal nature where
13 disclosure would constitute an
14 unwarranted invasion of personal
15 privacy; or

16 “(dd) are matters that are
17 specifically exempted from dislo-
18 sure by Federal or District of Co-
19 lumbia law.

20 “(iii) PUBLIC ANNOUNCEMENT.—At
21 least 1 week before a meeting of the
22 Board, and as soon as practicable there-
23 after if there are any changes to the infor-
24 mation described in subclauses (I) through
25 (III), the Board shall make a public an-

1 nouncement of the meeting that de-
2 scribes—

3 “(I) the time, place, and subject
4 matter of the meeting;

5 “(II) whether the meeting is to
6 be open or closed to the public; and

7 “(III) the name and appropriate
8 contact information of a person who
9 can respond to requests for informa-
10 tion about the meeting.

11 “(iv) RECORD.—The Board shall keep
12 minutes from each Board meeting. Such
13 minutes shall be made available to the pub-
14 lic in an accessible format, except for por-
15 tions of the meeting that are closed pursu-
16 ant to subparagraph (A)(ii)(II).

17 “(B) QUORUM.—A majority of members of
18 the Board shall constitute a quorum.

19 “(C) CODE OF ETHICS.—The Board shall
20 adopt a code of ethics for Directors, officers,
21 agents, and employees of the Center to—

22 “(i) prevent inappropriate conflicts of
23 interest and promote good employee con-
24 duct; and

1 “(ii) at a minimum, prohibit any
2 member of the Board from participating in
3 any proceeding, application, ruling, or
4 other determination, contract claim, award,
5 controversy, or other matter in which the
6 member, the member’s employer or pro-
7 spective employer, or the member’s imme-
8 diate family member has a direct financial
9 interest.

10 “(D) EXECUTIVE DIRECTOR.—The Board
11 shall appoint and fix the pay of an Executive
12 Director of the Center (in this section referred
13 to as the ‘Executive Director’) who shall—

14 “(i) serve as an ex officio Member of
15 the Board;

16 “(ii) serve at the pleasure of the
17 Board, under such terms and conditions as
18 the Board shall establish;

19 “(iii) is subject to removal by the
20 Board at the discretion of the Board; and

21 “(iv) be responsible for the daily man-
22 agement and operation of the Center and
23 for carrying out the purposes and duties of
24 the Center.

1 “(E) APPOINTMENT OF PERSONNEL.—The
2 Board shall delegate to the Executive Director
3 the authority to appoint additional personnel as
4 the Board considers appropriate and necessary
5 to carry out the purposes and duties of the
6 Center.

7 “(6) RECORDS.—The Board shall keep correct
8 and complete records of accounts.

9 “(7) PUBLIC INFORMATION.—With the excep-
10 tion of the matters described in subsection
11 (b)(5)(A)(ii)(II), nothing in this section may be con-
12 strued to withhold disclosure of information or
13 records that are subject to disclosure under section
14 552 of title 5.

15 “(c) PURPOSE.—The purpose of the Center is to—

16 “(1) develop a skilled and robust aerospace
17 workforce in the United States;

18 “(2) provide a forum to support collaboration
19 and cooperation between governmental, nongovern-
20 mental, and private aerospace sector stakeholders re-
21 garding the advancement of the aerospace workforce,
22 including general, business, and commercial aviation,
23 education, labor, manufacturing, international orga-
24 nizations, and commercial space transportation orga-
25 nizations;

1 “(3) serve as a repository for research con-
2 ducted by institutions of higher education, research
3 institutions, or other stakeholders regarding the
4 aerospace workforce and related technical and skill
5 development; and

6 “(4) serve as a centralized resource that pro-
7 vides comprehensive and relevant information
8 sources on the following:

9 “(A) Aviation pathway programs and pro-
10 fessional development opportunities.

11 “(B) Aviation apprenticeship, scholarship,
12 and internship programs.

13 “(C) Aviation-related curricula and re-
14 sources about aviation occupations and career
15 pathways developed for students, teachers, and
16 guidance counselors at all levels of education.

17 “(D) Aviation industry organizations.

18 “(d) DUTIES.—In order to accomplish the purpose
19 described in subsection (c), the Center shall perform the
20 following duties:

21 “(1) Improve access to aerospace education and
22 related skills training to help grow the U.S. aero-
23 space workforce, including by—

1 “(A) assessing the state of the aerospace
2 workforce, including challenges and identifying
3 actions to address such challenges;

4 “(B) developing a comprehensive workforce
5 strategy to help coordinate workforce develop-
6 ment initiatives;

7 “(C) establishing or supporting apprentice-
8 ship, scholarship, internship, and mentorship
9 programs that assist individuals who wish to
10 pursue a career in an aerospace-related field;

11 “(D) supporting the development of aero-
12 space education curricula, including syllabi,
13 training materials, and lesson plans, for use by
14 an institution of higher education (as defined in
15 section 101 of the Higher Education Act of
16 1965 (20 U.S.C. 1001)), a postsecondary voca-
17 tional institution (as defined in section 102(c)
18 of the Higher Education Act of 1965 (20
19 U.S.C. 1002)), or a high school or secondary
20 school (as such terms are defined in section
21 8101 of the Elementary and Secondary Edu-
22 cation Act of 1965 (20 U.S.C. 7801));

23 “(E) building awareness of youth-oriented
24 aerospace programs and other robust outreach

1 programs, including for primary, secondary,
2 and post-secondary school students;

3 “(F) supporting the professional develop-
4 ment of teachers using the curricula, syllabi,
5 training materials, and lesson plans described
6 in subparagraph (D); and

7 “(G) developing an array of educational
8 and informative aviation-related educational ac-
9 tivities and materials for students of varying
10 ages and levels of education to use in the class-
11 room and at home.

12 “(2) Support personnel or veterans of the
13 Armed Forces seeking to transition to a career in
14 aerospace through outreach, training, scholarships,
15 apprenticeships, or other means.

16 “(3) Amplify and support the work carried out
17 at the Centers of Excellence and Technical Centers
18 of the Federal Aviation Administration regarding
19 the aerospace workforce, or related technical and
20 skills advancement, including organizing and hosting
21 symposiums, conferences, and other forums as ap-
22 propriate.

23 “(4) Administer on behalf of the Secretary of
24 the Department of Transportation the Cooperative
25 Aviation Recruitment, Enrichment, and Employment

1 Readiness Program established by subsection (a) of
2 40131.

3 “(e) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—

4 The Center shall be operated in a manner and for pur-
5 poses that qualify the Center for exemption from taxation
6 under the Internal Revenue Code as an organization de-
7 scribed in section 501(c)(3) of such Code.

8 “(f) ADMINISTRATIVE MATTERS OF CENTER.—

9 “(1) DETAILEES.—

10 “(A) IN GENERAL.—At the request of the
11 Center, the head of any Federal agency or de-
12 partment may, at the discretion of such agency
13 or department, detail to the Center, on a reim-
14 bursable basis, an employee of the agency or
15 department.

16 “(B) CIVIL SERVANT STATUS.—The detail
17 of an employee under subparagraph (A) shall be
18 without interruption or loss of civil service sta-
19 tus or privilege.

20 “(2) NAMES AND SYMBOLS.—The Center may
21 accept, retain, and use proceeds derived from the
22 Center’s use of the exclusive right to use its name
23 and seal, emblems, and badges incorporating such
24 name as lawfully adopted by the Board in further-
25 ance of the purpose and duties of the Center.

1 “(3) GIFTS, GRANTS, BEQUESTS, AND DE-
2 VISES.—The Center may accept, retain, use, and
3 dispose of gifts, grants, bequests, or devises of
4 money, services, or property from any public or pri-
5 vate source for the purpose of covering the costs in-
6 curred by the Center in furtherance of the purpose
7 and duties of the Center.

8 “(4) VOLUNTARY SERVICES.—The Center may
9 accept voluntary services from any person that are
10 provided in furtherance of the purpose and duties of
11 the Center.

12 “(g) RESTRICTIONS.—

13 “(1) PROFIT.—The Center may not engage in
14 business activity for profit.

15 “(2) STOCKS AND DIVIDENDS.—The Center
16 may not issue any shares of stock or declare or pay
17 any dividends.

18 “(3) POLITICAL ACTIVITIES.—The Center shall
19 be nonpolitical and may not provide financial aid or
20 assistance to, or otherwise contribute to or promote
21 the candidacy of, any individual seeking elective pub-
22 lic office or political party. The Center may not en-
23 gage in activities that are, directly, or indirectly, in-
24 tended to be or likely to be perceived as advocating
25 or influencing the legislative process.

1 “(4) DISTRIBUTION OF INCOME OR ASSETS.—

2 The assets of the Center may not inure to the ben-
3 efit of any member of the Board, or any officer or
4 employee of the Center or be distributed to any per-
5 son. This paragraph does not prevent the payment
6 of reasonable compensation to any officer, employee,
7 or other person or reimbursement for actual and
8 necessary expenses in amounts approved by the
9 Board.

10 “(5) LOANS.—The Center may not make a loan
11 to any member of the Board or any officer or em-
12 ployee of the Center.

13 “(6) NO CLAIM OF GOVERNMENTAL APPROVAL
14 OR AUTHORITY.—Except as otherwise provided by
15 section 40131, the Center may not claim approval of
16 Congress or of the authority of the United States for
17 any of its activities.

18 “(h) ADVISORY COMMITTEE.—

19 “(1) IN GENERAL.—The Executive Director
20 shall appoint members to an advisory committee
21 subject to approval by the Board. Members of the
22 Board may not sit on the advisory committee.

23 “(2) MEMBERSHIP.—The advisory committee
24 shall consist of not more than 15 members who rep-
25 resent various aviation industry and labor stake-

1 holders, stakeholder associations, and others as de-
2 termined appropriate by the Board. The advisory
3 committee shall select a Chair and Vice Chair from
4 among its members by majority vote.

5 “(3) DUTIES.—The advisory committee shall—

6 “(A) provide recommendations to the
7 Board on an annual basis regarding the prior-
8 ities for the activities of the Center;

9 “(B) consult with the Board on an ongoing
10 basis regarding the appropriate powers of the
11 Board to accomplish the purposes and duties of
12 the Center; and

13 “(C) provide relevant data and information
14 to the Center in order to carry out the duties
15 set forth in subsection (d).

16 “(4) MEETINGS.—The provisions for meetings
17 of the Board under subsection (b)(5) shall apply as
18 similarly as is practicable to meetings of the advi-
19 sory committee.

20 “(i) WORKING GROUPS.—

21 “(1) IN GENERAL.—The Board may establish
22 working groups as determined necessary and appro-
23 priate to achieve the purpose of the Center under
24 subsection (c).

1 “(2) MEMBERSHIP.—Any working group estab-
2 lished by the Board shall be composed of private sec-
3 tor representatives, stakeholder associations, mem-
4 bers of the public, labor representatives, and other
5 relevant parties, as determined appropriate by the
6 Board. Once established, the membership of such
7 working group shall choose a Chair from among the
8 members of the working group by majority vote.

9 “(j) CAREER COUNCIL.—

10 “(1) ESTABLISHMENT.—Not later than Sep-
11 tember 30, 2026, the Executive Director, in coordi-
12 nation with the Secretary, shall establish a council
13 (in this section referred to as the ‘CAREER Coun-
14 cil’) for the CAREER Program established under
15 section 40131.

16 “(2) DUTIES.—The CAREER Council shall aid
17 the Secretary and the Center in carrying out the
18 CAREER Program by reviewing grant applications
19 and recommending grant recipients.

20 “(3) APPOINTMENT.—The CAREER Council
21 shall be appointed from candidates nominated by na-
22 tional associations representing various sectors of
23 the aviation industry, including—

24 “(A) general aviation;

25 “(B) commercial aviation;

1 “(C) aviation labor, including collective
2 bargaining representatives of Federal Aviation
3 Administration aviation safety inspectors, avia-
4 tion safety engineers, and air traffic controllers;

5 “(D) aviation maintenance, repair, and
6 overhaul; and

7 “(E) unmanned aviation.

8 “(4) TERM.—Each council member appointed
9 under paragraph (3) shall serve a term of 4 years.

10 “(k) ANNUAL REPORT.—The Board shall submit an
11 annual report to the Committee on Transportation and In-
12 frastructure of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of the
14 Senate that, at minimum, includes a review and examina-
15 tion of—

16 “(1) the activities performed as set forth in
17 subsection (d) during the prior fiscal year;

18 “(2) the advisory committee described in sub-
19 section (h);

20 “(3) the working groups described in subsection
21 (i); and

22 “(4) the Cooperative Aviation Recruitment, En-
23 richment, and Employment Readiness Program and
24 related activities established under section 40131,

1 including activities of the CAREER Council estab-
2 lished under subsection (j).

3 “(l) AUDIT BY DEPARTMENT OF TRANSPORTATION
4 INSPECTOR GENERAL.—

5 “(1) IN GENERAL.—Not later than 2 years
6 after the date on which the Center is established
7 under subsection (a), the inspector general of the
8 Department of Transportation shall conduct a re-
9 view of the Center.

10 “(2) CONTENTS.—The review shall—

11 “(A) include, at a minimum, an evaluation
12 of the efforts taken at the Center to achieve the
13 purpose set forth in subsection (c); and

14 “(B) provide any other information that
15 the inspector general determines is appropriate.

16 “(3) REPORT ON AUDIT.—

17 “(A) REPORT TO SECRETARY.—Not later
18 than 30 days after the date of completion of the
19 audit, the inspector general shall submit to the
20 Secretary a report on the results of the audit.

21 “(B) REPORT TO CONGRESS.—Not later
22 than 60 days after the date of receipt of the re-
23 port under subparagraph (A), the Secretary
24 shall submit to the appropriate committees of
25 Congress a copy of the report, together with, if

1 appropriate, a description of any actions taken
2 or to be taken to address the results of the
3 audit.

4 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
5 is authorized to be appropriated to the National Center
6 for the Advancement of Aerospace out of the Airport and
7 Airway Trust Fund to carry out this section—

8 “(1) \$10,000,000 for fiscal year 2024;

9 “(2) \$10,000,000 for fiscal year 2025;

10 “(3) \$10,000,000 for fiscal year 2026;

11 “(4) \$11,000,000 for fiscal year 2027; and

12 “(5) \$11,000,000 for fiscal year 2028.”.

13 (b) CLERICAL AMENDMENT.—The analysis for chap-
14 ter 1 of title 49, United States Code, is amended by insert-
15 ing after the item relating to section 119 the following:

“120. National Center for the Advancement of Aerospace.”.

16 **SEC. 304. COOPERATIVE AVIATION RECRUITMENT, ENRICH-**
17 **MENT, AND EMPLOYMENT READINESS PRO-**
18 **GRAM.**

19 (a) IN GENERAL.—Chapter 401 of title 49, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

1 **“§ 40131. Cooperative Aviation Recruitment, Enrich-**
2 **ment, and Employment Readiness Pro-**
3 **gram**

4 “(a) ESTABLISHMENT.—Not later than September
5 30, 2026, the Secretary of Transportation, through the
6 National Center for the Advancement of Aerospace (in
7 this section referred to as the ‘Center’), shall establish an
8 aviation workforce cooperative development program to be
9 known as the Cooperative Aviation Recruitment, Enrich-
10 ment, and Employment Readiness Program (in this sec-
11 tion referred to as the ‘CAREER Program’) to support
12 the education, recruitment, training, and retention of fu-
13 ture aviation professionals and the development of a ro-
14 bust United States aviation workforce by—

15 “(1) using relevant workforce forecasts to pre-
16 dict and identify aviation-related workforce chal-
17 lenges; and

18 “(2) funding projects that address such chal-
19 lenges and help to sustain the long-term growth of
20 civil aviation.

21 “(b) IMPLEMENTATION.—

22 “(1) PARTNERSHIP WITH NCAA.—In imple-
23 menting the CAREER Program established under
24 subsection (a), the Secretary shall partner with the
25 CAREER Council established in subsection (j) of
26 section 120.

1 “(2) NONDELEGATION.—Except as provided in
2 paragraph (3), the Secretary may not delegate any
3 of the authorities or responsibilities under this sec-
4 tion to the Administrator of the Federal Aviation
5 Administration.

6 “(3) SUPPORT.—To support the administration
7 of the CAREER Program, the Secretary may assign
8 employees of the Department of Transportation, in-
9 cluding employees of the Federal Aviation Adminis-
10 tration, on detail to the Center.

11 “(c) SOLICITATION, REVIEW, AND EVALUATION
12 PROCESS.—In carrying out the CAREER Program, the
13 Secretary shall establish a solicitation, review, and evalua-
14 tion process that ensures funds made available to carry
15 out this section are awarded to eligible entities with pro-
16 posals that have adequate merit and relevancy to the mis-
17 sion of the program.

18 “(d) ELIGIBLE ENTITIES.—An eligible entity under
19 this section is—

20 “(1) an air carrier;

21 “(2) an entity that holds management specifica-
22 tions under subpart K of title 91 of title 14, Code
23 of Federal Regulations;

1 “(3) a holder of a certificate issued under parts
2 139, 145, or 147 of title 14, Code of Federal Regu-
3 lations;

4 “(4) an institution of higher education (as de-
5 fined in section 101 of the Higher Education Act of
6 1965 (20 U.S.C. 1001)), a postsecondary vocational
7 institution (as defined in section 102(e) of the High-
8 er Education Act of 1965 (20 U.S.C. 1002)), or a
9 high school or secondary school (as such terms are
10 defined in section 8101 of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C. 7801));

12 “(5) a flight school that provides flight training,
13 as defined in part 61 of title 14, Code of Federal
14 Regulations, or that holds a pilot school certificate
15 under part 141 of title 14, Code of Federal Regula-
16 tions;

17 “(6) an aviation labor organization;

18 “(7) a State, local, territorial, or Tribal govern-
19 ment, including a political subdivision thereof;

20 “(8) an aviation-related nonprofit organization
21 described in section 501(c)(3) of the Internal Rev-
22 enue Code of 1986 that is exempt from taxation
23 under section 501(a) of such Code; or

24 “(9) an entity that—

1 “(A) actively designs or manufactures any
2 aircraft, aircraft engine, propeller, or appliance,
3 or a component, part, or system thereof, cov-
4 ered under a type or production certificate
5 issued under section 44704; and

6 “(B) has significant operations in the
7 United States and a majority of the employees
8 of such entity that are engaged in aviation
9 manufacturing or development activities and
10 services are based in the United States.

11 “(e) REPORTING AND MONITORING REQUIRE-
12 MENTS.—The Secretary shall establish reasonable report-
13 ing and monitoring requirements for grant recipients
14 under this section to measure relevant outcomes of the
15 program maintained pursuant to subsection (a).

16 “(f) REPORT.—Not later than September 30, 2027,
17 and annually through fiscal year 2028, the Secretary shall
18 submit to the Committee on Transportation and Infra-
19 structure of the House of Representatives and the Com-
20 mittee on Commerce, Science, and Transportation of the
21 Senate a report on the program that includes—

22 “(1) a summary of projects awarded grants
23 under this section and the progress of each recipient
24 towards fulfilling program expectations;

1 “(2) an evaluation of how such projects cumula-
2 tively impact the future supply of individuals in the
3 U.S. aviation workforce, including best practices or
4 programs to incentivize, recruit, and retain individ-
5 uals in aviation professions; and

6 “(3) recommendations for better coordinating
7 actions by governmental entities, educational institu-
8 tions, and businesses, aviation labor organizations,
9 or other stakeholders to support aviation workforce
10 growth.

11 “(g) NOTICE OF GRANTS.—

12 “(1) TIMELY PUBLIC NOTICE.—The Secretary
13 shall provide public notice of any grant awarded
14 under the CAREER Program in a timely fashion
15 after the Secretary awards such grant.

16 “(2) NOTICE TO CONGRESS.—The Secretary
17 shall provide advance notice of a grant to be made
18 under the CAREER Program to the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives and the Committee on Commerce,
21 Science, and Transportation of the Senate.

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—Of the
23 amounts made available under section 48105,
24 \$50,000,000 for each of fiscal years 2027 and 2028 is

1 authorized to be expended to provide grants under the pro-
2 gram established under subsection (a).”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 401 of title 49, United States Code, is amended by
5 adding at the end the following:

“40131. Cooperative Aviation Recruitment, Enrichment, and Employment Read-
iness Program.”.

6 **SEC. 305. REPEAL OF DUPLICATIVE OR OBSOLETE WORK-**
7 **FORCE PROGRAMS.**

8 (a) REPEAL.—Sections 44510 and 44515 of title 49,
9 United States Code, are repealed.

10 (b) CLERICAL AMENDMENTS.—The analysis for
11 chapter 445 of title 49, United States Code, is amended
12 by striking the items relating to sections 44510 and
13 44515.

14 **SEC. 306. CIVIL AIRMEN STATISTICS.**

15 (a) PUBLICATION FREQUENCY.—The Administrator
16 of the Federal Aviation Administration shall publish the
17 study commonly referred to as the “U.S. Civil Airmen Sta-
18 tistics” on a monthly basis.

19 (b) PRESENTATION OF DATA.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this Act, the Administrator
22 of the Federal Aviation Administration shall estab-
23 lish a web-based dashboard for purposes of pre-

1 senting the findings of the study described in sub-
2 section (a).

3 (2) **DOWNLOADABLE FORMAT.**—The Adminis-
4 trator shall make the data publicly available on the
5 website of the Administration in a downloadable for-
6 mat.

7 (c) **EXPANDED DATA CRITERIA.**—Not later than 1
8 year after the date of enactment of this Act, the Adminis-
9 trator shall ensure that data sets and tables published as
10 part of the study described in subsection (a) display infor-
11 mation relating to the sex of certificate holders in more
12 instances.

13 (d) **HISTORICAL DATA.**—Not later than 1 year after
14 the date of enactment of this Act, the Administrator shall
15 make all previously published annual data from the study
16 described in subsection (a) available on the website of the
17 Administration.

18 **SEC. 307. BESSIE COLEMAN WOMEN IN AVIATION ADVISORY**
19 **COMMITTEE.**

20 (a) **ESTABLISHMENT.**—Not later than 120 days after
21 the date of enactment of this Act, the Secretary of Trans-
22 portation shall establish a Bessie Coleman Women in
23 Aviation Advisory Committee (hereinafter referred to as
24 the “Committee”).

1 (b) PURPOSE.—The Committee shall advise the Sec-
2 retary and the Administrator of the Federal Aviation Ad-
3 ministration on matters and policies related to the recruit-
4 ment, retention, employment, education, training, well-
5 being, and treatment of women in the aviation industry
6 and aviation-focused Federal civil service positions.

7 (c) FORM OF DIRECTIVES.—All activities carried out
8 by the Committee, including special committees, shall be
9 in response to written terms of reference or taskings from
10 the Secretary.

11 (d) FUNCTIONS.—In carrying out the directives de-
12 scribed in subsection (c), the functions of the Committee
13 are as follows:

14 (1) Foster industry collaboration in an open
15 and transparent manner by engaging, as prescribed
16 by this section, representatives of the private sector
17 associated with an entity described in subsection
18 (e)(1)(B).

19 (2) Make recommendations for strategic objec-
20 tives, priorities, and policies that would improve the
21 recruitment, retention, and training of women in
22 aviation professions.

23 (3) Evaluate opportunities for the Administra-
24 tion to improve the recruitment and retention of
25 women in the Administration.

1 (e) MEMBERSHIP.—

2 (1) VOTING MEMBERS.—The Advisory Com-
3 mittee shall be composed of the following members:

4 (A) The Administrator, or the designee of
5 the Administrator.

6 (B) At least 25 individuals, appointed by
7 the Secretary, representing the following:

8 (i) Transport aircraft and engine
9 manufacturers.

10 (ii) General aviation aircraft and en-
11 gine manufacturers.

12 (iii) Avionics and equipment manufac-
13 turers.

14 (iv) Aviation labor organizations, in-
15 cluding collective bargaining representa-
16 tives of FAA aviation safety inspectors,
17 aviation safety engineers, and air traffic
18 controllers.

19 (v) General aviation operators.

20 (vi) Air carriers.

21 (vii) Business aviation operators.

22 (viii) Unmanned aircraft systems
23 manufacturers and operators.

24 (ix) Aviation safety management ex-
25 perts.

1 (x) Aviation maintenance, repair, and
2 overhaul entities.

3 (xi) Airport owners and operators.

4 (xii) Advanced air mobility manufac-
5 turers and operators.

6 (xiii) Institutions of higher education
7 (as defined in section 101 of the Higher
8 Education Act of 1965 (20 U.S.C. 1001)),
9 a postsecondary vocational institution (as
10 defined in section 102(c) of the Higher
11 Education Act of 1965 (20 U.S.C. 1002)),
12 or a high school or secondary school (as
13 such terms are defined in section 8101 of
14 the Elementary and Secondary Education
15 Act of 1965 (20 U.S.C. 7801)).

16 (xiv) A flight school that provides
17 flight training, as defined in part 61 of
18 title 14, Code of Federal Regulations, or
19 that holds a pilot school certificate under
20 part 141 of title 14, Code of Federal Regu-
21 lations.

22 (xv) Aviation maintenance technician
23 schools governed under part 147 of title
24 14, Code of Federal Regulations.

25 (2) NONVOTING MEMBERS.—

1 (A) IN GENERAL.—In addition to the
2 members appointed under paragraph (1), the
3 Committee shall be composed of not more than
4 5 nonvoting members appointed by the Sec-
5 retary from among officers or employees of the
6 FAA.

7 (B) DUTIES.—The nonvoting members
8 may—

9 (i) take part in deliberations of the
10 Committee; and

11 (ii) provide subject matter expertise
12 with respect to reports and recommenda-
13 tions of the Committee.

14 (C) LIMITATION.—The nonvoting members
15 may not represent any stakeholder interest
16 other than that of the FAA.

17 (3) TERMS.—Each voting member and non-
18 voting member of the Committee appointed by the
19 Secretary shall be appointed for a term of 4 years.

20 (4) COMMITTEE CHARACTERISTICS.—The Com-
21 mittee shall have the following characteristics:

22 (A) The ability to obtain necessary infor-
23 mation from additional experts in the aviation
24 and aerospace communities.

1 (B) A membership size that enables the
2 Committee to have substantive discussions and
3 reach consensus on issues in a timely manner.

4 (C) Appropriate expertise, including exper-
5 tise in human resources, human capital man-
6 agement, policy, labor relations, employment
7 training, workforce development, and youth out-
8 reach.

9 (f) CHAIRPERSON.—

10 (1) IN GENERAL.—The Chairperson of the
11 Committee shall be appointed by the Secretary from
12 among the voting members of the Committee under
13 subsection (e)(1)(B).

14 (2) TERM.—The Chairperson shall serve a 2-
15 year term.

16 (g) MEETINGS.—

17 (1) FREQUENCY.—The Committee shall meet at
18 least twice each year at the call of the Chairperson
19 or the Secretary.

20 (2) PUBLIC ATTENDANCE.—The meetings of
21 the Committee shall be open and accessible to the
22 public.

23 (h) SPECIAL COMMITTEES.—

24 (1) ESTABLISHMENT.—The Committee may es-
25 tablish special committees composed of private sec-

1 tor representatives, members of the public, labor
2 representatives, and other relevant parties in com-
3 plying with the consultation and participation re-
4 quirements under subsection (d).

5 (2) AUTHORITIES.—A special committee estab-
6 lished by the Committee may provide rulemaking ad-
7 vice, recommendations, and additional opportunities
8 to obtain firsthand information to the Committee
9 with respect to issues regarding the advancement of
10 women in aviation.

11 (3) APPLICABLE LAW.—Public Law 92–463
12 shall not apply to a special committee established by
13 the Committee.

14 (i) PERSONNEL MATTERS.—

15 (1) NO COMPENSATION OF MEMBERS.—

16 (A) NON-FEDERAL EMPLOYEES.—A mem-
17 ber of the Committee who is not an officer or
18 employee of the Federal Government shall serve
19 without compensation.

20 (B) FEDERAL EMPLOYEES.—A member of
21 the Committee who is an officer or employee of
22 the Federal Government shall serve without
23 compensation in addition to the compensation
24 received for the services of the member as an
25 officer or employee of the Federal Government.

1 (2) TRAVEL EXPENSES.—The members of the
2 Committee shall be allowed travel expenses, includ-
3 ing per diem in lieu of subsistence, at rates author-
4 ized for employees of agencies under subchapter I of
5 chapter 57 of title 5, United States Code, while
6 away from their homes or regular places of business
7 in the performance of services for the Committee.

8 (j) REPORTS.—The Committee shall submit to the
9 Secretary, the Committee on Transportation and Infra-
10 structure of the House of Representatives, and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a report upon completion of each tasking summa-
13 rizing the Committee’s—

14 (1) findings and associated recommendations to
15 improve the advancement of women in aviation; and

16 (2) planned activities of the Committee, as
17 tasked by the Secretary, and proposed terms of work
18 to fulfill each activity.

19 (k) SUNSET.—The Committee shall terminate on the
20 last day of the 8-year period beginning on the date of the
21 initial appointment of the members of the Committee.

22 (l) FAA DEFINED.—In this section, the term “FAA”
23 means the Federal Aviation Administration.

1 **SEC. 308. ESTABLISHING A COMPREHENSIVE WEB-BASED**
2 **AVIATION RESOURCE CENTER.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall partner with the
6 National Center for the Advancement of Aerospace (in
7 this section referred to as the “Center”) to establish a
8 high-quality, web-based resource center that provides
9 stream-lined public access to information sources on the
10 following:

11 (1) Aviation pathway programs and professional
12 development opportunities.

13 (2) Aviation apprenticeship, scholarship, and in-
14 ternship programs.

15 (3) Aviation-related curricula and resources
16 about aviation occupations and career pathways de-
17 veloped for students, teachers, and guidance coun-
18 selors at all levels of education.

19 (4) Aviation industry organizations.

20 (b) LEVERAGING FAA EDUCATION, RESEARCH, AND
21 PARTNERSHIP PROGRAMS.—In carrying out subsection
22 (a)(3), the Administrator and the Executive Director of
23 the Center, in partnership with museums, nonprofit orga-
24 nizations, and commercial entities, shall, to the maximum
25 extent practicable, leverage field and regional offices of the
26 Federal Aviation Administration, the Mike Monroney

1 Aeronautical Center, the William J. Hughes Technical
2 Center for Advanced Aerospace, Air Transportation Cen-
3 ters of Excellence, and the Aviation and Space Education
4 program of the Federal Aviation Administration to develop
5 an array of educational and informative aviation-related
6 educational activities and materials for students of varying
7 ages and levels of education to use in the classroom, for
8 after-school programs and at home.

9 (c) BRIEFING.—Not later than 2 year after the date
10 of the enactment of this Act, the Administrator shall brief
11 the Committee on Transportation and Infrastructure of
12 the House of Representatives and the Committee on Com-
13 merce, Science, and Technology of the Senate on—

14 (1) the web-based aviation resource center es-
15 tablished under subsection (a); and

16 (2) the manner in which the education develop-
17 ment and engagement activities of the Federal Avia-
18 tion Administration are organized and funded.

19 **SEC. 309. DIRECT HIRE AUTHORITY FROM UAS COLLE-**
20 **GIATE TRAINING INITIATIVE.**

21 (a) IN GENERAL.—The Administrator of the Federal
22 Aviation Administration may hire individuals from eligible
23 institutions of higher education under the Unmanned Air-
24 craft System Collegiate Training Initiative (in this section
25 referred to as “UAS CTI”), as established in section 632

1 of the FAA Reauthorization Act of 2018 (49 U.S.C.
2 40101 note), without regard to—

3 (1) sections 3309 through 3318 of title 5,
4 United States Code;

5 (2) part 211 of title 5, Code of Federal Regula-
6 tions; or

7 (3) subpart A of part 337 of title 5, Code of
8 Federal Regulations.

9 (b) ELIGIBILITY.—Individuals eligible for employ-
10 ment by the Administrator under subsection (a) shall—

11 (1) be in good standing or have graduated in
12 good standing from an institution of higher edu-
13 cation with a signed memorandum of understanding
14 under the UAS CTI;

15 (2) hold or have completed the majority of a re-
16 lated Bachelors or Associates degree, as described by
17 the eligibility requirements of the UAS CTI;

18 (3) have completed all requirements for a re-
19 lated minor, concentration, or certificate, as de-
20 scribed by the eligibility requirements of the UAS
21 CTI; or

22 (4) meet any other criteria as considered appro-
23 priate by the Administrator.

24 (c) DEFINITIONS.—In this section:

1 (1) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” has the
3 meaning given such term in section 101 of the High-
4 er Education Act of 1965 (20 U.S.C. 1001).

5 (2) GOOD STANDING.—The term “good stand-
6 ing” means in good standing, as determined by the
7 applicable institution of higher education.

8 (d) SUNSET.—The authority of the Administrator
9 under this section shall terminate on September 30, 2028.

10 **Subtitle B—Improving Training**
11 **and Rebuilding Talent Pipelines**

12 **SEC. 311. JOINT AVIATION EMPLOYMENT TRAINING WORK-**
13 **ING GROUP.**

14 (a) ESTABLISHMENT.—Not later than 120 days after
15 the date of enactment of this Act, the Secretary of Trans-
16 portation shall establish an interagency working group (in
17 this section referred to as the “working group”) to advise
18 the Secretary of Transportation and the Secretary of De-
19 fense on matters and policies related to the training and
20 certification of a covered aviation professional to improve
21 career transition between the military and civilian
22 workforces.

23 (b) MEMBERSHIP.—

24 (1) IN GENERAL.—The working group shall
25 consist of—

1 (A) 2 co-chairs described in paragraph (2);

2 (B) not less than 6 representatives of the
3 Federal Aviation Administration, to be ap-
4 pointed by the co-chair described in paragraph
5 (2)(A); and

6 (C) not less than 1 representative of each
7 component of the armed forces (as such term is
8 defined in section 101 of title 10, United States
9 Code), to be appointed by the co-chair described
10 in paragraph (2)(B).

11 (2) CO-CHAIRS.—The working group shall be
12 co-chaired by—

13 (A) a representative of the Department of
14 Transportation, to be appointed by the Sec-
15 retary of Transportation; and

16 (B) a representative of the Department of
17 Defense, to be appointed by the Secretary of
18 Defense.

19 (c) ACTIVITIES.—The working group shall—

20 (1) evaluate and compare all regulatory require-
21 ments, guidance, and orders affecting covered avia-
22 tion professionals and identify challenges that inhibit
23 recruitment, training, and retention within the re-
24 spective workforces of such professionals; and

1 (2) assess appropriate areas for increased inter-
2 agency information sharing and harmonization
3 across workforces on matters related to certification
4 pathways and certification requirements, including
5 knowledge testing, affecting covered aviation profes-
6 sionals.

7 (d) INITIAL REPORT TO CONGRESS.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date on which the Secretary of Transportation
10 establishes the working group, the working group
11 shall submit to the appropriate committees of Con-
12 gress an initial report on the activities of the work-
13 ing group.

14 (2) CONTENTS.—The report required under
15 paragraph (1) shall include—

16 (A) a detailed description of the findings of
17 the working group pursuant to the activities re-
18 quired under subsection (c); and

19 (B) recommendations for regulatory, pol-
20 icy, or legislative action to improve the training
21 and certification of covered aviation profes-
22 sionals across the civilian and military
23 workforces.

24 (e) ANNUAL REPORTING.—Not later than 1 year
25 after the date on which the working group submits the

1 initial report under subsection (d), and annually there-
2 after, the working group shall submit to the appropriate
3 committees of Congress a report—

4 (1) describing the continued activities of the
5 working group;

6 (2) describing any progress made by the Sec-
7 retary of Transportation or Secretary of Defense in
8 implementing the recommendations described in sub-
9 section (d)(2)(B); and

10 (3) containing any other recommendations the
11 working group may have with respect to efforts to
12 improve the employment and training of covered
13 aviation professionals in the civilian and military
14 workforces.

15 (f) SUNSET.—The working group shall terminate on
16 the date that is 4 years after the date on which the work-
17 ing group submits the initial report to Congress pursuant
18 to subsection (d).

19 (g) DEFINITIONS.—In this section:

20 (1) APPROPRIATE COMMITTEES OF CON-
21 GRESS.—The term “appropriate committees of Con-
22 gress” means—

23 (A) the Committee on Armed Services of
24 the House of Representatives;

1 (B) the Committee on Armed Services of
2 the Senate;

3 (C) the Committee on Transportation and
4 Infrastructure of the House of Representatives;
5 and

6 (D) the Committee on Commerce, Science,
7 and Transportation of the Senate.

8 (2) COVERED AVIATION PROFESSION.—The
9 term “covered aviation professional” means—

10 (A) an airman;

11 (B) an aircraft maintenance and repair
12 technician;

13 (C) an air traffic controller; and

14 (D) any other aviation-related professional
15 that has comparable tasks and duties across the
16 civilian and military workforces, as determined
17 jointly by the co-chairs of the working group.

18 **SEC. 312. AIRMAN KNOWLEDGE TESTING WORKING GROUP.**

19 (a) WORKING GROUP.—Not later than 180 days after
20 the date of enactment of this Act, the Administrator of
21 the Federal Aviation Administration shall task the Avia-
22 tion Rulemaking Advisory Committee to establish a work-
23 ing group to review knowledge testing processes and proce-
24 dures to improve the facilitation, administration, and ac-
25 cessibility of knowledge tests.

1 (b) ACTIVITIES.—The working group established pur-
2 suant to subsection (a) shall—

3 (1) assess methods to increase knowledge test-
4 ing capacity, including through—

5 (A) the adoption of alternative proctoring
6 methods; and

7 (B) increased utilization of pilot schools
8 that hold a pilot school certificate under part
9 141 of title 14, Code of Federal Regulations,
10 and aviation maintenance technician schools
11 governed under part 147 of title 14, Code of
12 Federal Regulations; and

13 (2) evaluate the following:

14 (A) The management and provision of
15 knowledge tests by testing centers.

16 (B) The testing registration process for
17 students.

18 (C) Student access to knowledge tests.

19 (D) Fees associated with knowledge tests.

20 (E) The accuracy of public sample knowl-
21 edge tests available to students.

22 (F) Development and maintenance of
23 knowledge tests and forms.

24 (c) MECHANIC GENERAL KNOWLEDGE TEST.—In
25 addition to the activities under subsection (b), the Aviation

1 Rulemaking Advisory Committee shall task the working
2 group established pursuant to subsection (a) with—

3 (1) evaluating aviation maintenance curricula
4 offered by high schools or secondary schools; and

5 (2) assessing opportunities to allow a high
6 school student upon successful completion of an
7 aviation maintenance curriculum described in para-
8 graph (1) to take the general written knowledge por-
9 tion of the mechanic exam described in section 65.75
10 of title 14, Code of Federal Regulations, at an Ad-
11 ministration-approved testing center.

12 (d) REPORT.—Not later than 18 months after the
13 Aviation Rulemaking Advisory Committee tasks the work-
14 ing group under subsection (a), the working group shall
15 submit to the Administrator a final report making rec-
16 ommendations to—

17 (1) improve the facilitation, administration, and
18 accessibility of knowledge tests; and

19 (2) facilitate the approval of aviation mainte-
20 nance curriculum for use by a high school or sec-
21 ondary school educator.

22 (d) DEFINITIONS.—In this section:

23 (1) HIGH SCHOOL.—The term “high school”
24 has the meaning given such term in section 8101 of

1 the Elementary and Secondary Education Act of
2 1965 (20 U.S.C. 7801).

3 (2) KNOWLEDGE TEST.—The term “knowledge
4 test” means a test prescribed under parts 61 and 65
5 of title 14, Code of Federal Regulations.

6 (3) SECONDARY SCHOOL.—The term “sec-
7 ondary school” has the meaning given such term in
8 section 8101 of the Elementary and Secondary Edu-
9 cation Act of 1965 (20 U.S.C. 7801).

10 **SEC. 313. AIRMAN CERTIFICATION SYSTEM WORKING**
11 **GROUP AND TIMELY PUBLICATION OF**
12 **STANDARDS.**

13 (a) WORKING GROUP.—The Administrator of the
14 Federal Aviation Administration shall task the Airman
15 Certification System Working Group established under the
16 Aviation Rulemaking Advisory Committee of the Adminis-
17 tration to review Airman Certification Standards to ensure
18 that airman proficiency and knowledge correlates and cor-
19 responds to regulations, procedures, equipment, aviation
20 infrastructure, and safety trends at the time of such re-
21 view.

22 (b) ACS PUBLICATION.—Not later than 180 days
23 after the date of enactment of this Act, the Administrator
24 of the Federal Aviation Administration shall publish on
25 the website of the Administration—

1 (1) the process by which the Airman Certifi-
2 cation Standards are to be established, updated, and
3 maintained;

4 (2) the process by which relevant guidance doc-
5 uments, handbooks, and test materials associated
6 with such standards are to be established, updated,
7 and maintained; and

8 (3) any anticipated or required updates to such
9 standards, including providing a date by which such
10 modifications can be expected to be completed and
11 made available to the public.

12 (c) MECHANIC ACS.—

13 (1) IN GENERAL.—Not later than 18 months
14 after the date of the enactment of this Act, the Ad-
15 ministrator shall publish the Aviation Mechanic Air-
16 man Certification Standard.

17 (2) FAILURE TO PUBLISH.—If the Adminis-
18 trator fails to publish the Aviation Mechanic Airman
19 Certification Standard as required under paragraph
20 (1), the Administrator shall brief the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives and the Committee on Commerce,
23 Science, and Transportation of the Senate on the
24 status of implementation of paragraph (1) each sub-
25 sequent month until publication has occurred.

1 **SEC. 314. AIR TRAFFIC CONTROL WORKFORCE STAFFING.**

2 (a) RESPONSIBILITY FOR CONTROLLER WORKFORCE
3 PLAN.—

4 (1) AIR TRAFFIC CONTROLLER STAFFING INI-
5 TIATIVES AND ANALYSIS.—Section 221 of the Vision
6 100–Century of Aviation Reauthorization Act (49
7 U.S.C. 44506 note) is amended by striking “Admin-
8 istrator of the Federal Aviation Administration” and
9 inserting “Chief Operating Officer of the Air Traffic
10 Organization of the Federal Aviation Administra-
11 tion”.

12 (2) STAFFING REPORT.—Section 44506(e) of
13 title 49, United States Code, is amended in the mat-
14 ter before paragraph (1) by striking “Administrator
15 of the Federal Aviation Administration” and insert-
16 ing “Chief Operating Officer of the Air Traffic Or-
17 ganization of the Federal Aviation Administration”.

18 (b) MAXIMUM HIRING.—Subject to the availability of
19 appropriations, for each of fiscal years 2024 through
20 2027, the Administrator of the Federal Aviation Adminis-
21 tration shall set as the hiring target for new air traffic
22 controllers (excluding individuals described in section
23 44506(f)(1)(A) of title 49, United States Code) the max-
24 imum number of individuals able to be trained at the Fed-
25 eral Aviation Administration Academy.

1 (c) HIRING AND STAFFING.—The Chief Operating
2 Officer of the Federal Aviation Administration shall revise
3 the air traffic control hiring plans and staffing standards
4 of the Administration to—

5 (1) provide that the controller and management
6 workforce is adequately staffed to safely and effi-
7 ciently manage and oversee the air traffic control
8 system to the satisfaction of the Chief Operating Of-
9 ficer;

10 (2) account for the target number of certified
11 professional controllers able to control traffic at each
12 independent facility; and

13 (3) avoid any required or requested reduction of
14 national airspace system capacity or aircraft oper-
15 ations as a result of inadequate air traffic control
16 system staffing.

17 (d) INTERIM ADOPTION OF COLLABORATIVE RE-
18 SOURCE WORKGROUP MODELS.—

19 (1) IN GENERAL.—In carrying out subsection
20 (c) and in submitting a Controller Workforce Plan
21 of the Administration published after the date of en-
22 actment of this Act, the Chief Operating Officer
23 shall adopt and utilize the staffing models and meth-
24 odologies developed by the Collaborative Resource
25 Workgroup that were recommended in a report sub-

1 mitted to the Administrator and referenced in the
2 Controller Workforce Plan submitted to Congress on
3 May 5, 2023.

4 (2) SUNSET.—The requirement under para-
5 graph (1) shall cease to be effective upon the adop-
6 tion of a staffing model required under subsection
7 (f).

8 (e) ASSESSMENT.—

9 (1) REVIEW.—Not later than 180 days after
10 the date of enactment of this Act, the Administrator
11 shall enter into an agreement with the Transpor-
12 tation Research Board to—

13 (A) compare the Administration’s staffing
14 models and methodologies in determining staff-
15 ing standards targets with those developed by
16 the Collaborative Resource Workgroup, includ-
17 ing—

18 (ii) the availability factor multiplier
19 and other formula components; and

20 (iii) the independent facility staffing
21 targets of certified professional controllers
22 able to control traffic; and

23 (B) assess future needs of the air traffic
24 control system and potential impacts on staffing
25 standards.

1 (2) REPORT.—

2 (A) FINDINGS.—In carrying out this sub-
3 section, the Transportation Research Board
4 shall—

5 (i) report to the Administrator and
6 Congress on the findings of the review
7 under this subsection; and

8 (ii) determine which staffing models
9 and methodologies best accounts for the
10 operational staffing needs of the air traffic
11 control system and provide a justification
12 for such determination.

13 (B) MODIFICATIONS TO IDENTIFIED
14 MODEL.—The Transportation Research Board
15 may make recommendations to improve the
16 staffing model described in (2)(A)(ii).

17 (3) CONSULTATION.—In conducting the assess-
18 ment under this subsection, the Transportation Re-
19 search Board shall consult with—

20 (A) exclusive bargaining representatives of
21 air traffic controllers certified under section
22 7111 of title 5, United States Code;

23 (B) Administration officials and executives;

24 (C) front line managers of the air traffic
25 control system;

1 (D) managers and employees responsible
2 for training air traffic controllers;

3 (E) the MITRE Corporation;

4 (F) the Chief Operating Officer of the Air
5 Traffic Organization of the Federal Aviation
6 Administration; and

7 (G) users of the air traffic control system.

8 (f) REQUIRED IMPLEMENTATION OF IDENTIFIED
9 STAFFING MODEL.—The Administrator shall take such
10 action that may be necessary to adopt and utilize the staff-
11 ing model identified by the Transportation Research
12 Board pursuant to subsection (e)(2)(A)(ii), including any
13 recommendations for improving such model.

14 (g) CONTROLLER TRAINING.—In any Controller
15 Workforce Plan of the Administration published after the
16 date of enactment of this Act, the Chief Operating Officer
17 shall—

18 (1) identify all limiting factors on the Adminis-
19 tration's ability to hire and train controllers in line
20 with the staffing standards target set out in such
21 Plan; and

22 (2) describe what actions the Administration
23 will take to rectify any impediments to meeting
24 staffing standards targets and identify contributing

1 factors that are outside the control of the Adminis-
2 tration.

3 **SEC. 315. AVIATION SAFETY WORKFORCE ASSESSMENT.**

4 (a) IN GENERAL.—The Administrator of the Federal
5 Aviation Administration shall assess, on a recurring basis,
6 staffing levels, critical competencies, and skills gaps of
7 safety critical positions in the Flight Standards Service
8 and Aircraft Certification Service and within other offices
9 of the Administration that support such services.

10 (b) CONSIDERATIONS.—In completing the assessment
11 described in subsection (a), the Administrator shall—

12 (1) evaluate the workload at the time of the as-
13 sessment, historic workload, and estimated future
14 workload of such personnel;

15 (2) conduct a critical competency and skills gap
16 analysis to determine the knowledge and skill sets
17 needed for work at the time of the assessment and
18 anticipated work, with an emphasis on work per-
19 taining to—

20 (A) new and novel aircraft propulsion and
21 power methods;

22 (B) simplified vehicle operations and
23 human factors; and

24 (C) autonomy, machine learning, and arti-
25 ficial intelligence;

1 (3) compare the outcome of such analysis de-
2 scribed in paragraph (2) to the competency and
3 skills of the workforce at the time of the assessment;

4 (4) review opportunities for employees of the
5 Administration to gain or enhance expertise, knowl-
6 edge, skills, and abilities through cooperative train-
7 ing with appropriate companies and organizations;
8 and

9 (5) develop hiring and recruitment plans to—

10 (A) address hard to fill positions; and

11 (B) address competency and skill gaps at
12 various levels of experience and management
13 within Flight Standards Service and Aircraft
14 Certification Service.

15 (c) REPORT.—Upon completion of an assessment de-
16 scribed in subsection (a), the Administrator shall submit
17 to the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee on
19 Commerce, Science, and Transportation of the Senate a
20 report detailing the following:

21 (1) The methodology and findings of the assess-
22 ment described in subsection (a), including an anal-
23 ysis of hiring authorities of the Administration at
24 the time of the assessment, including direct hiring
25 authorities, by occupation series for inspector, engi-

1 neer, and other safety critical positions within Flight
2 Standards Service and Aircraft Certification Service.

3 (2) Action based recommendations the Adminis-
4 tration can take to improve—

5 (A) the Aviation Safety Workforce Plan;

6 (B) the skill sets and competencies of in-
7 spectors, engineers, and other safety critical po-
8 sitions at the time of the assessment;

9 (C) competition with industry and other
10 non-aviation sectors for candidates with identi-
11 fied competencies and technical skill sets; and

12 (D) overall hiring and retention of inspec-
13 tors, engineers, and other critical positions.

14 (3) Actions Congress can take to improve the
15 recruitment, hiring, upskilling, and retention of in-
16 spectors, engineers, and other safety critical posi-
17 tions in Flight Standards Service and Aircraft Cer-
18 tification Service and within other offices of the Ad-
19 ministration that support such services.

20 (d) SAFETY CRITICAL POSITION DEFINED.—In this
21 section, the term “safety critical position” means—

22 (1) an aviation safety inspector, an aviation
23 safety specialist (denoted by the Administration as
24 1801 series), an aviation safety technician, and an

1 operations support position in the Flight Standards
2 Service; and

3 (2) a manufacturing safety inspector, a pilots,
4 an engineer, a Chief Scientist Technical Advisor, an
5 aviation safety specialist (denoted by the Adminis-
6 tration as 1801 series), a safety technical specialist,
7 and an operational support position in the Aircraft
8 Certification Service.

9 **Subtitle C—Engaging and** 10 **Retaining the Workforce**

11 **SEC. 321. AIRMAN’S MEDICAL BILL OF RIGHTS.**

12 (a) IN GENERAL.—

13 (1) DEVELOPMENT.—Not later than 1 year
14 after the date of enactment of this Act, the Adminis-
15 trator of the Federal Aviation Administration shall
16 develop a document (in this section referred to as
17 the “Airman’s Medical Bill of Rights”) detailing the
18 right of an individual before, during, and after a
19 medical exam conducted by an Aviation Medical Ex-
20 aminer.

21 (2) CONTENTS.—The Airman’s Medical Bill of
22 Rights required under paragraph (1) shall, at a min-
23 imum, contain information about the right of an in-
24 dividual to—

1 (A) bring a trusted companion or request
2 to have a chaperone present for a medical
3 exam;

4 (B) terminate an exam at any time and for
5 any reason;

6 (C) receive care with respect and recogni-
7 tion of the dignity of the individual;

8 (D) be assured of privacy and confiden-
9 tiality;

10 (E) select an Aviation Medical Examiner
11 without interference;

12 (F) privacy when changing, undressing,
13 and using the restroom;

14 (G) ask questions about the health status
15 of the individual or any suggested treatments or
16 evaluations, and to have such questions fully
17 answered;

18 (H) report an incident of misconduct by an
19 Aviation Medical Examiner to the appropriate
20 authorities, including to the State licensing
21 board of the Aviation Medical Examiner or the
22 Federal Aviation Administration;

23 (I) report to the Administrator an allega-
24 tion regarding alleged Aviation Medical Exam-
25 iner misconduct without fear of retaliation or

1 negative action relating to an airman certificate
2 of the individual; and

3 (J) be advised of any known conflicts of in-
4 terest an Aviation Medical Examiner may have
5 with respect to the care of the individual.

6 (3) PUBLIC AVAILABILITY.—The Airman’s
7 Medical Bill of Rights required under paragraph (1)
8 shall be—

9 (A) made available to, and acknowledged
10 by, an individual in the MedXpress system;

11 (B) made available in a hard-copy format
12 by an Aviation Medical Examiner at the time of
13 exam upon request by an individual; and

14 (C) displayed in a common space in the of-
15 fice of the Aviation Medical Examiner.

16 (b) EXPECTATIONS FOR MEDICAL EXAMINATIONS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment of this Act, the Administrator
19 shall develop a simplified document explaining the
20 standard procedures performed during a medical ex-
21 amination conducted by an Aviation Medical Exam-
22 iner.

23 (2) PUBLIC AVAILABILITY.—The document re-
24 quired under paragraph (1) shall be—

1 (A) made available to, and acknowledged
2 by, an individual in the MedXpress system;

3 (B) made available in a hard-copy format
4 by an Aviation Medical Examiner at the time of
5 exam upon request by an individual; and

6 (C) displayed in a common space in the of-
7 fice of the Aviation Medical Examiner.

8 **SEC. 322. IMPROVED DESIGNEE MISCONDUCT REPORTING**
9 **PROCESS.**

10 (a) IMPROVED DESIGNEE MISCONDUCT REPORTING
11 PROCESS.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, the Administrator
14 of the Federal Aviation Administration shall estab-
15 lish a streamlined process for individuals involved in
16 incidents of alleged misconduct by a designee to re-
17 port such incidents in a manner that protects the
18 privacy and confidentiality of such individuals.

19 (2) PUBLIC ACCESS TO REPORTING PROCESS.—
20 The process for reporting alleged misconduct by a
21 designee shall be made available to the public on the
22 website of the Administration, including—

23 (A) the designee locator search webpage;
24 and

1 (B) the webpage of the Office of Audit and
2 Evaluation of the Federal Aviation Administra-
3 tion.

4 (3) OBLIGATION TO REPORT CRIMINAL
5 CHARGES.—Not later than 90 days after the date of
6 enactment of this Act, the Administrator shall revise
7 the orders and policies governing the Designee Man-
8 agement System to clarify that designees are obli-
9 gated to report any arrest, indictment, or conviction
10 for violation of a local, State, or Federal law within
11 a period of time specified by the Administrator.

12 (4) AUDIT OF REPORTING PROCESS BY INSPEC-
13 TOR GENERAL.—

14 (A) IN GENERAL.—Not later than 3 years
15 after the date on which the Administrator final-
16 izes the update of the reporting process under
17 paragraph (1), the inspector general of the De-
18 partment of Transportation shall conduct an
19 audit of such reporting process.

20 (B) CONTENTS.—In conducting the audit
21 of the reporting process described in subpara-
22 graph (A), the inspector general shall, at a min-
23 imum—

24 (i) review the efforts of the Adminis-
25 tration to improve the reporting process

1 and solutions developed to respond to and
2 investigate allegations of misconduct;

3 (ii) analyze reports of misconduct
4 brought to the Administrator prior to any
5 changes made to the reporting process as
6 a result of the enactment of this Act, in-
7 cluding the ultimate outcomes of those re-
8 ports and whether any reports resulted in
9 the Administrator taking action against
10 the accused designee;

11 (iii) determine whether the reporting
12 process results in appropriate action, in-
13 cluding reviewing, investigating, and clos-
14 ing out reports; and

15 (iv) if applicable, make recommenda-
16 tions to improve the reporting process.

17 (C) REPORT.—Not later than 1 year after
18 the date of initiation of the audit described in
19 subparagraph (A), the inspector general shall
20 submit to the Committee on Transportation and
21 Infrastructure of the House of Representatives
22 and the Committee on Commerce, Science, and
23 Transportation of the Senate a report on the
24 results of such audit, including findings and
25 recommendations.

1 (b) DESIGNEE DEFINED.—In this section, the term
2 “designee” means an individual who has been designated
3 to act as a representative of the Administrator as—

4 (1) an Aviation Medical Examiner (as described
5 in section 183.21 of title 14, Code of Federal Regu-
6 lations);

7 (2) a pilot examiner (as described in section
8 183.23 of such title); or

9 (3) a technical personnel examiner (as described
10 in section 183.25 of such title).

11 **SEC. 323. REPORT ON SAFE UNIFORM OPTIONS FOR CER-**
12 **TAIN AVIATION EMPLOYEES.**

13 (a) IN GENERAL.—The Administrator of the Federal
14 Aviation Administration shall conduct a review to deter-
15 mine whether air carriers operating under part 121 of title
16 14, Code of Federal Regulations, and repair stations cer-
17 tificated under part 145 of such title have in place uniform
18 policies and uniform offerings that ensure pregnant em-
19 ployees can perform required duties safely.

20 (b) CONSULTATION.—In conducting the review re-
21 quired under subsection (a), the Administrator shall con-
22 sult with air carriers and repair stations described in sub-
23 section (a) and employees of such air carriers and such
24 stations who are required to adhere to a uniform policy.

1 (c) BRIEFING.—Not later than 2 years after the date
2 of enactment of this Act, the Administrator shall brief the
3 Committee on Transportation and Infrastructure of the
4 House of Representatives and the Committee on Com-
5 merce, Science, and Transportation of the Senate on the
6 results of the review required under subsection (a).

7 **SEC. 324. EXTENSION OF SAMYA ROSE STUMO NATIONAL**
8 **AIR GRANT FELLOWSHIP PROGRAM.**

9 Section 131(d) of the Aircraft Certification, Safety,
10 and Accountability Act (49 U.S.C. 40101 note) is amend-
11 ed by striking “fiscal years 2021 through 2025” and in-
12 serting “fiscal years 2023 through 2028”.

13 **SEC. 325. PROMOTION OF CIVIL AERONAUTICS AND SAFETY**
14 **OF AIR COMMERCE.**

15 Section 40104 of title 49, United States Code, is
16 amended—

17 (1) in subsection (a) by striking “In carrying
18 out” and all that follows through “other interested
19 organizations.”;

20 (2) by redesignating subsection (b) as sub-
21 section (d); and

22 (3) by redesignating subsection (c) as sub-
23 section (b).

1 **SEC. 326. EDUCATIONAL AND PROFESSIONAL DEVELOP-**
2 **MENT.**

3 Section 40104 of title 49, United States Code, is fur-
4 ther amended by inserting after subsection (b) (as redesign-
5 nated by section 325) the following:

6 “(c) **EDUCATIONAL AND PROFESSIONAL DEVELOP-**
7 **MENT.**—

8 “(1) **IN GENERAL.**—In carrying out subsection
9 (a), the Administrator shall support and undertake
10 efforts, including through the National Center for
11 the Advancement of Aerospace, to promote and sup-
12 port the education of current and future aerospace
13 professionals.

14 “(2) **EDUCATION MATERIALS.**—Based on the
15 availability of resources, the Administrator shall dis-
16 tribute civil aviation information, and educational
17 materials, and provide expertise to State and local
18 school administrators, college and university offi-
19 cials, and officers of other interested organizations
20 and entities.

21 “(3) **SUPPORT FOR PROFESSIONAL DEVELOP-**
22 **MENT AND CONTINUING EDUCATION.**—To the extent
23 a nonprofit organization, association, industry
24 group, educational institution, collective bargaining
25 unit, governmental organization, or other entity that
26 organizes or hosts a lecture, conference, convention,

1 meeting, round table, or any other type of program
2 with the purpose of sharing educational information
3 related to aerospace with a broad audience, the Ad-
4 ministrator shall—

5 “(A) strongly consider accepting an invita-
6 tion to attend, present, and contribute to con-
7 tent generation; and

8 “(B) make efforts to share information
9 each year, putting a particular emphasis on
10 reaching audiences consisting of representatives
11 of the Administrator and entities regulated en-
12 tities by the Administrator.

13 “(4) CONTENT.—In planning for the opportuni-
14 ties under paragraph (3), the Administrator shall
15 maintain presentations and content covering topics
16 of broad relevance, including—

17 “(A) ethical decision-making and the re-
18 sponsibilities of aerospace professionals;

19 “(B) managing a workforce, encouraging
20 proper reporting of prospective safety issues,
21 and educating employees on safety management
22 systems; and

23 “(C) responsibilities as a designee or rep-
24 resentative of the Administrator.”.

1 **SEC. 327. HUMAN FACTORS PROFESSIONALS.**

2 The Administrator of the Federal Aviation Adminis-
3 tration shall establish a new work code for human factors
4 professionals who—

5 (1) perform work involving the design and test-
6 ing of technologies, processes, and systems which re-
7 quire effective and safe human performance;

8 (2) generate and apply theories, principles,
9 practical concepts, systems, and processes related to
10 the design and testing of technologies, systems, and
11 training programs to support and evaluate human
12 performance in work contexts; and

13 (3) meet education or experience requirements
14 as determined by the Administrator.

15 **SEC. 328. AEROMEDICAL INNOVATION AND MODERNIZA-**
16 **TION WORKING GROUP.**

17 (a) ESTABLISHMENT.—Not later than 180 days after
18 the date of enactment of this Act, the Administrator of
19 the Federal Aviation Administration shall establish a
20 working group (in this section referred to as the “working
21 group”) to review the medical processes, policies, and pro-
22 cedures of the Administration and to make recommenda-
23 tions to the Administrator on modernizing such processes,
24 policies, and procedures to ensure timely and efficient cer-
25 tification of airmen.

26 (b) MEMBERSHIP.—

1 (1) IN GENERAL.—The working group shall
2 consist of—

3 (A) 2 co-chairs described in paragraph (2);

4 and

5 (B) not less than 15 individuals appointed
6 by the Administrator, each of whom shall have
7 knowledge or a background in aerospace medi-
8 cine, psychology, neurology, cardiology, or inter-
9 nal medicine.

10 (2) CO-CHAIRS.—The working group shall be
11 co-chaired by—

12 (A) the Federal Air Surgeon of the Fed-
13 eral Aviation Administration; and

14 (B) a member described under paragraph
15 (1)(A) to be selected by members of the work-
16 ing group.

17 (3) PREFERENCE.—The Administrator, in ap-
18 pointing members pursuant to paragraph (1)(B),
19 shall give preference to—

20 (A) Aviation Medical Examiners (as de-
21 scribed in section 183.21 of title 14, Code of
22 Federal Regulations);

23 (B) licensed medical physicians;

24 (C) practitioners holding a pilot certificate;

25 and

1 (D) individuals having demonstrated re-
2 search and expertise in aeromedical research or
3 sciences.

4 (c) ACTIVITIES.—In reviewing the aeromedical deci-
5 sion-making processes, policies, and procedures of the Ad-
6 ministration in accordance with subsection (a), the work-
7 ing group, at a minimum, shall—

8 (1) assess the medical conditions an Aviation
9 Medical Examiner may issue a medical certificate di-
10 rectly to an individual;

11 (2) determine the appropriateness of expanding
12 the list of such medical conditions;

13 (3) assess the special issuance process;

14 (4) determine whether the renewal of a special
15 issuance can be based on a medical evaluation and
16 treatment plan by the treating medical specialist of
17 the individual with concurrence from an Aviation
18 Medical Examiner;

19 (5) evaluate advancements in technologies to
20 address forms of red-green color blindness;

21 (6) determine whether such technologies may be
22 approved for use by airmen;

23 (7) review policies and guidance relating to At-
24 tention-Deficit Hyperactivity Disorder and Attention
25 Deficit Disorder;

1 (8) evaluate whether medications used to treat
2 such disorders may be safely prescribed to an air-
3 man;

4 (9) review protocols pertaining to the Human
5 Intervention Motivation Study of the Federal Avia-
6 tion Administration;

7 (10) review protocols and policies relating to—

8 (A) neurological disorders; and

9 (B) cardiovascular conditions to ensure
10 alignment with medical best practices, latest re-
11 search;

12 (11) review mental health protocols, including
13 mental health conditions such as depression and
14 anxiety;

15 (12) evaluate medications approved for treating
16 such mental health conditions;

17 (13) assess processes and protocols pertaining
18 to recertification of an airman receiving disability in-
19 surance post-recovery from the medical condition, in-
20 jury, or disability that precludes an airman from ex-
21 ercising the privileges of an airman certificate; and

22 (14) assess processes and protocols pertaining
23 to the certification of veterans reporting a disability
24 rating from the Department of Veterans Affairs.

25 (d) PILOT MENTAL HEALTH TASK GROUP.—

1 (1) ESTABLISHMENT.—Not later than 120 days
2 after the working group pursuant to subsection (a)
3 is established, the co-chairs of such working groups
4 shall establish a pilot mental health task group (re-
5 ferred to in this subsection as the “task group”) to
6 develop and provide recommendations related to sup-
7 porting the mental health of aircraft pilots.

8 (2) COMPOSITION.—The co-chairs of such
9 working group shall appoint—

10 (A) a Chair of the task group; and

11 (B) members of the task group from
12 among the members of the working group ap-
13 pointed by the Administrator under subsection
14 (b)(1).

15 (3) DUTIES.—The duties of the task group
16 shall include—

17 (A) carrying out the activities described in
18 subsection (c)(11) and subsection (c)(12);

19 (B) reviewing and evaluating guidance
20 issued by the International Civil Aviation Orga-
21 nization on pilot mental health; and

22 (C) providing recommendations for—

23 (i) best practices for detecting, assess-
24 ing, and reporting mental health conditions

1 and treatment options as part of pilot
2 aeromedical assessments;

3 (ii) improving the training of aviation
4 medical examiners to identify mental
5 health conditions among pilots, including
6 guidance on referrals to a mental health
7 provider or other aeromedical resource;

8 (iii) expanding and improving mental
9 health outreach, education, and assistance
10 programs for pilots; and

11 (iv) reducing the stigma of assistance
12 for mental health in the aviation industry.

13 (4) REPORT.—Not later than 2 years after the
14 date of the establishment of the task group, the task
15 group shall submit to the Secretary, the Committee
16 on Transportation and Infrastructure of the House
17 of Representatives, and the Committee on Com-
18 merce, Science, and Transportation of the Senate a
19 report detailing—

20 (A) the results of the review and evalua-
21 tion under paragraph (3)(A); and

22 (B) recommendations developed pursuant
23 to paragraph (3)(C).

24 (d) SUPPORT.—The Administrator shall seek to enter
25 into one or more agreements with the National Academies

1 to support the activities of the working group described
2 in subsection (c).

3 (e) FINDINGS; RECOMMENDATIONS.—

4 (1) FINDINGS.—The working group shall report
5 annually to the Administrator, the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives, and the Committee on Commerce,
8 Science, and Transportation of the Senate on find-
9 ings resulting from the activities carried out pursu-
10 ant to subsection (c).

11 (2) RECOMMENDATIONS.—Findings reported
12 pursuant to paragraph (1) shall be accompanied by
13 recommendations for regulatory, policy, or legislative
14 action to improve or modernize the medical certifi-
15 cation and aeromedical processes, procedures, and
16 policies of the Administration.

17 (f) IMPLEMENTATION.—The Administrator shall im-
18 plement, as appropriate, the recommendations of the
19 working group.

20 (g) SUNSET.—The working group shall terminate on
21 September 30, 2028.

22 **SEC. 329. FRONTLINE MANAGER WORKLOAD STUDY.**

23 (a) IN GENERAL.—Not later than 2 years after the
24 date of enactment of this Act, the Chief Operating Officer
25 of the Air Traffic Organization of the Federal Aviation

1 Administration shall conduct a study on frontline manager
2 workload challenges in air traffic control facilities.

3 (b) CONSIDERATIONS.—In conducting the study re-
4 quired under subsection (a), the Chief Operating Officer
5 may—

6 (1) consider—

7 (A) workload challenges including—

8 (i) the managerial tasks expected to
9 be performed by frontline managers, in-
10 cluding employee development, manage-
11 ment, and counseling;

12 (ii) the number of supervisory posi-
13 tions of operations requiring watch cov-
14 erage in each air traffic control facility;

15 (iii) the complexity of traffic and
16 managerial responsibilities; and

17 (iv) proficiency and training require-
18 ments;

19 (B) facility type;

20 (C) facility staffing levels; and

21 (D) any other factors as the Chief Oper-
22 ating Officer considers appropriate; and

23 (2) describe recommendations for updates to
24 the Frontline Manager’s Quick Reference Guide that
25 reflect current operational standards.

1 (c) BRIEFING.—Not later than 3 years after the date
2 of enactment of this Act, the Chief Operating Officer shall
3 brief the Committee on Transportation and Infrastructure
4 of the House of Representatives and the Committee on
5 Commerce, Science, and Transportation of the Senate on
6 the results of the study conducted under subsection (a).

7 **TITLE IV—AIRPORT**
8 **INFRASTRUCTURE**

9 **Subtitle A—Airport Improvement**
10 **Program Modifications**

11 **SEC. 401. AIP DEFINITIONS.**

12 (a) IN GENERAL.—Section 47102 of title 49, United
13 States Code, is amended—

14 (1) by striking paragraph (1) and inserting the
15 following:

16 “(1) ‘air carrier’ has the meaning given the
17 term in section 40102.”;

18 (2) in paragraph (3)—

19 (A) in subparagraph (A)—

20 (i) in clause (i) by striking “and” at
21 the end;

22 (ii) in clause (ii) by striking the pe-
23 riod at the end and inserting “; and”;

24 (iii) by adding at the end the fol-
25 lowing:

1 “(iii) a secondary runway at a nonhub
2 airport that is equivalent in size and type
3 to the primary runway of such airport.”;

4 (B) in subparagraph (B)(iii) by inserting
5 “and fuel infrastructure” after “surveillance
6 equipment”;

7 (C) in subparagraph (E) by striking “after
8 December 31, 1991,”;

9 (D) in subparagraph (K) by striking “if
10 the airport is located in an air quality non-
11 attainment or maintenance area (as defined in
12 sections 171(2) and 175A of the Clean Air Act
13 (42 U.S.C. 7501(2); 7505a)) and if the airport
14 would be able to receive emission credits, as de-
15 scribed in section 47139”;

16 (E) in subparagraph (L) by striking “the
17 airport is located in an air quality nonattain-
18 ment or maintenance area (as defined in sec-
19 tions 171(2) and 175A of the Clean Air Act (42
20 U.S.C. 7501(2); 7505a)), if the airport would
21 be able to receive appropriate emission credits
22 (as described in section 47139), and”;

23 (F) by adding at the end the following:

24 “(S) construction or renovation of
25 childcare facilities for the exclusive use of air-

1 port employees or other individuals who work
2 on airport property, including for air carriers
3 and airport concessionaires.

4 “(T) advanced digital construction man-
5 agement systems and related technology used in
6 the planning, design and engineering, construc-
7 tion, operations, and maintenance of airport fa-
8 cilities.

9 “(U) an improvement of any runway, taxi-
10 way, or apron that would be necessary to sus-
11 tain commercial service flight operations or per-
12 mit the resumption of flight operations under
13 visual flight rules following a natural disaster
14 at—

15 “(i) a primary airport; or

16 “(ii) a general aviation airport that is
17 designated as a Federal staging area by
18 the Administrator of the Federal Emer-
19 gency Management Agency.

20 “(V) any other activity that the Secretary
21 concludes will reasonably improve or contribute
22 to the maintenance of the safety, efficiency, or
23 capacity of the airport.”;

24 (3) by redesignating paragraphs (9), (10), (11),
25 (12), (13), (14), (15), (16), (17), (18), (19), (20),

1 (21), (22), (23), (24), (25), (26), (27), and (28) as
2 paragraphs (10), (11), (12), (13), (14), (15), (16),
3 (17), (18), (19), (20), (21), (22), (23), (24), (25),
4 (26), (27), (28), and (29), respectively;

5 (4) by inserting after paragraph (8) the fol-
6 lowing:

7 “(9) ‘heliport’—

8 “(A) means an area of land, water, or
9 structure used or intended to be used for the
10 landing or takeoff of aircraft capable of vertical
11 takeoff and landing profiles; and

12 “(B) includes a vertiport.”;

13 (5) in paragraph (28) (as so redesignated) by
14 striking “the Trust Territory of the Pacific Is-
15 lands,”;

16 (6) in paragraph (29)(B) (as so redesignated)
17 by striking “described in section 47119(a)(1)(B)”
18 and inserting “for moving passengers and baggage
19 between terminal facilities and between terminal fa-
20 cilities and aircraft”; and

21 (7) by adding at the end the following:

22 “(30) ‘vertiport’ means an area of land, water,
23 or structure used or intended to be used for the
24 landing or takeoff of powered-lift aircraft capable of
25 vertical takeoff and landing profiles.”.

1 (b) CONFORMING AMENDMENT.—Section 47127(a)
2 of title 49, United States Code, is amended by striking
3 “air carrier airport” and inserting “commercial service
4 airport”.

5 **SEC. 402. REVENUE DIVERSION PENALTY ENHANCEMENT.**

6 (a) IN GENERAL.—Section 47107 of title 49, United
7 States Code, is amended—

8 (1) in subsection (m)(4) by striking “an
9 amount equal to” and inserting “an amount equal to
10 double”; and

11 (2) in subsection (n)(1) by striking “an amount
12 equal to” and inserting “an amount equal to dou-
13 ble”.

14 (b) APPLICABILITY.—The amendments made by sub-
15 section (a) shall not apply to any illegal diversion of air-
16 port revenues (as described in section 47107(m) of title
17 49, United States Code) that occurred prior to the date
18 of enactment of this Act.

19 **SEC. 403. EXTENSION OF COMPETITIVE ACCESS REPORT**
20 **REQUIREMENT.**

21 Section 47107(r)(3) of title 49, United States Code,
22 is amended by striking “2023” and inserting “2028”.

23 **SEC. 404. RENEWAL OF CERTAIN LEASES.**

24 Section 47107(t)(2) of title 49, United States Code,
25 is amended—

1 (1) in subparagraph (A) by striking “the date
2 of enactment of this subsection” and inserting “Oc-
3 tober 7, 2016”; and

4 (2) by striking subparagraph (D) and inserting
5 the following:

6 “(D) that—

7 “(i) supports the operation of military
8 aircraft by the Air Force or Air National
9 Guard—

10 “(I) at the airport; or

11 “(II) remotely from the airport;

12 or

13 “(ii) is for the use of non-aeronautical
14 land or facilities of the airport by the Na-
15 tional Guard.”.

16 **SEC. 405. COMMUNITY USE OF AIRPORT LAND.**

17 Section 47107(v) of title 49, United States Code, is
18 amended to read as follows:

19 “(v) COMMUNITY USE OF AIRPORT LAND.—

20 “(1) IN GENERAL.—Notwithstanding sub-
21 sections (a)(13), (b), and (c), and subject to para-
22 graph (2), the sponsor of a public-use airport shall
23 not be considered to be in violation of this subtitle,
24 or to be found in violation of a grant assurance
25 made under this section, or under any other provi-

1 sion of law, as a condition for the receipt of Federal
2 financial assistance for airport development, solely
3 because the sponsor has—

4 “(A) entered into an agreement, including
5 a revised agreement, with a local government
6 providing for the use of airport property for an
7 interim compatible recreational purpose at
8 below fair market value; or

9 “(B) permanently restricted the use of air-
10 port property to compatible recreational and
11 public park use without paying or otherwise ob-
12 taining payment of fair market value for the
13 property.

14 “(2) RESTRICTIONS.—

15 “(A) INTERIM COMPATIBLE REC-
16 REATIONAL PURPOSE.—Paragraph (1) shall
17 apply, with respect to a sponsor that has taken
18 the action described in subparagraph (A) of
19 such paragraph, only—

20 “(i) to an agreement regarding airport
21 property that was initially entered into be-
22 fore the publication of the Federal Aviation
23 Administration’s Policy and Procedures
24 Concerning the Use of Airport Revenue,
25 dated February 16, 1999;

1 “(ii) if the agreement between the
2 sponsor and the local government is subor-
3 dinate to any existing or future agreements
4 between the sponsor and the Secretary, in-
5 cluding agreements related to a grant as-
6 surance under this section;

7 “(iii) to airport property that was ac-
8 quired under a Federal airport develop-
9 ment grant program;

10 “(iv) if the airport sponsor has pro-
11 vided a written statement to the Adminis-
12 trator that the property made available for
13 a recreational purpose will not be needed
14 for any aeronautical purpose during the
15 next 10 years;

16 “(v) if the agreement includes a term
17 of not more than 2 years to prepare the
18 airport property for the interim compatible
19 recreational purpose and not more than 10
20 years of use for that purpose;

21 “(vi) if the recreational purpose will
22 not impact the aeronautical use of the air-
23 port;

24 “(vii) if the airport sponsor provides a
25 certification that the sponsor is not respon-

1 sible for preparation, start-up, operations,
2 maintenance, or any other costs associated
3 with the recreational purpose; and

4 “(viii) if the recreational purpose is
5 consistent with Federal land use compat-
6 ibility criteria under section 47502.

7 “(B) PERMANENT RECREATIONAL USE.—
8 Paragraph (1) shall apply, with respect to a
9 sponsor that has taken the action described in
10 subparagraph (B) of such paragraph, only—

11 “(i) to airport property that was pur-
12 chased using funds from a Federal grant
13 for acquiring land issued prior to Decem-
14 ber 30, 1987;

15 “(ii) to airport property that has been
16 continuously used as a recreational and
17 public park since January 1, 1995;

18 “(iii) if the airport sponsor has pro-
19 vided a written statement to the Adminis-
20 trator that the property to be permanently
21 restricted for recreational and public park
22 use is not needed for any aeronautical use
23 at the time the written statement is pro-
24 vided and is not expected to be needed for

1 any aeronautical use at any time after
2 such statement is provided;

3 “(iv) if the recreational and public
4 park use does not impact the aeronautical
5 use of the airport;

6 “(v) if the airport sponsor provides a
7 certification that the sponsor is not respon-
8 sible for operations, maintenance, or any
9 other costs associated with the recreational
10 and public park use;

11 “(vi) if the recreational purpose is
12 consistent with Federal land use compat-
13 ibility criteria under section 47502;

14 “(vii) if, in the event the airport spon-
15 sor leases the property, the lease will be to
16 a local government entity or non-profit en-
17 tity to operate and maintain the property
18 at no cost the airport sponsor; and

19 “(viii) if, in the event the airport
20 sponsor sells the property, the sale will be
21 to a local government entity and subject to
22 a permanent deed restriction ensuring
23 compatible airport use under regulations
24 issued pursuant to section 47502.

1 “(3) REVENUE FROM CERTAIN SALES OF AIR-
2 PORT PROPERTY.—Notwithstanding any other provi-
3 sion of law, an airport sponsor selling a portion of
4 airport property as described in paragraph
5 (2)(B)(viii)(II) may—

6 “(A) sell such portion of airport property
7 for less than fair market value; and

8 “(B) subject to the requirements of sub-
9 section (b), retain the revenue from the sale of
10 such portion of airport property.

11 “(4) STATUTORY CONSTRUCTION.—Nothing in
12 this subsection may be construed as permitting a di-
13 version of airport revenue for the capital or oper-
14 ating costs associated with the community use of
15 airport land.”.

16 **SEC. 406. PRICE ADJUSTMENT PROVISIONS.**

17 Section 47108 of title 49, United States Code, is
18 amended—

19 (1) in subsection (a) by striking
20 “47114(d)(3)(A) of this title” and inserting
21 “47114(d)(2)(A)”;

22 (2) by striking subsections (b) and inserting the
23 following:

24 “(b) INCREASING GOVERNMENT SHARE.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graphs (2) or (3), the amount stated in an offer as
3 the maximum amount the Government will pay may
4 not be increased when the offer has been accepted
5 in writing.

6 “(2) EXCEPTION.—For a project receiving as-
7 sistance under a grant approved under this chapter
8 or chapter 475, the amount may be increased—

9 “(A) for an airport development project, by
10 not more than 15 percent; and

11 “(B) to acquire an interest in land for an
12 airport (except a primary airport), by not more
13 than the greater of the following, based on cur-
14 rent creditable appraisals or a court award in a
15 condemnation proceeding:

16 “(i) 15 percent; or

17 “(ii) 25 percent of the total increase
18 in allowable project costs attributable to
19 acquiring an interest in land.

20 “(3) PRICE ADJUSTMENT PROVISIONS.—

21 “(A) IN GENERAL.—The Secretary may in-
22 corporate a provision in a project grant agree-
23 ment under which the Secretary agrees to pay
24 more than the maximum amount otherwise
25 specified in the agreement if the Secretary finds

1 that commodity or labor prices have increased
2 since the agreement was made.

3 “(B) DECREASE IN COSTS.—A provision
4 incorporated in a project grant agreement
5 under this paragraph shall ensure that the Sec-
6 retary realizes any financial benefit associated
7 with a decrease in material or labor costs for
8 the project.”;

9 (3) by striking subsection (c); and

10 (4) by redesignating subsections (d) and (e) as
11 subsections (c) and (d), respectively.

12 **SEC. 407. ALLOWABLE PROJECT COSTS AND LETTERS OF**
13 **INTENT.**

14 Section 47110 of title 49, United States Code, is
15 amended—

16 (1) in subsection (c)—

17 (A) in the matter preceding paragraph (1)
18 by striking “after May 13, 1946, and”; and

19 (B) in paragraph (1)—

20 (i) by inserting “or preparing for”
21 after “formulating”; and

22 (ii) by inserting “utility relocation,
23 work site preparation,” before “and admin-
24 istration”;

1 (2) in subsection (d)(1) by striking “section
2 47114(c)(1) or 47114(d)” and inserting “section
3 47114 or distributed from the small airport fund
4 under section 47116”;

5 (3) in subsection (e)(2)(C) by striking “com-
6 mercial service airport having at least 0.25 percent
7 of the boardings each year at all such airports” and
8 inserting “medium hub airport or large hub air-
9 port”;

10 (4) in subsection (h) by striking “section
11 47114(d)(3)(A)” and inserting “section
12 47114(c)(1)(D) or section 47114(d)(2)(A)”;

13 (5) by striking subsection (i).

14 **SEC. 408. SMALL AIRPORT LETTERS OF INTENT.**

15 (a) IN GENERAL.—Section 47110 of title 49, United
16 States Code, is further amended by adding at the end the
17 following:

18 “(i) SMALL AIRPORT LETTERS OF INTENT.—

19 “(1) IN GENERAL.—The Secretary may issue a
20 letter of intent to a sponsor stating an intention to
21 obligate an amount from future budget authority for
22 an airport development project (including costs of
23 formulating the project) at a nonhub airport or an
24 airport that is not a primary airport. The letter shall
25 establish a schedule under which the Secretary will

1 reimburse the sponsor for the Government's share of
2 allowable project costs, as amounts become available,
3 if the sponsor, after the Secretary issues the letter,
4 carries out the project without receiving amounts
5 under this subchapter.

6 “(2) LIMITATIONS.—The amount the Secretary
7 intends to obligate in a letter of intent issued under
8 this subsection shall not exceed the larger of—

9 “(A) the Government's share of allowable
10 project costs; or

11 “(B) \$10,000,000.

12 “(3) FINANCING.—Allowable project costs
13 under paragraph (1) may include costs associated
14 with making payments for debt service on indebted-
15 ness incurred to carry out the project.

16 “(4) REQUIREMENTS.—The Secretary shall
17 only issue a letter of intent under paragraph (1) if—

18 “(A) the sponsor notifies the Secretary, be-
19 fore the project begins, of the sponsor's intent
20 to carry out the project and requests a letter of
21 intent; and

22 “(B) the sponsor agrees to comply with all
23 statutory and administrative requirements that
24 would apply to the project if it were carried out

1 with amounts made available under this sub-
2 chapter.

3 “(5) ASSESSMENT.—In reviewing a request for
4 a letter of intent under this subsection, the Sec-
5 retary shall consider the grant history of an airport,
6 the airport’s enplanements or operations, and such
7 other factors as the Secretary determines appro-
8 priate.

9 “(6) PRIORITIZATION.—In issuing letters of in-
10 tent under this subsection, the Secretary shall—

11 “(A) prioritize projects that—

12 “(i) cannot reasonably be funded by
13 an airport sponsor using funds apportioned
14 under sections 47114(c),
15 47114(d)(2)(A)(i), or 47114(d)(6), includ-
16 ing funds apportioned under those sections
17 in multiple fiscal years pursuant to section
18 47117(b)(1); and

19 “(ii) are necessary to an airport’s con-
20 tinued safe operation or development; and

21 “(B) structure the reimbursement sched-
22 ules under such letters in a manner that mini-
23 mizes unnecessary or undesirable project seg-
24 mentation.

25 “(7) REQUIRED USE.—

1 “(A) IN GENERAL.—Beginning in fiscal
2 year 2028, and in each fiscal year thereafter,
3 the Secretary shall ensure that not less than
4 \$100,000,000 is committed to be reimbursed in
5 such fiscal year pursuant to letters of intent
6 issued under this subsection.

7 “(B) WAIVER.—The Secretary may waive
8 the requirement under subparagraph (A) for a
9 fiscal year if the Secretary determines there are
10 insufficient letter of intent requests that meet
11 the requirements of paragraph (4). Upon such
12 waiver, the Secretary shall provide a briefing to
13 the Committee on Transportation and Infra-
14 structure of the House of Representatives and
15 the Committee on Commerce, Science, and
16 Transportation of the Senate on the reasons
17 contributing to the need for such waiver and
18 the actions the Secretary intends to take to en-
19 sure that there are sufficient letter of intent re-
20 quests that meet the requirements of paragraph
21 (4) in the fiscal year succeeding the fiscal year
22 for which the Secretary issued such waiver.

23 “(C) RESTRICTION.—The total estimated
24 amount of future Government obligations cov-
25 ered by all outstanding letters of intent under

1 paragraph (1) may not be more than the
2 amount authorized to carry out section 48103
3 of this title, less an amount reasonably esti-
4 mated by the Secretary to be needed for grants
5 under section 48103 that are not covered by a
6 letter.

7 “(8) NO OBLIGATION OR COMMITMENT.—A let-
8 ter of intent issued under this subsection is not an
9 obligation of the Government under section 1501 of
10 title 31, and the letter is not deemed to be an ad-
11 ministrative commitment for financing. An obliga-
12 tion or administrative commitment may be made
13 only as amounts are provided in authorization and
14 appropriation laws.

15 “(9) LIMITATION ON STATUTORY CONSTRUC-
16 TION.—Nothing in this section shall be construed to
17 prohibit the obligation of amounts pursuant to a let-
18 ter of intent under this subsection in the same fiscal
19 year as the letter of intent is issued.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) LETTERS OF INTENT.—Section 47110(e)(7)
22 of title 49, United States Code, is amended by strik-
23 ing “under this section” and inserting “under this
24 subsection”.

1 (2) PRIORITY FOR LETTERS OF INTENT.—Sec-
2 tion 47115(h) of title 49, United States Code, is
3 amended by inserting “prior to fulfilling intentions
4 to obligate under section 47110(i)” after “section
5 47110(e)”.

6 **SEC. 409. PROHIBITION ON USE OF AIP FUNDS TO PRO-**
7 **CURE CERTAIN PASSENGER BOARDING**
8 **BRIDGES.**

9 Section 47110 of title 49, United States Code, is fur-
10 ther amended by adding at the end the following:

11 “(j) ADDITIONAL NONALLOWABLE COSTS.—

12 “(1) IN GENERAL.—A cost is not an allowable
13 airport development project cost under this chapter
14 if the cost relates to a contract for procurement or
15 installation of a passenger boarding bridge if the
16 contract is with an entity on the list required under
17 paragraph (2).

18 “(2) REQUIRED LIST.—Not later than 30 days
19 after the date of enactment of this subsection, the
20 Secretary shall, based on information provided by
21 the United States Trade Representative and the At-
22 torney General, publish and annually update a list of
23 entities manufacturing airport passenger boarding
24 bridges—

1 “(A) that are owned, directed, or sub-
2 sidized by the People’s Republic of China; and

3 “(B) that—

4 “(i) have been determined by a Fed-
5 eral court to have misappropriated intellec-
6 tual property or trade secrets from an enti-
7 ty organized under the laws of the United
8 States or any jurisdiction within the
9 United States; or

10 “(ii) own or control, are owned or
11 controlled by, are under common owner-
12 ship or control with, or are successors to,
13 an entity described in clause (i).”.

14 **SEC. 410. FUEL INFRASTRUCTURE.**

15 Section 47110 of title 49, United States Code, is fur-
16 ther amended by adding at the end the following:

17 “(k) FUEL INFRASTRUCTURE.—

18 “(1) IN GENERAL.—Notwithstanding any other
19 provision of law, the Secretary may decide that cov-
20 ered costs are allowable for an airport development
21 project at a primary or nonprimary airport where
22 such costs are paid for with funds apportioned to
23 the sponsor of such airport under section 47114 or
24 provided pursuant to section 47115.

1 “(2) PRIORITIZATION.—If the Secretary makes
2 grants from the discretionary fund under section
3 47115 for covered costs, the Secretary shall
4 prioritize providing such grants to general aviation
5 airports.

6 “(3) COVERED COSTS DEFINED.—In this sub-
7 section, the term ‘covered costs’—

8 “(A) means construction costs related to
9 an airport-owned—

10 “(i) aeronautical fueling system for
11 unleaded fuel; and

12 “(ii) fueling systems for type certifi-
13 cated hydrogen-powered aircraft; and

14 “(B) may include capital costs for fuel
15 farms and other equipment and infrastructure
16 used for the delivery and storage of fuel.”.

17 **SEC. 411. APPORTIONMENTS.**

18 (a) PRIMARY, COMMERCIAL SERVICE, AND CARGO
19 AIRPORTS.—

20 (1) PRIMARY AND COMMERCIAL SERVICE AIR-
21 PORTS.—Section 47114(c)(1) of title 49, United
22 States Code, is amended to read as follows:

23 “(1) PRIMARY AND COMMERCIAL SERVICE AIR-
24 PORTS.—

1 “(A) PRIMARY AIRPORT APPORTION-
2 MENT.—The Secretary shall apportion to the
3 sponsor of each primary airport for each fiscal
4 year an amount equal to—

5 “(i) \$15.60 for each of the first
6 50,000 passenger boardings at the airport
7 during the prior calendar year;

8 “(ii) \$10.40 for each of the next
9 50,000 passenger boardings at the airport
10 during the prior calendar year;

11 “(iii) \$5.20 for each of the next
12 400,000 passenger boardings at the airport
13 during the prior calendar year;

14 “(iv) \$1.30 for each of the next
15 500,000 passenger boardings at the airport
16 during the prior calendar year; and

17 “(v) \$1.00 for each additional pas-
18 senger boarding at the airport during the
19 prior calendar year.

20 “(B) MINIMUM AND MAXIMUM APPORTION-
21 MENTS.—Not less than \$1,300,000 nor more
22 than \$22,000,000 may be apportioned under
23 subparagraph (A) to an airport sponsor for a
24 primary airport for each fiscal year.

1 “(C) NEW AIRPORT.—Notwithstanding
2 subparagraph (A), the Secretary shall apportion
3 in the first fiscal year following the official
4 opening of a new airport with scheduled pas-
5 senger air transportation an amount equal to
6 \$1,300,000 to the sponsor of such airport.

7 “(D) NONPRIMARY COMMERCIAL SERVICE
8 AIRPORT APPORTIONMENT.—

9 “(i) IN GENERAL.—The Secretary
10 shall apportion to each commercial service
11 airport that is not a primary airport an
12 amount equal to—

13 “(I) \$60 for each of the first
14 2,500 passenger boardings at the air-
15 port during the prior calendar year;
16 and

17 “(II) \$153.33 for each of the
18 next 7,499 passenger boardings at the
19 airport during the prior calendar year.

20 “(ii) APPLICABILITY.—Paragraphs (4)
21 and (5) of subsection (d) shall apply to
22 funds apportioned under this subpara-
23 graph.

24 “(E) SPECIAL RULE FOR AIR RESERVE
25 STATIONS.—Notwithstanding section 47102,

1 the Secretary shall consider a public-use airport
2 that is co-located with an air reserve station to
3 be a primary airport for purposes of this chap-
4 ter.

5 “(F) SPECIAL RULE FOR FISCAL YEARS
6 2024 AND 2025.—Notwithstanding any other
7 provision of this paragraph or the absence of
8 scheduled passenger service at an airport, the
9 Secretary shall apportion in fiscal years 2024
10 and 2025 to the sponsor of an airport an
11 amount based on the number of passenger
12 boardings at the airport during whichever of
13 the following years that would result in the
14 highest apportioned amount under this para-
15 graph:

16 “(i) Calendar year 2018.

17 “(ii) Calendar year 2019.

18 “(iii) The prior full calendar year
19 prior to the current fiscal year.”.

20 (2) CARGO AIRPORTS.—Section 47114(e)(2) of
21 title 49, United States Code, is amended—

22 (A) in subparagraph (A)—

23 (i) by striking “3.5” and inserting
24 “4”; and

1 (ii) by striking “100,000,000 pounds”
2 and inserting “25,000,000 pounds”;
3 (B) by striking subparagraph (C); and
4 (C) by redesignating subparagraphs (D)
5 and (E) as subparagraphs (C) and (D), respec-
6 tively.

7 (b) GENERAL AVIATION AIRPORTS.—Section
8 47114(d) of title 49, United States Code, is amended—
9 (1) in paragraph (3)—

10 (A) in the heading by striking “SPECIAL
11 RULE” and inserting “APPORTIONMENT”;

12 (B) by striking “excluding primary air-
13 ports but including reliever and nonprimary
14 commercial service airports” each place it ap-
15 pears and inserting “excluding commercial serv-
16 ice airports but including reliever airports”;

17 (C) in the matter preceding subparagraph
18 (A) by striking “20 percent” and inserting “25
19 percent”; and

20 (D) by striking subparagraphs (C) and (D)
21 and inserting the following:

22 “(C) An airport that has previously been
23 listed as unclassified under the national plan of
24 integrated airport systems that has re-estab-
25 lished the classified status of such airport as of

1 the date of apportionment shall be eligible to
2 accrue apportionment funds pursuant to sub-
3 paragraph (A) so long as such airport retains
4 such classified status.”;

5 (2) in paragraph (4)—

6 (A) in the heading by striking “AIRPORTS
7 IN ALASKA, PUERTO RICO, AND HAWAII” and in-
8 serting “AIRPORTS IN NONCONTIGUOUS
9 STATES AND TERRITORIES”;

10 (B) by striking “An amount apportioned
11 under paragraph (2) or (3)” and inserting the
12 following:

13 “(A) ALASKA, PUERTO RICO, AND HA-
14 WAI.—An amount apportioned under this sub-
15 section”; and

16 (C) by adding at the end the following:

17 “(B) OTHER TERRITORIES.—An amount
18 apportioned under paragraph (2)(B)(i) may be
19 made available by the Secretary for any public-
20 use airport in Guam, American Samoa, the
21 Commonwealth of the Northern Mariana Is-
22 lands, and the Virgin Islands if the Secretary
23 determines that there are insufficient qualified
24 grant applications for projects at airports that
25 are otherwise eligible for funding under that

1 paragraph. The Secretary shall prioritize the
2 use of such amounts in the territory the
3 amount was originally apportioned in.”;

4 (3) in paragraph (5) by inserting “or subsection
5 (c)(1)(D)” after “under this subsection”;

6 (4) in paragraph (6)—

7 (A) by striking “provision of this sub-
8 section” and inserting “provision of this sec-
9 tion”; and

10 (B) by inserting “or subsection (c)(1)(D)”
11 after “under this subsection”;

12 (5) by striking paragraph (2); and

13 (6) by redesignating paragraphs (3) through
14 (7) as paragraphs (2) through (6), respectively.

15 (c) CONFORMING AMENDMENT.—Section
16 47106(a)(7) of title 49, United States Code, is amended
17 by striking “section 47114(d)(3)(B)” and inserting “sec-
18 tion 47114(d)(2)(B)”.

19 **SEC. 412. PFC TURNBACK REDUCTION.**

20 Section 47114(f) of title 49, United States Code, is
21 amended—

22 (1) in paragraph (1)—

23 (A) by striking “sponsor of an airport hav-
24 ing at least .25 percent of the total number of
25 boardings each year in the United States and”

1 and inserting “sponsor of a medium or large
2 hub airport”; and

3 (B) in subparagraph (B) by striking “75
4 percent” and inserting “60 percent” each place
5 it appears; and

6 (2) by striking paragraphs (2) and (3) and in-
7 serting the following:

8 “(2) EFFECTIVE DATE OF REDUCTION.—

9 “(A) NEW CHARGE COLLECTION.—A re-
10 duction in an apportionment under paragraph
11 (1) shall not take effect until the first fiscal
12 year following the year in which the collection
13 of the charge imposed under section 40117 has
14 begun.

15 “(B) NEW CATEGORIZATION.—A reduction
16 in an apportionment under paragraph (1) shall
17 only be applied to an airport if such airport has
18 been designated as a medium or large hub air-
19 port for 3 consecutive years.”.

20 **SEC. 413. TRANSFER OF AIP SUPPLEMENTAL FUNDS TO**
21 **FORMULA PROGRAM.**

22 Section 47115(j) of title 49, United States Code, is
23 amended—

24 (1) in paragraph (3) by striking subparagraph
25 (B) and inserting the following:

1 “(B) MINIMUM ALLOCATION.—Not more
2 than 25 percent of the amounts available under
3 this subsection shall be used to provide grants
4 at nonhub and small hub airports.

5 “(C) PRIORITIZATION.—In making grants
6 under this subsection, the Secretary shall
7 prioritize projects that reduce runway incur-
8 sions or increase runway or taxiway safety.”;

9 (2) in paragraph (4)(A) by striking clause (v)
10 and inserting the following:

11 “(v) \$1,110,000,000 for fiscal year
12 2023.

13 “(vi) \$100,000,000 for fiscal year
14 2024.

15 “(vii) \$100,000,000 for fiscal year
16 2025.

17 “(viii) \$100,000,000 for fiscal year
18 2026.

19 “(ix) \$100,000,000 for fiscal year
20 2027.

21 “(x) \$100,000,000 for fiscal year
22 2028.”; and

23 (3) in paragraph (4)(B) by striking “2 fiscal
24 years” and inserting “3 fiscal years”.

1 **SEC. 414. SMALL AIRPORT FUND.**

2 Section 47116 of title 49, United States Code, is
3 amended—

4 (1) in subsection (b) by striking paragraphs (1)
5 and (2) and inserting the following:

6 “(1) Not more than 25 percent for grants for
7 projects at small hub airports.

8 “(2) Not less than 25 percent for grants to
9 sponsors of public-use airports (except commercial
10 service airports).

11 “(3) Not less than 50 percent for grants to
12 sponsors of commercial service airports that are not
13 larger than a nonhub airport.”;

14 (2) in subsection (d)—

15 (A) by striking paragraph (2); and

16 (B) by redesignating paragraph (3) as
17 paragraph (2); and

18 (3) by striking subsections (e) and (f) and in-
19 serting the following:

20 “(e) **GENERAL AVIATION HANGARS AND TRANSIENT**
21 **APRONS.**—In distributing amounts from the fund de-
22 scribed in subsection (a) to sponsors described in sub-
23 section (b)(2) and (b)(3)—

24 “(1) 5 percent of each amount shall be used for
25 projects to construct aircraft hangars that are not
26 larger than 5,000 square feet; and

1 “(2) 5 percent of each amount shall be used for
2 projects to construct or rehabilitate aprons intended
3 to be used for itinerant general aviation aircraft
4 parking.”.

5 **SEC. 415. REVISION OF DISCRETIONARY CATEGORIES.**

6 Section 47117 of title 49, United States Code, is
7 amended—

8 (1) in subsection (b)(2)—

9 (A) in subparagraph (A)(i) by striking “or
10 (3)(A), whichever is applicable”; and

11 (B) in subparagraph (B)—

12 (i) by striking “section
13 47114(d)(3)(A)” and inserting “section
14 47114(d)(2)(A)”; and

15 (ii) by striking “section
16 47114(d)(3)(B)” and inserting “section
17 47114(d)(2)(B)”; and

18 (2) in subsection (c)(2) by striking
19 “47114(d)(3)(A)” and inserting “47114(d)(2)(A)”; and

20 (3) in subsection (d)—

21 (A) in paragraph (1) by striking “section
22 47114(d)(2)(A) of this title” and inserting
23 “section 47114(d)(2)(B)(i)”; and

24 (B) in paragraph (2)—

1 (i) by striking “section
2 47114(d)(2)(B) or (C)” and inserting
3 “section 47114(d)(2)(B)(ii) or (iii)” in
4 each place it appears; and

5 (ii) by striking “of this title”;

6 (4) in subsection (e)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A)—

9 (I) by striking “\$300,000,000”
10 and inserting “\$200,000,000”;

11 (II) by striking “for compatible
12 land use planning and projects carried
13 out by State and local governments
14 under section 47141,”;

15 (III) by striking “section
16 47102(3)(Q)” and inserting “subpara-
17 graphs (O) through (Q) of section
18 47102(3)”;

19 (IV) by striking “to comply with
20 the Clean Air Act (42 U.S.C. 7401 et
21 seq.)”; and

22 (V) by adding at the end the fol-
23 lowing: “The Secretary shall provide
24 not less than two-thirds of amounts
25 under this subparagraph and para-

1 graph (3) for grants to sponsors of
2 small hub, medium hub, and large
3 hub airports.”; and

4 (ii) by striking subparagraph (C); and
5 (B) by striking paragraph (3) and insert-
6 ing the following:

7 “(3) SPECIAL RULE.—Beginning in fiscal year
8 2025, if the amount made available under paragraph
9 (1)(A) was not equal to or greater than
10 \$150,000,000 in the preceding fiscal year, the Sec-
11 retary shall issue grants for projects eligible under
12 paragraph (1)(A) from apportionments made under
13 section 47114 that are not required during the fiscal
14 year to fund a grant for which such apportionments
15 may be used in an amount that is not less than—

16 “(A) \$150,000,000; minus

17 “(B) the amount made available under
18 paragraph (1)(A) in the preceding fiscal year.”;

19 and

20 (5) in subsection (f)(1) by striking “Subject to
21 paragraph (2)” and inserting “Subject to paragraph
22 (2) and except as provided in section 47116(a)(2)”.

23 **SEC. 416. TERMINAL DEVELOPMENT.**

24 Section 47119 of title 49, United States Code, is
25 amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1) by striking “in a non-
3 revenue-producing public-use area of a commer-
4 cial service airport” and all that follows through
5 “of the Government” and inserting the fol-
6 lowing: “at an airport if the sponsor certifies
7 that the airport, on the date the grant applica-
8 tion is submitted to the Secretary, has—

9 “(A) that any necessary airport develop-
10 ment project affecting airport safety, security,
11 or capacity will not be deferred if the Secretary
12 approves a terminal development project under
13 this section; and

14 “(B) provided for access by passengers to
15 the area of the airport for boarding or exiting
16 aircraft that are not air carrier aircraft.”; and

17 (B) in paragraph (2) by striking “parking
18 lot if” and all that follows through “Secretary’s
19 approval” and inserting “parking lot”;

20 (2) by striking subsections (b), (e) and (f);

21 (3) by redesignating subsection (c) and (d) as
22 subsections (b) and (c), respectively; and

23 (4) in subsection (b) (as so redesignated) by
24 striking paragraphs (1) through (5) and inserting
25 the following:

1 “(1) any part of amounts apportioned to an air-
2 port sponsor under subsection (c) or (d) of section
3 47114 to pay project costs allowable under sub-
4 section (a);

5 “(2) on the approval of the Secretary, any part
6 of amounts that may be distributed for the fiscal
7 year from the discretionary fund established under
8 section 47115 to the sponsor of an airport to pay
9 project costs allowable under subsection (a);

10 “(3) on the approval of the Secretary, any part
11 of amounts that may be distributed for the fiscal
12 year from the small airport fund established under
13 section 47116 to the sponsor of an airport eligible
14 to receive funds under section 47116 to pay project
15 costs allowable under subsection (a);”.

16 **SEC. 417. STATE BLOCK GRANT PROGRAM.**

17 (a) **OFFSETTING ADMINISTRATIVE EXPENSES BUR-**
18 **DEN ON STATES.**—Section 47109(a)(2) of title 49, United
19 States Code, is amended by striking “90 percent” and in-
20 serting “91 percent”.

21 (b) **TRAINING.**—Section 47128 of title 49, United
22 States Code, is amended by adding at the end the fol-
23 lowing:

24 “(e) **TRAINING FOR PARTICIPATING STATES.**—

1 “(1) IN GENERAL.—The Secretary shall provide
2 to each State participating in the block grant pro-
3 gram under this section training or updated training
4 materials for the administrative responsibilities as-
5 sumed by the State under such program at no cost
6 to the State.

7 “(2) TIMING.—The training or updated train-
8 ing materials provided under paragraph (1) shall be
9 provided at least once during each 2-year period and
10 at any time there is a material change in the pro-
11 gram.”.

12 (c) ADMINISTRATION.—Section 47128 of title 49,
13 United States Code, is further amended by adding at the
14 end the following:

15 “(f) ADMINISTRATION.—

16 “(1) ROLES AND RESPONSIBILITIES.—The Sec-
17 retary and any State that participates in the block
18 grant program under this section shall mutually
19 agree to a memorandum of agreement that contains
20 a description of all roles and responsibilities of the
21 Secretary and such State under such program.

22 “(2) PROGRAM DOCUMENTATION.—Any grant
23 agreement providing funds to be administered under
24 such program shall be consistent with the most re-
25 cently executed memorandum of agreement pursuant

1 to paragraph (1), as may be amended, between such
2 State and the Secretary.

3 “(3) CHANGE IN LAW.—Paragraph (2) shall
4 not apply to the extent that an Act enacted after an
5 executed memorandum of agreement that amends
6 this chapter or alters the administration of block
7 grant program under this section necessitates a revi-
8 sion to a grant agreement.

9 “(4) INFORMATION REQUIRED.—The Secretary
10 shall only require from a State the same documenta-
11 tion, type of information, and level of detail for any
12 action, including the execution of grant agreement,
13 that the Secretary would produce with respect to
14 such action if the State did not participate in the
15 program.”.

16 **SEC. 418. INNOVATIVE FINANCING TECHNIQUES.**

17 Section 47135 of title 49, United States Code, is
18 amended—

19 (1) by striking subsections (a) and (b) and in-
20 serting the following:

21 “(a) AUTHORITY.—

22 “(1) IN GENERAL.—The Secretary of Transpor-
23 tation may approve an application by an airport
24 sponsor to use grants received under this subchapter
25 for innovative financing techniques related to an air-

1 port development project that is located at an air-
2 port that is not a large hub airport.

3 “(2) APPROVAL.—The Secretary may approve
4 not more than 30 applications described under para-
5 graph (1) in a fiscal year.

6 “(b) PURPOSES.—The purpose of grants made under
7 this section shall be to—

8 “(1) provide information on the benefits and
9 difficulties of using innovative financing techniques
10 for airport development projects;

11 “(2) lower the total cost of an airport develop-
12 ment project; or

13 “(3) expedite the delivery or completion of an
14 airport development project without reducing safety
15 or causing environmental harm.”; and

16 (2) in subsection (c)(2)—

17 (A) in subparagraph (C) by striking “and”
18 at the end;

19 (B) in subparagraph (D) by striking the
20 period at the end and inserting “; and”; and

21 (C) by adding at the end the following:

22 “(E) any other techniques that the Sec-
23 retary determines are consistent with the pur-
24 poses of this section.”.

1 **SEC. 419. LONG-TERM MANAGEMENT PLANS.**

2 Section 47136(c) of title 49, United States Code is
3 amended—

4 (1) by striking “applicants that will” and in-
5 serting the following: “applicants that—

6 “(1) will”;

7 (2) by striking the period at the end and insert-
8 ing “; and”; and

9 (3) by adding at the end the following:

10 “(2) provide a long-term management plan for
11 eligible vehicles and equipment that includes the ex-
12 isting and future infrastructure requirements of the
13 airport related to such vehicles and equipment.”.

14 **SEC. 420. ALTERNATIVE PROJECT DELIVERY.**

15 (a) IN GENERAL.—Section 47142 of title 49, United
16 States Code, is amended—

17 (1) in the section heading by striking “**De-**
18 **sign-build contracting**” and inserting “**Alter-**
19 **native project delivery**”;

20 (2) in subsection (a)—

21 (A) in the matter preceding paragraph

22 (1)—

23 (i) by striking “Administrator of the
24 Federal Aviation Administration” and in-
25 serting “Secretary of Transportation”; and

1 (ii) by striking “award a design-build”
2 and inserting “award a covered project de-
3 livery”;

4 (B) in paragraph (2) by striking “design-
5 build” and inserting “covered project delivery”;
6 and

7 (C) in paragraph (4) by striking “design-
8 build contract will” and inserting “covered
9 project delivery contract is projected to”; and
10 (3) by striking subsection (c) and inserting the
11 following:

12 “(c) COVERED PROJECT DELIVERY CONTRACT DE-
13 FINED.—In this section, the term ‘covered project delivery
14 contract’ means—

15 “(1) an agreement that provides for both design
16 and construction of a project by a contractor; or

17 “(2) a single contract for the delivery of a
18 whole project that—

19 “(A) includes, at a minimum, the sponsor,
20 builder, and architect-engineer as parties that
21 are subject to the terms of the contract;

22 “(B) aligns the interests of all the parties
23 to the contract with respect to the project costs
24 and project outcomes; and

1 “(C) includes processes to ensure trans-
2 parency and collaboration among all parties to
3 the contract relating to project costs and
4 project outcomes.”.

5 (b) CLERICAL AMENDMENT.—The analysis for chap-
6 ter 471 of title 49, United States Code, is amended by
7 striking the item relating to section 47142 and inserting
8 the following:

 “47142. Alternative project delivery.”.

9 **SEC. 421. NONMOVEMENT AREA SURVEILLANCE SURFACE**
10 **DISPLAY SYSTEMS PILOT PROGRAM.**

11 Section 47143(c) of title 49, United States Code, is
12 amended by striking “2023” and inserting “2028”.

13 **SEC. 422. REPEAL OF OBSOLETE CRIMINAL PROVISIONS.**

14 Section 47306 of title 49, United States Code, and
15 the item relating to such section in the analysis for chap-
16 ter 473 of such title, are repealed.

17 **SEC. 423. LIMITATION ON CERTAIN ROLLING STOCK PRO-**
18 **CUREMENTS.**

19 (a) IN GENERAL.—Section 50101 of title 49, United
20 States Code, is amended—

21 (1) by striking “(except section 47127)” each
22 place it appears; and

23 (2) by adding at the end the following:

24 “(d) LIMITATION ON CERTAIN ROLLING STOCK PRO-
25 CUREMENTS.—

1 “(1) IN GENERAL.—Financial assistance made
2 available under the provisions described in sub-
3 section (a) shall not be used in awarding a contract
4 or subcontract to an entity on or after the date of
5 enactment of this subsection for the procurement of
6 rolling stock for use in an airport-related project if
7 the manufacturer of the rolling stock—

8 “(A) is incorporated in or has manufac-
9 turing facilities in the United States; and

10 “(B) is owned or controlled by, is a sub-
11 sidiary of, or is otherwise related legally or fi-
12 nancially to a corporation based in a country
13 that—

14 “(i) is identified as a nonmarket econ-
15 omy country (as defined in section 771(18)
16 of the Tariff Act of 1930 (19 U.S.C.
17 1677(18))) as of the date of enactment of
18 this subsection;

19 “(ii) was identified by the United
20 States Trade Representative in the most
21 recent report required by section 182 of
22 the Trade Act of 1974 (19 U.S.C. 2242)
23 as a foreign country included on the pri-
24 ority watch list defined in subsection (g)(3)
25 of that section; and

1 “(iii) is subject to monitoring by the
2 Trade Representative under section 306 of
3 the Trade Act of 1974 (19 U.S.C. 2416).

4 “(2) EXCEPTION.—

5 “(A) IN GENERAL.—For purposes of para-
6 graph (1), the term ‘otherwise related legally or
7 financially’ does not include—

8 “(i) a minority relationship or invest-
9 ment; or

10 “(ii) relationship with or investment
11 in a subsidiary, joint venture, or other en-
12 tity based in a country described in para-
13 graph (1)(B) that does not export rolling
14 stock or components of rolling stock for
15 use in the United States.

16 “(B) CORPORATION BASED IN PEOPLE’S
17 REPUBLIC OF CHINA.—Notwithstanding sub-
18 paragraph (A)(i), for purposes of paragraph
19 (1), the term ‘otherwise related legally or finan-
20 cially’ includes a minority relationship or invest-
21 ment if the relationship or investment involves
22 a corporation based in the People’s Republic of
23 China.

24 “(3) INTERNATIONAL AGREEMENTS.—This sub-
25 section shall be applied in a manner consistent with

1 the obligations of the United States under inter-
2 national agreements.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) RESTRICTING CONTRACT AWARDS BECAUSE
5 OF DISCRIMINATION AGAINST UNITED STATES
6 GOODS OR SERVICES.—Section 50102 of title 49,
7 United States Code, is amended by striking “(except
8 section 47127)”.

9 (2) RESTRICTION ON AIRPORT PROJECTS USING
10 PRODUCTS OR SERVICES OF FOREIGN COUNTRIES
11 DENYING FAIR MARKET OPPORTUNITIES.—Section
12 50104(b) of title 49, United States Code, is amend-
13 ed by striking “(except section 47127)”.

14 (3) FRAUDULENT USE OF MADE IN AMERICA
15 LABEL.—Section 50105 of title 49, United States
16 Code, is amended by striking “(except section
17 47127)”.

18 **SEC. 424. REGULATORY APPLICATION.**

19 Section 40113(f) of title 49, United States Code, is
20 amended—

21 (1) by inserting “or in administering the Air-
22 port Improvement Program under chapter 471”
23 after “Code of Federal Regulations,”; and

24 (2) by inserting “or administrative” after “reg-
25 ulatory”.

1 **SEC. 425. NATIONAL PRIORITY SYSTEM FORMULAS.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Secretary of Transpor-
4 tation shall review and update the National Priority Sys-
5 tem prioritization formulas contained in Federal Aviation
6 Administration Order 5090.5 to account for the amend-
7 ments to chapter 471 of title 49, United States Code,
8 made by this Act.

9 (b) REQUIRED CONSULTATION.—In revising the for-
10 mulas under subsection (a), the Secretary shall consult
11 with representatives of the following:

12 (1) Primary airports, including large, medium,
13 small, and nonhub airports.

14 (2) Non-primary airports, including general
15 aviation airports.

16 (3) Airport trade associations, including trade
17 associations representing airport executives.

18 (4) State aviation officials, including associa-
19 tions representing such officials.

20 (5) Air carriers, including mainline, regional,
21 and low cost air carriers.

22 (6) Associations representing air carriers.

23 (c) PRIORITY PROJECTS.—In revising the formulas
24 under subsection (a), the Secretary shall assign the high-
25 est priority to projects that increase or maintain the safe-
26 ty, efficiency, and capacity of the aviation system.

1 **SEC. 426. MINORITY AND DISADVANTAGED BUSINESS PAR-**
2 **TICIPATION.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) While significant progress has occurred due
5 to the establishment of the airport disadvantaged
6 business enterprise program and the airport conces-
7 sions disadvantaged business enterprise program
8 under sections 47113 and 47107(e) of title 49,
9 United States Code, respectively, discrimination and
10 related barriers continue to pose significant obstacles
11 for minority- and women-owned businesses seeking
12 to do business in airport-related markets across the
13 Nation.

14 (2) Congress has received and reviewed testi-
15 mony and documentation of race and gender dis-
16 crimination from numerous sources, including con-
17 gressional hearings and roundtables, scientific re-
18 ports, reports issued by public and private agencies,
19 news stories, reports of discrimination by organiza-
20 tions and individuals, and discrimination lawsuits.
21 Such testimony and documentation show that race-
22 and gender-neutral efforts alone are insufficient to
23 address the problem.

24 (3) The testimony and documentation described
25 in paragraph (2) demonstrate that race and gender
26 discrimination poses a barrier to full and fair par-

1 participation in airport-related businesses of women
2 business owners and minority business owners in the
3 racial groups detailed in parts 23 and 26 of title 49,
4 Code of Federal Regulations, and has impacted firm
5 development and other aspects of airport-related
6 business in the public and private markets.

7 (4) The testimony and documentation described
8 in paragraph (2) provide a strong basis that there
9 is a compelling need for the continuation of the air-
10 port disadvantaged business enterprise program and
11 the airport concessions disadvantaged business en-
12 terprise program to address race and gender dis-
13 crimination in airport-related business.

14 (b) SUPPORTIVE SERVICES.—Section 47113 of title
15 49, United States Code, is amended by adding at the end
16 the following:

17 “(f) SUPPORTIVE SERVICES.—

18 “(1) IN GENERAL.—The Secretary of Transpor-
19 tation, in coordination with the Administrator of the
20 Federal Aviation Administration, may, at the re-
21 quest of an airport sponsor, provide assistance under
22 a grant issued under this subchapter to develop, con-
23 duct, and administer training programs and assist-
24 ance programs in connection with any airport im-
25 provement project subject to part 26 of title 49,

1 Code of Federal Regulations, for small business con-
2 cerns referred to in subsection (b) to achieve pro-
3 ficiency to compete, on an equal basis for contracts
4 and subcontracts related to such projects.

5 “(2) ELIGIBLE ENTITIES.—An entity eligible to
6 receive assistance under this section is—

7 “(A) a State;

8 “(B) a political subdivision of a State or
9 local government;

10 “(C) a Tribal government;

11 “(D) an airport sponsor;

12 “(E) a metropolitan planning organization;

13 “(F) a group of entities described in sub-
14 paragraphs (A) through (E); or

15 “(G) any other organization considered ap-
16 propriate by the Secretary.”

17 **SEC. 427. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.**

18 Section 162 of the FAA Reauthorization Act of 2018
19 (49 U.S.C. 47102 note) is amended in the matter pre-
20 ceding paragraph (1) by striking “2023” and inserting
21 “2028”.

22 **SEC. 428. LIMITED REGULATION OF NON-FEDERALLY SPON-**
23 **SORED PROPERTY.**

24 Section 163 of the FAA Reauthorization Act of 2018
25 (49 U.S.C. 47107) is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) IN GENERAL.—

4 “(1) LIMITED REGULATION.—Except as pro-
5 vided in subsection (b), the Secretary of Transpor-
6 tation may not require an airport to seek approval
7 for (including in the submission of an airport layout
8 plan), or directly or indirectly regulate (including
9 through any grant assurance)—

10 “(A) the acquisition, use, lease, encum-
11 brance, transfer, or disposal of land (including
12 any portion of such land) by an airport sponsor;
13 or

14 “(B) the construction, development, im-
15 provement, use, or removal of any facility (in-
16 cluding any portion of such facility) upon such
17 land.

18 “(2) BURDEN OF DEMONSTRATING APPLICA-
19 BILITY.—The burden of demonstrating the non-
20 applicability of paragraph (1), or the applicability of
21 an exception under subsection (b), shall be on the
22 Secretary.”;

23 (2) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-
2 graph (A) by striking “regulation” and in-
3 sserting “law, regulation, or grant assur-
4 ance”; and

5 (ii) in subparagraph (A) by striking
6 “aircraft operations” and inserting “air-
7 craft operations that occur or are projected
8 to occur at an airport as described in an
9 airport’s master plan”;

10 (B) in paragraph (2) by striking “facility”
11 and inserting “facility that the Secretary dem-
12 onstrates was”; and

13 (C) in paragraph (3) by striking “con-
14 tained” and inserting “that the Secretary dem-
15 onstrates is contained”; and

16 (3) by striking subsection (c) and inserting the
17 following:

18 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion shall be construed—

20 “(1) to affect the applicability of sections
21 47107(b) or 47133 of title 49, United States Code,
22 to revenues generated by the use, lease, encum-
23 brance, transfer, or disposal of land under sub-
24 section (a), facilities upon such land, or any portion
25 of such land or facilities; or

1 “(2) to limit the Secretary’s authority to ap-
2 prove or regulate airport projects (or portions of air-
3 port projects) that are not subject to the provisions
4 of subsection (a).”.

5 **SEC. 429. MOTORCOACH ENPLANEMENT PILOT PROGRAM.**

6 With respect to fiscal years 2024 through 2028, pas-
7 sengers who board a motorcoach at an airport that is char-
8 tered or provided by an air carrier to transport such pas-
9 sengers to another airport at which the passengers board
10 an aircraft in service in air commerce, that entered the
11 sterile area of the airport at which such passengers ini-
12 tially boarded the motorcoach, shall be deemed to be in-
13 cluded under the term “passenger boardings” in section
14 47102 of title 49, United States Code.

15 **SEC. 430. POPULOUS COUNTIES WITHOUT AIRPORTS.**

16 Notwithstanding any other provision of law, the Sec-
17 retary of Transportation may not deny inclusion in the
18 national plan of integrated airport systems maintained
19 under section 47103 of title 49, United States Code, to
20 an airport or proposed airport if the airport or proposed
21 airport—

22 (1) is located in the most populous county (as
23 such term is defined in section 2 of title 1, United
24 States Code) of a State that does not have an air-
25 port listed in the national plan;

1 (2) has an airport sponsor that was established
2 before January 1, 2017;

3 (3) is located more than 15 miles away from
4 another airport listed in the national plan;

5 (4) demonstrates how the airport will meet the
6 operational activity required, through a forecast vali-
7 dated by the Secretary, within the first 10 years of
8 operation;

9 (5) meets Federal Aviation Administration air-
10 port design standards;

11 (6) submits a benefit-cost analysis;

12 (7) presents a detailed financial plan to accom-
13 plish construction and ongoing maintenance; and

14 (8) has the documented support of the State
15 government for the entry of the airport or proposed
16 airport into the national plan.

17 **SEC. 431. CONTINUED AVAILABILITY OF AVIATION GASO-**
18 **LINE.**

19 (a) IN GENERAL.—The Administrator of the Federal
20 Aviation Administration shall ensure that any of such va-
21 rieties of aviation gasoline as may be necessary to fuel any
22 model of piston-engine aircraft remain available for pur-
23 chase at each airport listed on the national plan of inte-
24 grated airport systems (as described in section 47103 of

1 title 49, United States Code) at which aviation gasoline
2 was available for purchase as of October 5, 2018.

3 (b) REMOVAL OF AVAILABILITY.—The Administrator
4 shall consider a prohibition or restriction on the sale of
5 such varieties of aviation gasoline to violate assurance 22
6 (or any successor assurance related to economic non-
7 discrimination) of grant assurances associated with the
8 Airport Improvement Program.

9 (c) AVIATION GASOLINE DEFINED.—In this section,
10 the term “aviation gasoline” means a gasoline on which
11 a tax is imposed under section 4081(a)(2)(A)(ii) of the
12 Internal Revenue Code of 1986.

13 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion may be construed to—

15 (1) affect any airport sponsor found to be out
16 of compliance with the grant assurance described in
17 subsection (b) before the date of enactment of this
18 Act;

19 (2) affect any investigation of an airport spon-
20 sor initiated by the Administrator under parts 13 or
21 16 of title 14, Code of Federal Regulations, relating
22 to the availability of aviation gasoline; or

23 (3) require any particular action by the Admin-
24 istrator if the Administrator determines through

1 such investigation that such airport sponsor has vio-
2 lated a grant assurance

3 **SEC. 432. AIP HANDBOOK UPDATE.**

4 (a) IN GENERAL.—Not later than 4 years after the
5 date of enactment of this Act, the Administrator of the
6 Federal Aviation Administration shall revise the Airport
7 Improvement Program Handbook (Order 5100.38D) (in
8 this section referred to as the “Handbook”) to account
9 for legislative changes to the Airport Improvement Pro-
10 gram under subchapter I of chapter 471 and chapter 475
11 of title 49, United States Code, and to make such other
12 changes as the Administrator determines necessary.

13 (b) REQUIREMENTS.—In updating the Handbook,
14 the Administrator may not impose any additional require-
15 ments or restrictions on the use of Airport Improvement
16 Program funds except as specifically directed by legisla-
17 tion.

18 (c) CONSULTATION AND PUBLIC COMMENT.—

19 (1) CONSULTATION.—In developing the revised
20 Handbook under this section, the Administrator
21 shall consult with aviation stakeholders, including
22 airports and air carriers.

23 (2) PUBLIC COMMENT.—

24 (A) IN GENERAL.—Not later than 30
25 months after the date of enactment of this Act,

1 the Administrator shall publish a draft revision
2 of the Handbook and make such draft available
3 for public comment for a period of not less than
4 90 days.

5 (B) REVIEW.—The Administrator shall re-
6 view all comments submitted during the public
7 comment period described under subparagraph
8 (A) and, as the Administrator considers appro-
9 priate, incorporate changes based on such com-
10 ments into the final revision of the Handbook.

11 (d) INTERIM IMPLEMENTATION OF CHANGES.—Not
12 later than 1 year after the date of enactment of this Act,
13 the Administrator shall issue program guidance letters to
14 provide for the interim implementation of amendments to
15 the Airport Improvement Program made by this Act.

16 **SEC. 433. GAO AUDIT OF AIRPORT FINANCIAL REPORTING**
17 **PROGRAM.**

18 (a) AUDIT.—Not later than 18 months after the date
19 of enactment of this Act, the Comptroller General of the
20 United States shall complete an audit of the airport finan-
21 cial reporting program of the Federal Aviation Adminis-
22 tration and provide recommendations to the Administrator
23 of the Federal Aviation Administration on improvements
24 to such program.

1 (b) REQUIREMENTS.—In conducting the audit re-
2 quired under subsection (a), the Comptroller General
3 shall, at a minimum—

4 (1) review relevant Administration guidance to
5 airports, including the version of Advisory Circular
6 150/5100–19, titled “Operating and Financial Sum-
7 mary”, that is in effect on the date of enactment of
8 this Act;

9 (2) evaluate the information requested or re-
10 quired by the Administrator from airports for com-
11 pleteness and usefulness by the Administration and
12 the public;

13 (3) assess the costs associated with collecting,
14 reporting, and maintaining such information for air-
15 ports and the Administration;

16 (4) determine if such information provided is—

17 (A) updated on a regular basis to make
18 such information useful; and

19 (B) audited and verified in an appropriate
20 manner;

21 (5) assess if the Administration has addressed
22 the issues the Administration discovered during the
23 apportionment and disbursement of relief funds to
24 airports under the Coronavirus Aid, Relief, and Eco-

1 nomic Security Act (Public Law 116–136) using in-
 2 accurate and aged airport financial data; and

3 (6) determine whether the airport financial re-
 4 porting program as structured as of the date of en-
 5 actment provides value to the Administration, the
 6 aviation industry, or the public.

7 (c) **REPORT TO CONGRESS.**—Not later than 3
 8 months after the completion of the audit required under
 9 subsection (a), the Comptroller General shall submit to the
 10 Committee on Transportation and Infrastructure of the
 11 House of Representatives and the Committee on Com-
 12 merce, Science, and Transportation of the Senate, a report
 13 containing the findings of such audit and any rec-
 14 ommendations provided to the Administrator to improve
 15 or alter the airport financial reporting program.

16 **SEC. 434. GAO REVIEW OF NONAERONAUTICAL REVENUE**
 17 **STREAMS AT AIRPORTS.**

18 (a) **REVIEW.**—Not later than 2 years after the date
 19 of enactment of this Act, the Comptroller General of the
 20 United States shall initiate a review of non-aeronautical
 21 revenue streams currently used by hub airports of varying
 22 size, assess the impact of nonaeronautical revenue on air-
 23 ports, and evaluate opportunities for revenue that are un-
 24 utilized or are underutilized by such airports.

1 (b) SCOPE.—In conducting the review required under
2 subsection (a), the Comptroller General shall, at a min-
3 imum—

4 (1) examine the non-aeronautical revenue
5 streams at a variety of public-use airports in the
6 United States;

7 (2) examine non-aeronautical revenue streams
8 used by foreign airports;

9 (3) examine revenue streams used by similar
10 types of infrastructure operators like train stations,
11 bus depots, and shopping malls;

12 (4) determine the revenue effects of entering
13 into, or choosing not to enter into, concessionaire
14 agreements with companies operating at airports
15 that are not a party to such agreements; and

16 (5) examine users and beneficiaries of airport
17 services, facilities, property, and passengers, and de-
18 termine if any such users or beneficiaries could or
19 should be considered as a source of non-aeronautical
20 revenue for an airport.

21 (c) CONSULTATION.—As part of the review required
22 under subsection (a), the Comptroller General shall con-
23 sult with representatives of airport concessionaires, airport
24 sponsors, airport governance entities, airport financial

1 planning consultants, and any other relevant stakeholders
2 the Comptroller General determines appropriate.

3 (d) FINDINGS, BEST PRACTICES, AND REC-
4 OMMENDATIONS.—As part of the review required under
5 subsection (a), the Comptroller General shall produce best
6 practices and recommendations that can be adopted by
7 public-use airports to increase non-aeronautical revenue.

8 (e) REPORT TO CONGRESS.—Not later than 3
9 months after the completion of the review required under
10 subsection (a), the Comptroller General shall submit to the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate, a report
14 containing the findings, best practices, and recommenda-
15 tions of such review.

16 **SEC. 435. MAINTAINING SAFE FIRE AND RESCUE STAFFING**
17 **LEVELS.**

18 (a) UPDATE TO REGULATION.—The Administrator of
19 the Federal Aviation Administration shall update the reg-
20 ulations contained in section 139.319 of title 14, Code of
21 Federal Regulations, to ensure that paragraph (4) of such
22 section provides that at least 1 individual maintains cer-
23 tification at the Emergency Medical Technician basic level,
24 or higher.

1 (b) STAFFING REVIEW.—Not later than 2 years after
2 the date of enactment of this Act, the Administrator shall
3 conduct a review of airport environments and related regu-
4 lations to evaluate sufficient staffing levels necessary for
5 firefighting and rescue services and response at airports
6 certified under part 139.

7 (c) REPORT.—Not later than 1 year after completing
8 the review under subsection (b), the Administrator shall
9 submit to the Committee on Transportation and Infra-
10 structure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a report containing the results of the review.

13 **SEC. 436. GAO STUDY OF ON-SITE AIRPORT GENERATION.**

14 (a) STUDY.—Not later than 1 year after the date of
15 enactment of this Act, the Comptroller General of the
16 United States shall initiate a study on the feasibility of
17 installation and adoption of certain power generation
18 property at airports which receive funding from the Fed-
19 eral Government.

20 (b) CONTENT.—In carrying out the study required
21 under subsection (a), the Comptroller General shall exam-
22 ine—

23 (1) any safety impacts of the installation and
24 operation of such power generation property, either

1 in aggregate or around certain locations or struc-
2 tures at the airport;

3 (2) regulatory barriers to adoption;

4 (3) benefits to adoption;

5 (4) previous examples of adoptions;

6 (5) impacts on other entities; and

7 (6) previous examples of adoption and factors
8 pertaining to previous examples of adoption, includ-
9 ing—

10 (A) novel uses beyond supplemental power
11 generation, such as expanding nonresidential
12 property around airports to minimize noise,
13 power generation resilience, and market forces;

14 (B) challenges identified in the installation
15 process;

16 (C) up-front and long-term costs, both
17 foreseen and unforeseen;

18 (D) funding sources used to pay for up-
19 front costs; and

20 (E) long-term savings.

21 (c) REPORT.—Not later than 2 years after the initi-
22 ation of the study under subsection (a), the Comptroller
23 General shall submit to the Committee on Transportation
24 and Infrastructure of the House of Representatives and
25 the Committee on Commerce, Science, and Transportation

1 of the Senate a report and recommendations on the results
2 of the study.

3 (d) **POWER GENERATION PROPERTY DEFINED.**—In
4 this section, the term “power generation property” means
5 equipment defined in section 48(a)(3)(A) of the Internal
6 Revenue Code of 1986.

7 **SEC. 437. TRANSPORTATION DEMAND MANAGEMENT AT**
8 **AIRPORTS.**

9 (a) **IN GENERAL.**—Not later than 1 year after the
10 date of enactment of this Act, the Comptroller General
11 of the United States shall conduct a study to examine the
12 efficacy of transportation demand management strategies
13 at United States airports.

14 (b) **CONSIDERATIONS.**—In conducting the study
15 under subsection (a), the Comptroller General shall exam-
16 ine, at minimum—

17 (1) whether transportation demand manage-
18 ment strategies should be considered by airports
19 when making infrastructure planning and construc-
20 tion decisions;

21 (2) the impact of transportation demand man-
22 agement strategies on existing multimodal options to
23 and from airports in the United States; and

24 (3) best practices for developing transportation
25 demand management strategies that can be used to

1 improve access to airports for passengers and air-
2 port and airline personnel.

3 (c) REPORT.—Upon completion of the study con-
4 ducted under subsection (a), the Comptroller General shall
5 submit to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on such study.

9 (d) DEFINITION.—In this section, the term “trans-
10 portation demand management strategy” means the use
11 of planning, programs, policy, marketing, communica-
12 tions, incentives, pricing, data, and technology to optimize
13 travel modes, routes used, departure times, and number
14 of trips.

15 **SEC. 438. COASTAL AIRPORTS ASSESSMENT.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of enactment of this Act, the Administrator of the
18 Federal Aviation Administration shall, in coordination
19 with the Chief of Engineers and Commanding General of
20 the United States Army Corps of Engineers, initiate an
21 assessment on the resiliency of coastal airports in the
22 United States.

23 (b) CONTENTS.—The assessment required under sub-
24 section (a) shall—

1 (1) examine the impact of sea-level rise and
2 other environmental factors that pose risks to coast-
3 al airports; and

4 (2) identify and evaluate current initiatives to
5 prevent and mitigate the impacts of factors de-
6 scribed in paragraph (1) on coastal airports.

7 (c) REPORT.—Upon completion of the assessment,
8 the Administrator of the Federal Aviation Administration
9 shall submit to the Committee on Transportation and In-
10 frastructure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a report on—

13 (1) the results of the assessment required under
14 subsection (a); and

15 (2) recommendations to improve the resiliency
16 of coastal airports in the United States.

17 **Subtitle B—Passenger Facility**
18 **Charges**

19 **SEC. 451. PFC APPLICATION APPROVALS.**

20 Section 40117(d) of title 49, United States Code, is
21 amended by striking paragraph (2) and inserting the fol-
22 lowing:

23 “(2) each project is an eligible airport-related
24 project;”.

1 **SEC. 452. PFC AUTHORIZATION PILOT PROGRAM IMPLE-**
2 **MENTATION.**

3 Section 40117(l) of title 49, United States Code, is
4 amended—

5 (1) in the subsection heading by striking
6 “PILOT PROGRAM” and inserting “ALTERNATIVE
7 PROCEDURES”; and

8 (2) by striking paragraph (1) and inserting the
9 following:

10 “(1) IN GENERAL.—In lieu of submitting an
11 application under subsection (c), an eligible agency
12 may impose a passenger facility charge in accord-
13 ance with the procedures under this subsection sub-
14 ject to the limitations of this section.”.

15 **Subtitle C—Noise and Environ-**
16 **mental Programs and Stream-**
17 **lining**

18 **SEC. 471. STREAMLINING CONSULTATION PROCESS.**

19 Section 47101(h) of title 49, United States Code, is
20 amended by striking “shall” and inserting “may”.

21 **SEC. 472. REPEAL OF BURDENSOME EMISSIONS CREDIT RE-**
22 **QUIREMENTS.**

23 Section 47139 of title 49, United States Code, is
24 amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph

2 (1)—

3 (i) by striking “airport sponsors re-
4 ceive” and inserting “airport sponsors may
5 receive”;

6 (ii) by striking “carrying out projects”
7 and inserting “carrying out projects, in-
8 cluding projects”; and

9 (iii) by striking “conditions” and in-
10 sserting “considerations”; and

11 (B) in paragraph (2)—

12 (i) by striking “airport sponsor” and
13 inserting “airport sponsor, including for an
14 airport outside of a non-attainment area,”;

15 (ii) by striking “only”;

16 (iii) by striking “or as offsets” and in-
17 sserting “, as offsets”; and

18 (iv) by striking the period at the end
19 and inserting “, or as part of a State im-
20 plementation plan.”;

21 (2) by striking subsection (b); and

22 (3) by redesignating subsection (c) as sub-
23 section (b).

1 **SEC. 473. EXPEDITED ENVIRONMENTAL REVIEW AND ONE**
2 **FEDERAL DECISION.**

3 Section 47171 of title 49, United States Code, is
4 amended—

5 (1) in subsection (a) by striking “Secretary of
6 Transportation” and inserting “Administrator of the
7 Federal Aviation Administration”;

8 (2) by striking “Secretary” in each place it ap-
9 pears and inserting “Administrator”;

10 (3) in subsection (a)—

11 (A) in the matter preceding paragraph

12 (1)—

13 (i) by striking “develop and”; and

14 (ii) by striking “projects at congested
15 airports” and all that follows through
16 “aviation security projects” and inserting
17 and inserting “projects, terminal develop-
18 ment projects, general aviation airport con-
19 struction or improvement projects, and
20 aviation safety projects”; and

21 (B) in paragraph (1) by striking “better”
22 and inserting “streamlined”.

23 (4) by striking subsection (b) and inserting the
24 following:

25 “(b) AVIATION PROJECTS SUBJECT TO A STREAM-
26 LINED ENVIRONMENTAL REVIEW PROCESS.—

1 “(1) IN GENERAL.—Any airport capacity en-
2 hancement project, terminal development project, or
3 general aviation airport construction or improvement
4 project shall be subject to the coordinated and expe-
5 dited environmental review process requirements set
6 forth in this section.

7 “(2) PROJECT DESIGNATION CRITERIA.—

8 “(A) IN GENERAL.—The Administrator
9 may designate an aviation safety project for pri-
10 ority environmental review. A designated
11 project shall be subject to the coordinated and
12 expedited environmental review process require-
13 ments set forth in this section.

14 “(B) PROJECT DESIGNATION CRITERIA.—
15 The Administrator shall establish guidelines for
16 the designation of an aviation safety project or
17 aviation security project for priority environ-
18 mental review. Such guidelines shall provide for
19 consideration of—

20 “(i) the importance or urgency of the
21 project;

22 “(ii) the potential for undertaking the
23 environmental review under existing emer-
24 gency procedures under the National Envi-

1 ronmental Policy Act of 1969 (42 U.S.C.
2 4321 et seq.);

3 “(iii) the need for cooperation and
4 concurrent reviews by other Federal or
5 State agencies; and

6 “(iv) the prospect for undue delay if
7 the project is not designated for priority
8 review.”;

9 (5) in subsection (c) by striking “an airport ca-
10 pacity enhancement project at a congested airport or
11 a project designated under subsection (b)(3)” and
12 inserting “a project described or designated under
13 subsection (b)”;

14 (6) in subsection (d) by striking “each airport
15 capacity enhancement project at a congested airport
16 or a project designated under subsection (b)(3)” and
17 inserting “a project described or designated under
18 subsection (b)”;

19 (7) in subsection (h) by striking “designated
20 under subsection (b)(3)” and all that follows
21 through “congested airports” and inserting “de-
22 scribed in subsection (b)(1)”;

23 (8) in subsection (j)—

24 (A) by striking “For any” and inserting:

25 “(1) IN GENERAL.—For any”; and

1 (B) by adding at the end the following:

2 “(2) DEADLINE.—The Administrator shall de-
3 fine the purpose and need of a project not later than
4 45 days after receipt of a draft purpose and need
5 statement (or revision thereof that materially affects
6 a statement previously prepared or accepted by the
7 Administrator) from an airport sponsor. The Admin-
8 istrator shall provide airport sponsors with appro-
9 priate guidance to implement any applicable require-
10 ments.”;

11 (9) in subsection (k)—

12 (A) by striking “an airport capacity en-
13 hancement project at a congested airport or a
14 project designated under subsection (b)(3)” and
15 inserting “a project described or designated
16 under subsection (b)”;

17 (B) by striking “project shall consider”
18 and inserting the following:

19 “project shall—

20 “(1) consider”;

21 (C) by striking the period at the end and
22 inserting “; and”; and

23 (D) by adding at the end the following:

24 “(2) limit the comments of the agency to—

1 “(A) subject matter areas within the spe-
2 cial expertise of the agency; and

3 “(B) changes necessary to ensure the
4 agency is carrying out the obligations of that
5 agency under the National Environmental Pol-
6 icy Act of 1969 and other applicable law.”;

7 (10) in subsection (l) by striking the period at
8 the end and inserting “and section 1503 of title 40,
9 Code of Federal Regulations.”; and

10 (11) by striking subsection (m) and inserting
11 the following:

12 “(m) COORDINATION AND SCHEDULE.—

13 “(1) COORDINATION PLAN.—

14 “(A) IN GENERAL.—Not later than 90
15 days after the date of publication of a notice of
16 intent to prepare an environmental impact
17 statement or the initiation of an environmental
18 assessment, the Administrator of the Federal
19 Aviation Administration shall establish a plan
20 for coordinating public and agency participation
21 in and comment on the environmental review
22 process for a project described or designated
23 under subsection (b). The coordination plan
24 may be incorporated into a memorandum of un-
25 derstanding.

1 “(B) SCHEDULE.—

2 “(i) IN GENERAL.—The Administra-
3 tion shall establish as part of such coordi-
4 nation plan, after consultation with and
5 the concurrence of each participating agen-
6 cy for the project and with the State in
7 which the project is located (and, if the
8 State is not the project sponsor, with the
9 project sponsor), a schedule for—

10 “(I) interim milestones and dead-
11 lines for agency activities necessary to
12 complete the environmental review;
13 and

14 “(II) completion of the environ-
15 mental review process for the project.

16 “(ii) FACTORS FOR CONSIDER-
17 ATION.—In establishing the schedule under
18 clause (i), the Administration shall con-
19 sider factors such as—

20 “(I) the responsibilities of par-
21 ticipating agencies under applicable
22 laws;

23 “(II) resources available to the
24 cooperating agencies;

1 “(III) overall size and complexity
2 of the project;

3 “(IV) the overall time required
4 by an agency to conduct an environ-
5 mental review and make decisions
6 under applicable Federal law relating
7 to a project (including the issuance or
8 denial of a permit or license) and the
9 cost of the project; and

10 “(V) the sensitivity of the natural
11 and historic resources that could be
12 affected by the project.

13 “(iii) MAXIMUM PROJECT SCHED-
14 ULE.—To the maximum extent practicable
15 and consistent with applicable Federal law,
16 the Administrator shall develop, in concur-
17 rence with the project sponsor, a maximum
18 schedule for the project described or des-
19 ignated under subsection (b) that is not
20 more than 2 years for the completion of
21 the environmental review process for such
22 projects, as measured from, as applica-
23 ble—

24 “(I) the date of publication of a
25 notice of intent to prepare an environ-

1 mental impact statement to the record
2 of decision; or

3 “(II) the date on which the Ad-
4 ministrator determines that an envi-
5 ronmental assessment is required to a
6 finding of no significant impact.

7 “(iv) DISPUTE RESOLUTION.—

8 “(I) IN GENERAL.—Any issue or
9 dispute that arises between the Ad-
10 ministrator and participating agencies
11 (or amongst participating agencies)
12 during the environmental review proc-
13 ess will be addressed expeditiously to
14 avoid delay.

15 “(II) RESPONSIBILITIES.—The
16 Administrator and participating agen-
17 cies shall—

18 “(aa) implement the require-
19 ments of this section consistent
20 with any dispute resolution proc-
21 ess established in an applicable
22 law, regulation, or legally binding
23 agreement to the maximum ex-
24 tent permitted by law; and

1 “(bb) seek to resolve issues
2 or disputes at the earliest pos-
3 sible time at the project level
4 through agency employees who
5 have day-to-day involvement in
6 the project.

7 “(III) ELEVATION FOR MISSED
8 MILESTONE.—If a dispute between
9 the Administrator and participating
10 agencies (or amongst participating
11 agencies) causes a milestone to be
12 missed or extended, or the Adminis-
13 trator anticipates that a permitting
14 timetable milestone will be missed or
15 will need to be extended, then the dis-
16 pute shall be elevated to an official
17 designated by the relevant agency for
18 resolution. Such elevation should take
19 place as soon as practicable after the
20 Administrator becomes aware of the
21 dispute or potential missed milestone.

22 “(IV) EXCEPTION.—Disputes
23 that do not impact the ability of an
24 agency to meet a milestone may be
25 elevated as appropriate.

1 “(V) FURTHER EVALUATION.—
2 Once a dispute has been elevated to
3 the designated official, if no resolution
4 has been reached at the end of 30
5 days after the relevant milestone date
6 or extension date, then the relevant
7 agencies shall elevate the dispute to
8 senior agency leadership for resolu-
9 tion.

10 “(C) CONSISTENCY WITH OTHER TIME PE-
11 RIODS.—A schedule under subparagraph (B)
12 shall be consistent with any other relevant time
13 periods established under Federal law.

14 “(D) MODIFICATION.—

15 “(i) IN GENERAL.—Except as pro-
16 vided in clause (ii), the Administrator may
17 lengthen or shorten a schedule established
18 under subparagraph (B) for good cause. A
19 decision by a project sponsor to change,
20 modify, expand, or reduce the scope of a
21 project may be considered as good cause
22 for lengthening or shortening of such
23 schedule as appropriate and based on the
24 nature and extent of the proposed project
25 adjustment.

1 “(ii) LIMITATIONS.—

2 “(I) LENGTHENED SCHEDULE.—

3 The Administrator may lengthen a
4 schedule under clause (i) for a cooper-
5 ating Federal agency by not more
6 than 1 year after the latest deadline
7 established for the project described
8 or designated under subsection (b) by
9 the Administration.

10 “(II) SHORTENED SCHED-

11 ULES.—The Administrator may not
12 shorten a schedule under clause (i) if
13 doing so would impair the ability of a
14 cooperating Federal agency to conduct
15 necessary analyses or otherwise carry
16 out relevant obligations of the Federal
17 agency for the project.

18 “(E) FAILURE TO MEET DEADLINE.—If a
19 cooperating Federal agency fails to meet a
20 deadline established under subparagraph
21 (D)(ii)(I)—

22 “(i) the cooperating Federal agency
23 shall, not later than 10 days after meeting
24 the deadline, submit to the Administrator

1 a report that describes the reasons why the
2 deadline was not met; and

3 “(ii) the Secretary shall—

4 “(I) submit to the Committee on
5 Transportation and Infrastructure of
6 the House of Representatives and the
7 Committee on Commerce, Science,
8 and Transportation a copy of the re-
9 port under clause (i); and

10 “(II) make the report under
11 clause (i) publicly available on the
12 website of the agency.

13 “(F) DISSEMINATION.—A copy of a sched-
14 ule under subparagraph (B), and of any modi-
15 fications to the schedule, shall be—

16 “(i) provided to all participating agen-
17 cies and to the State transportation de-
18 partment of the State in which the project
19 is located (and, if the State is not the
20 project sponsor, to the project sponsor);
21 and

22 “(ii) made available to the public.

23 “(2) COMMENT DEADLINES.—The Adminis-
24 trator shall establish the following deadlines for com-

1 ment during the environmental review process for a
2 project:

3 “(A) For comments by agencies and the
4 public on a draft environmental impact state-
5 ment, a period of not more than 60 days after
6 publication in the Federal Register of notice of
7 the date of public availability of such statement,
8 unless—

9 “(i) a different deadline is established
10 by agreement of the lead agency, the
11 project sponsor, and all participating agen-
12 cies; or

13 “(ii) the deadline is extended by the
14 lead agency for good cause.

15 “(B) For all other comment periods estab-
16 lished by the lead agency for agency or public
17 comments in the environmental review process,
18 a period of no more than 30 days from avail-
19 ability of the materials on which comment is re-
20 quested, unless—

21 “(i) a different deadline is established
22 by agreement of the Administrator, the
23 project sponsor, and all participating agen-
24 cies; or

1 “(ii) the deadline is extended by the
2 lead agency for good cause.

3 “(3) DEADLINES FOR DECISIONS UNDER
4 OTHER LAWS.—In any case in which a decision
5 under any Federal law relating to a project de-
6 scribed or designated under subsection (b) (including
7 the issuance or denial of a permit or license) is re-
8 quired to be made by the later of the date that is
9 180 days after the date on which the Administrator
10 made all final decisions of the lead agency with re-
11 spect to the project, or 180 days after the date on
12 which an application was submitted for the permit
13 or license, the Administrator shall submit to the
14 Committee on Transportation and Infrastructure of
15 the House of Representatives and the Committee on
16 Commerce, Science, and Transportation of the Sen-
17 ate, and publish on the website of the Administra-
18 tion—

19 “(A) as soon as practicable after the 180-
20 day period, an initial notice of the failure of the
21 Federal agency to make the decision; and

22 “(B) every 60 days thereafter until such
23 date as all decisions of the Federal agency re-
24 lating to the project have been made by the
25 Federal agency, an additional notice that de-

1 scribes the number of decisions of the Federal
2 agency that remain outstanding as of the date
3 of the additional notice.

4 “(4) INVOLVEMENT OF THE PUBLIC.—Nothing
5 in this subsection shall reduce any time period pro-
6 vided for public comment in the environmental re-
7 view process under existing Federal law, including a
8 regulation.

9 “(n) CONCURRENT REVIEWS AND SINGLE NEPA
10 DOCUMENT.—

11 “(1) CONCURRENT REVIEWS.—Each partici-
12 pating agency and cooperating agency under the ex-
13 pedited and coordinated environmental review proc-
14 ess established under this section shall—

15 “(A) carry out the obligations of that
16 agency under other applicable law concurrently,
17 and in conjunction, with the review required
18 under the National Environmental Policy Act of
19 1969 (42 U.S.C. 4321 et seq.), unless doing so
20 would impair the ability of the Federal agency
21 to conduct needed analysis or otherwise carry
22 out such obligations; and

23 “(B) formulate and implement administra-
24 tive, policy, and procedural mechanisms to en-
25 able the agency to ensure completion of the en-

1 vironmental review process in a timely, coordi-
2 nated, and environmentally responsible manner.

3 “(2) SINGLE NEPA DOCUMENT.—

4 “(A) IN GENERAL.—Except as inconsistent
5 with subsection (a), to the maximum extent
6 practicable and consistent with Federal law, all
7 Federal permits and reviews for a project shall
8 rely on a single environment document prepared
9 under the National Environmental Policy Act of
10 1969 (42 U.S.C. 4321 et seq.) under the lead-
11 ership of the Administrator of the Federal Avia-
12 tion Administration.

13 “(B) USE OF DOCUMENT.—

14 “(i) IN GENERAL.—To the maximum
15 extent practicable, the Administrator shall
16 develop an environmental document suffi-
17 cient to satisfy the requirements for any
18 Federal approval or other Federal action
19 required for the project, including permits
20 issued by other Federal agencies.

21 “(ii) COOPERATION OF PARTICI-
22 PATING AGENCIES.—Other participating
23 agencies shall cooperate with the lead
24 agency and provide timely information to

1 help the lead agency carry out this sub-
2 paragraph.

3 “(C) TREATMENT AS PARTICIPATING AND
4 COOPERATING AGENCIES.—A Federal agency
5 required to make an approval or take an action
6 for a project, as described in paragraph (2),
7 shall work with the Administration for the
8 project to ensure that the agency making the
9 approval or taking the action is treated as being
10 both a participating and cooperating agency for
11 the project.

12 “(3) PARTICIPATING AGENCY RESPONSIBIL-
13 ITIES.—An agency participating in the expedited
14 and coordinated environmental review process under
15 this section shall—

16 “(A) provide comments, responses, studies,
17 or methodologies on those areas within the spe-
18 cial expertise or jurisdiction of the agency; and

19 “(B) use the process to address any envi-
20 ronmental issues of concern to the agency.

21 “(o) ENVIRONMENTAL IMPACT STATEMENT.—

22 “(1) IN GENERAL.—In preparing a final envi-
23 ronmental impact statement under the National En-
24 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
25 seq.) for a project described or designated under

1 subsection (b), if the Administrator modifies the
2 statement in response to comments that are minor
3 and are confined to factual corrections or expla-
4 nations of why the comments do not warrant addi-
5 tional agency response, the Administrator may write
6 on errata sheets attached to the statement instead
7 of rewriting the draft statement, subject to the con-
8 dition that the errata sheets—

9 “(A) cite the sources, authorities, and rea-
10 sons that support the position of the agency;
11 and

12 “(B) if appropriate, indicate the cir-
13 cumstances that would trigger agency re-
14 appraisal or further response.

15 “(2) SINGLE DOCUMENT.—To the maximum
16 extent practicable, for a project subject to a coordi-
17 nated review process under this section, the Admin-
18 istrator shall expeditiously develop a single document
19 that consists of a final environmental impact state-
20 ment and a record of decision, unless—

21 “(A) the final environmental impact state-
22 ment or record of decision makes substantial
23 changes to the project that are relevant to envi-
24 ronmental or safety concerns; or

1 “(B) there is a significant new cir-
2 cumstance or information relevant to environ-
3 mental concerns that bears on the proposed ac-
4 tion or the environmental impacts of the pro-
5 posed action.

6 “(3) LENGTH OF ENVIRONMENTAL DOCU-
7 MENT.—

8 “(A) IN GENERAL.—Except as provided in
9 subparagraph (B), an environmental impact
10 statement shall not exceed 150 pages, not in-
11 cluding any citations or appendices.

12 “(B) EXTRAORDINARY COMPLEXITY.—An
13 environmental impact statement for a proposed
14 agency action of extraordinary complexity shall
15 not exceed 300 pages, not including any cita-
16 tions or appendices.

17 “(p) INTEGRATION OF PLANNING AND ENVIRON-
18 MENTAL REVIEW.—

19 “(1) IN GENERAL.—Subject to paragraph (5)
20 and to the maximum extent practicable and appro-
21 priate, the following agencies may adopt or incor-
22 porate by reference, and use a planning product in
23 proceedings relating to, any class of action in the en-
24 vironmental review process of a project described or
25 designated under subsection (b):

1 “(A) The lead agency for a project, with
2 respect to an environmental impact statement,
3 environmental assessment, categorical exclusion,
4 or other document prepared under the National
5 Environmental Policy Act of 1969 (42 U.S.C.
6 4321 et seq.).

7 “(B) A cooperating agency with responsi-
8 bility under Federal law with respect to the
9 process for and completion of any environ-
10 mental permit, approval, review, or study re-
11 quired for a project under any Federal law
12 other than the National Environmental Policy
13 Act of 1969 (42 U.S.C. 4321 et seq.), if con-
14 sistent with that law.

15 “(2) IDENTIFICATION.—If the relevant agency
16 makes a determination to adopt or incorporate by
17 reference and use a planning product under para-
18 graph (1), such agency shall identify the agencies
19 that participated in the development of the planning
20 products.

21 “(3) ADOPTION OR INCORPORATION BY REF-
22 ERENCE OF PLANNING PRODUCTS.—The relevant
23 agency may—

24 “(A) adopt or incorporate by reference an
25 entire planning product under paragraph (1); or

1 “(B) select portions of a planning project
2 under paragraph (1) for adoption or incorpora-
3 tion by reference.

4 “(4) TIMING.—The adoption or incorporation
5 by reference of a planning product under paragraph
6 (1) may—

7 “(A) be made at the time the relevant
8 agencies decide the appropriate scope of envi-
9 ronmental review for the project; or

10 “(B) occur later in the environmental re-
11 view process, as appropriate.

12 “(5) CONDITIONS.—The relevant agency in the
13 environmental review process may adopt or incor-
14 porate by reference a planning product under this
15 section if the relevant agency determines, with the
16 concurrence of the lead agency and, if the planning
17 product is necessary for a cooperating agency to
18 issue a permit, review, or approval for the project,
19 with the concurrence of the cooperating agency, that
20 the following conditions have been met:

21 “(A) The planning product was developed
22 through a planning process conducted pursuant
23 to applicable Federal law.

1 “(B) The planning product was developed
2 in consultation with appropriate Federal and
3 State resource agencies and Indian tribes.

4 “(C) The planning process included broad
5 multidisciplinary consideration of systems-level
6 or corridor-wide transportation needs and po-
7 tential effects, including effects on the human
8 and natural environment.

9 “(D) The planning process included public
10 notice that the planning products produced in
11 the planning process may be adopted during
12 any subsequent environmental review process in
13 accordance with this section.

14 “(E) During the environmental review
15 process, the relevant agency has—

16 “(i) made the planning documents
17 available for public review and comment by
18 members of the general public and Fed-
19 eral, State, local, and Tribal governments
20 that may have an interest in the proposed
21 project;

22 “(ii) provided notice of the intention
23 of the relevant agency to adopt or incor-
24 porate by reference the planning product;
25 and

1 “(iii) considered any resulting com-
2 ments.

3 “(F) There is no significant new informa-
4 tion or new circumstance that has a reasonable
5 likelihood of affecting the continued validity or
6 appropriateness of the planning product or por-
7 tions thereof.

8 “(G) The planning product has a rational
9 basis and is based on reliable and reasonably
10 current data and reasonable and scientifically
11 acceptable methodologies.

12 “(H) The planning product is documented
13 in sufficient detail to support the decision or
14 the results of the analysis and to meet require-
15 ments for use of the information in the environ-
16 mental review process.

17 “(I) The planning product is appropriate
18 for adoption or incorporation by reference and
19 use in the environmental review process for the
20 project and is incorporated in accordance with,
21 and is sufficient to meet the requirements of,
22 the National Environmental Policy Act of 1969
23 (42 U.S.C. 4321 et seq.) and section 1502.21
24 of title 40, Code of Federal Regulations.

1 “(6) EFFECT OF ADOPTION OR INCORPORATION
2 BY REFERENCE.—Any planning product or portions
3 thereof adopted or incorporated by reference by the
4 relevant agency in accordance with this subsection
5 may be—

6 “(A) incorporated directly into an environ-
7 mental review process document or other envi-
8 ronmental document; and

9 “(B) relied on and used by other Federal
10 agencies in carrying out reviews of the project.

11 “(q) REPORT ON NEPA DATA.—

12 “(1) IN GENERAL.—The Administrator of the
13 Federal Aviation Administration shall carry out a
14 process to track, and annually submit to the Com-
15 mittee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Sen-
18 ate a report on projects described in subsection
19 (b)(1) that contains the information described in
20 paragraph (3).

21 “(2) TIME TO COMPLETE.—For purposes of
22 paragraph (3), the NEPA process—

23 “(A) for an environmental impact state-
24 ment—

1 “(i) begins on the date on which a
2 Notice of Intent is published in the Fed-
3 eral Register; and

4 “(ii) ends on the date on which the
5 Administrator issues a record of decision,
6 including, if necessary, a revised record of
7 decision; and

8 “(B) for an environmental assessment—

9 “(i) begins on the date on which the
10 Administrator makes a determination to
11 prepare an environmental assessment; and

12 “(ii) ends on the date on which the
13 Administrator issues a finding of no sig-
14 nificant impact or determines that prepa-
15 ration of an environmental impact state-
16 ment is necessary.

17 “(3) INFORMATION DESCRIBED.—The informa-
18 tion referred to in paragraph (1) is, with respect to
19 the Federal Aviation Administration—

20 “(A) the number of proposed actions for
21 which a categorical exclusion was applied by the
22 Administration during the reporting period;

23 “(B) the number of proposed actions for
24 which a documented categorical exclusion was

1 applied by the Administration during the re-
2 porting period;

3 “(C) the number of proposed actions pend-
4 ing on the date on which the report is sub-
5 mitted for which the issuance of a documented
6 categorical exclusion by the Administration is
7 pending;

8 “(D) the number of proposed actions for
9 which an environmental assessment was issued
10 by the Administration during the reporting pe-
11 riod;

12 “(E) the length of time the Administration
13 took to complete each environmental assessment
14 described in subparagraph (D);

15 “(F) the number of proposed actions pend-
16 ing on the date on which the report is sub-
17 mitted for which an environmental assessment
18 is being drafted by the Administration;

19 “(G) the number of proposed actions for
20 which a final environmental impact statement
21 was completed by the Administration during the
22 reporting period;

23 “(H) the length of time that the Adminis-
24 tration took to complete each environmental im-
25 pact statement described in subparagraph (G);

1 “(I) the number of proposed actions pend-
2 ing on the date on which the report is sub-
3 mitted for which an environmental impact
4 statement is being drafted; and

5 “(J) for the proposed actions reported
6 under subparagraphs (F) and (I), the percent-
7 age of those proposed actions for which—

8 “(i) project funding has been identi-
9 fied; and

10 “(ii) all other Federal, State, and
11 local activities that are required to allow
12 the proposed action to proceed are com-
13 pleted.

14 “(4) DEFINITIONS.—In this section:

15 “(A) ENVIRONMENTAL ASSESSMENT.—The
16 term ‘environmental assessment’ has the mean-
17 ing given the term in section 1508.1 of title 40,
18 Code of Federal Regulations (or a successor
19 regulation).

20 “(B) ENVIRONMENTAL IMPACT STATE-
21 MENT.—The term ‘environmental impact state-
22 ment’ means a detailed statement required
23 under section 102(2)(C) of the National Envi-
24 ronmental Policy Act of 1969 (42 U.S.C.
25 4332(2)(C)).

1 “(C) NEPA PROCESS.—The term ‘NEPA
2 process’ means the entirety of the development
3 and documentation of the analysis required
4 under the National Environmental Policy Act of
5 1969 (42 U.S.C. 4321 et seq.), including the
6 assessment and analysis of any impacts, alter-
7 natives, and mitigation of a proposed action,
8 and any interagency participation and public in-
9 volvement required to be carried out before the
10 Administrator undertakes a proposed action.

11 “(D) PROPOSED ACTION.—The term ‘pro-
12 posed action’ means an action (within the
13 meaning of the National Environmental Policy
14 Act of 1969 (42 U.S.C. 4321 et seq.)) under
15 this title that the Administrator proposes to
16 carry out.

17 “(E) REPORTING PERIOD.—The term ‘re-
18 porting period’ means the fiscal year prior to
19 the fiscal year in which a report is issued under
20 subsection (a).”.

21 **SEC. 474. SUBCHAPTER III DEFINITIONS.**

22 Section 47175 of title 49, United States Code, is
23 amended—

24 (1) in paragraph (3)(A) by striking “and” at
25 the end and inserting “or”;

1 (2) in paragraph (4)—

2 (A) in subparagraph (A) by striking “and”
3 at the end;

4 (B) in subparagraph (B)—

5 (i) by striking “(B)”; and

6 (ii) by redesignating clause (i) and (ii)
7 as subsection (B) and (C), respectively;

8 (3) by striking paragraph (5);

9 (4) by redesignating paragraphs (3), (1), (4),
10 (2), (6), and (8) as paragraphs (1), (2), (3), (4),
11 (5), and (6), respectively; and

12 (5) by adding at the end the following:

13 “(8) **TERMINAL DEVELOPMENT.**—The term
14 ‘terminal development’ has the same meaning given
15 such term in section 47102.”.

16 **SEC. 475. PILOT PROGRAM EXTENSION.**

17 Section 190(i) of the FAA Reauthorization Act of
18 2018 (49 U.S.C. 47104 note) is amended by striking “5
19 years” and all that follows through the period at the end
20 and inserting “on October 1, 2028.”.

21 **SEC. 476. PART 150 NOISE STANDARDS UPDATE.**

22 (a) **IN GENERAL.**—Not later than 1 year after the
23 date of enactment of this Act, the Administrator of the
24 Federal Aviation Administration shall review and revise
25 part 150 of title 14, Code of Federal Regulations, to re-

1 fleet all relevant laws and regulations, including part 161
2 of title 14, Code of Federal Regulations.

3 (b) OUTREACH.—As part of the review conducted
4 under subsection (a), the Administrator shall clarify exist-
5 ing and future noise policies and standards and seek feed-
6 back from airports, airport users, and individuals living
7 in the vicinity of airports before implementing any changes
8 to any noise policies or standards.

9 (c) BRIEFING.—Not later than 90 days after the date
10 of enactment of this Act, and every 6 months thereafter,
11 the Administrator shall brief the Committee on Transpor-
12 tation and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and Transpor-
14 tation of the Senate regarding the review conducted under
15 subsection (a).

16 (d) SUNSET.—The requirement under subsection (c)
17 shall terminate on September 30, 2028.

18 **SEC. 477. REDUCING COMMUNITY AIRCRAFT NOISE EXPO-**
19 **SURE.**

20 In implementing or revising a flight procedure, the
21 Administrator of the Federal Aviation Administration
22 shall seek to take the following actions (to the extent that
23 such actions do not negatively affect aviation safety or ef-
24 ficiency) to reduce undesirable aircraft noise:

1 (1) Implement flight procedures that can miti-
2 gate the impact of aircraft noise.

3 (2) Work with airport sponsors and potentially
4 impacted neighboring communities in establishing or
5 modifying aircraft arrival and departure routes.

6 (3) Discourage local encroachment of residen-
7 tial or other buildings near airports that could create
8 future aircraft noise complaints or impact airport
9 operations or aviation safety.

10 **SEC. 478. CATEGORICAL EXCLUSIONS.**

11 (a) CATEGORICAL EXCLUSION FOR PROJECTS OF
12 LIMITED FEDERAL ASSISTANCE.—An action by the Ad-
13 ministrator of the Federal Aviation Administration to ap-
14 prove, permit, finance, or otherwise authorize any airport
15 project that is undertaken by the sponsor, owner, or oper-
16 ator of a public-use airport shall be presumed to be cov-
17 ered by a categorical exclusion under Federal Aviation Ad-
18 ministration Order 1050.1F, or any successor document,
19 if such project—

20 (1) receives less than \$6,000,000 (as adjusted
21 annually by the Administrator to reflect any in-
22 creases in the Consumer Price Index prepared by
23 the Department of Labor) of Federal funds or funds
24 from charges collected under section 40117 of title
25 49, United States Code; or

1 (2) with a total estimated cost of not more than
2 \$35,000,000 (as adjusted annually by the Adminis-
3 trator to reflect any increases in the Consumer Price
4 Index prepared by the Department of Labor) and
5 Federal funds comprising less than 15 percent of the
6 total estimated project cost.

7 (b) CATEGORICAL EXCLUSION IN EMERGENCIES.—
8 An action by the Administrator to approve, permit, fi-
9 nance, or otherwise authorize an airport project that is
10 undertaken by the sponsor, owner, or operator of a public-
11 use airport shall be presumed to be covered by a categor-
12 ical exclusion under Federal Aviation Administration
13 Order 1050.1F, or any successor document, if such project
14 is—

15 (1) for the repair or reconstruction of any air-
16 port facility, runway, taxiway, or similar structure
17 that is in operation or under construction when
18 damaged by an emergency declared by the Governor
19 of the State and concurred in by the Administrator,
20 or for a disaster or emergency declared by the Presi-
21 dent pursuant to the Robert T. Stafford Disaster
22 Relief and Emergency Assistance Act (42 U.S.C.
23 5121 et seq.);

24 (2) in the same location with the same capacity,
25 dimensions, and design as the original airport facil-

1 ity, runway, taxiway, or similar structure as before
2 the declaration described in this section; and

3 (3) commenced within a 2-year period begin-
4 ning on the date of a declaration described in this
5 section.

6 (c) EXTRAORDINARY CIRCUMSTANCES.—The pre-
7 sumption that an action is covered by a categorical exclu-
8 sion under subsections (a) through (e) shall not apply if
9 the Administrator determines that extraordinary cir-
10 cumstances exist with respect to such action.

11 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to impact any aviation safety au-
13 thority of the Administrator.

14 (e) DEFINITIONS.—In this section:

15 (1) CATEGORICAL EXCLUSION.—The term “cat-
16 egorical exclusion” has the meaning given the term
17 in section 1508.1(d) of title 40, Code of Federal
18 Regulations.

19 (2) PUBLIC-USE AIRPORT; SPONSOR.—The
20 terms “public-use airport” and “sponsor” have the
21 meaning given such terms in section 47102 of title
22 49, United States Code.

1 **SEC. 479. CRITICAL HABITAT ON OR NEAR AIRPORT PROP-**
2 **ERTY.**

3 (a) **FEDERAL AGENCY REQUIREMENTS.**—The Ad-
4 ministrator of the Federal Aviation Administration, to the
5 maximum extent practicable, shall collaborate with the
6 heads of appropriate Federal agencies to ensure that des-
7 ignations of critical habitat, as such term is defined in
8 section 3 of the Endangered Species Act of 1973 (16
9 U.S.C. 1532), on or near airport property do not—

10 (1) result in conflicting statutory, regulatory, or
11 Federal grant assurance requirements for airports or
12 aircraft operators;

13 (2) interfere with the safe operation of aircraft;
14 or

15 (3) occur on airport-owned lands that have be-
16 come attractive habitat for a threatened or endan-
17 gered species because such lands—

18 (A) have been prepared for future develop-
19 ment;

20 (B) have been designated as noise buffer
21 land; or

22 (C) are held by the airport to prevent en-
23 croachment of uses that are incompatible with
24 airport operations.

25 (b) **STATE REQUIREMENTS.**—In a State in which a
26 State agency is authorized to designate land on or near

1 airport property for the conservation of a threatened or
2 endangered species in the State, the Administrator, to the
3 maximum extent practicable, shall collaborate with the
4 State in the same manner as the Administrator collabo-
5 rates with the heads of Federal agencies under subsection
6 (a).

7 **SEC. 480. UPDATING PRESUMED TO CONFORM LIMITS.**

8 Not later than 24 months after the date of enactment
9 of this Act, the Administrator of the Federal Aviation Ad-
10 ministration shall take such actions as are necessary to
11 update the Administration's list of actions that are pre-
12 sumed to conform to a State implementation plan pursu-
13 ant to section 93.153(f) of title 40, Code of Federal Regu-
14 lations, to include projects relating to the construction of
15 aircraft hangars.

16 **SEC. 481. RECOMMENDATIONS ON REDUCING ROTORCRAFT**
17 **NOISE IN DISTRICT OF COLUMBIA.**

18 (a) **STUDY.**—The Comptroller General of the United
19 States shall conduct a study on reducing rotorcraft noise
20 in the District of Columbia.

21 (b) **CONTENTS.**—The study conducted under sub-
22 section (a) shall consider—

23 (1) the extent to which military operators con-
24 sider operating over unpopulated areas outside of
25 the District of Columbia for training missions;

1 (2) the extent to which vehicles or aircraft other
2 than conventional rotorcraft (such as unmanned air-
3 craft) could be used for emergency and law enforce-
4 ment response; and

5 (3) the extent to which relevant operators and
6 entities have assessed and addressed, as appropriate,
7 the noise impacts of various factors of operating
8 rotorcraft, including, at a minimum—

9 (A) altitude;

10 (B) the number of flights;

11 (C) flight paths;

12 (D) time of day of flights;

13 (E) types of aircraft;

14 (F) operating procedures; and

15 (G) pilot training.

16 (c) REPORT.—Not later than 1 year after the date
17 of enactment of this Act, the Comptroller General of the
18 United States shall brief the Committee on Transportation
19 and Infrastructure of the House of Representatives and
20 the Committee on Commerce, Science, and Transportation
21 of the Senate on preliminary observations with a report
22 to follow at a date agreed upon at the time of the briefing
23 containing—

24 (1) the contents of the study conducted under
25 subsection (a); and

1 (2) any recommendations for the reduction of
2 rotorcraft noise in the District of Columbia.

3 (d) RELEVANT OPERATORS AND ENTITIES DE-
4 FINES.—In this section, the term “relevant operators and
5 entities” means—

6 (1) the Chief of Police of the Metropolitan Po-
7 lice Department of the District of Columbia;

8 (2) any medical rotorcraft operator that rou-
9 tinely flies a rotorcraft over the District of Colum-
10 bia; and

11 (3) any other operator that routinely flies a
12 rotorcraft over the District of Columbia.

13 **SEC. 482. UFP STUDY.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of enactment of this Act, the Administrator of the
16 Federal Aviation Administration shall enter into an agree-
17 ment with the National Academies under which the Na-
18 tional Research Council shall carry out a study examining
19 airborne ultrafine particles and the effect of such particles
20 on human health.

21 (b) SCOPE OF STUDY.—The study conducted under
22 subsection (a) shall—

23 (1) summarize the relevant literature and stud-
24 ies done on airborne UPFs worldwide;

25 (2) focus on large hub airports;

1 (3) examine airborne UFPs and their potential
2 effect on human health, including—

3 (A) characteristics of UFPs present in the
4 air;

5 (B) spatial and temporal distributions of
6 UFP concentrations;

7 (C) primary sources of UFPs;

8 (D) the contribution of aircraft and airport
9 operations to the distribution of UFP con-
10 centrations compared to other sources;

11 (E) potential health effects associated with
12 elevated UFP exposures, including outcomes re-
13 lated to cardiovascular disease, respiratory in-
14 fection and disease, degradation of
15 neurocognitive functions, and other health ef-
16 fects; and

17 (F) potential UFP exposures, especially to
18 susceptible groups;

19 (4) identify measures intended to reduce the re-
20 lease of UFPs; and

21 (5) identify information gaps related to under-
22 standing potential relationships between UFP expo-
23 sures and health effects, contributions of aviation-re-
24 lated emissions to UFP exposures, and the effective-
25 ness of mitigation measures.

1 (c) COORDINATION.— The Administrator may coordi-
2 nate with the heads of such other agencies that the Ad-
3 ministrator considers appropriate to provide data and
4 other assistance necessary for the study.

5 (d) REPORT.—Not later than 180 days after the Na-
6 tional Research Council submits of the results of the study
7 to the Administrator, the Administrator shall submit to
8 the Committee on Transportation and Infrastructure of
9 the House of Representatives and the Committee on Com-
10 merce, Science, and Transportation of the Senate a report
11 containing the results of the study carried out under sub-
12 section (a), including any recommendations based on such
13 study.

14 (e) DEFINITION OF ULTRAFINE PARTICLE.—In this
15 section, the terms “ultrafine particle” and “UFP” mean
16 particles with diameters less than or equal to 100 nano-
17 meters.

18 **SEC. 483. AVIATION AND AIRPORT COMMUNITY ENGAGE-**
19 **MENT.**

20 (a) ESTABLISHMENT OF TASK FORCE.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of enactment of this Act, the Administrator
23 of the Federal Aviation Administration shall estab-
24 lish an airport community of interest task force (in
25 this section referred to as the “Task Force”) to

1 evaluate and improve existing processes and mecha-
2 nisms for engaging communities impacted by airport
3 development and aviation operations.

4 (2) ACTIVITIES.—The Task Force shall—

5 (A) review research on aircraft noise im-
6 pacts to identify potential actions the Adminis-
7 trator could take;

8 (B) review processes and practices of the
9 Administration for engaging communities prior
10 to or after air traffic pattern changes that im-
11 pact such communities, including with how such
12 processes and practices compare to best prac-
13 tices from organizations with expertise in grass-
14 roots community organizing and collaboration;

15 (C) assess Federal efforts to mitigate noise
16 impacts on communities, including costs and
17 benefits of such efforts;

18 (D) assess the various actions that State
19 and local government officials and community
20 planners could take when considering changes
21 to airport infrastructure, including planned air-
22 port projects or surrounding airport community
23 developments;

24 (E) identify potential improvements to
25 Federal, State, and local airport development

1 policy and planning processes to better balance
2 which communities experience negative
3 externalities as a result of airport operations;

4 (F) consider guidance to airports and air-
5 port communities to improve engagement with
6 the Administration, as recommended by the
7 document titled “Aircraft Noise: FAA Could
8 Improve Outreach Through Enhanced Noise
9 Metrics, Communication, and Support to Com-
10 munities”, issued in September 2021 (GAO-
11 21-103933);

12 (G) consider mechanisms and opportunities
13 for the Administration to facilitate better ex-
14 change of helicopter noise information with op-
15 erators in communities adversely impacted by
16 helicopter noise, as recommended by the Comp-
17 troller General in the document titled “Aircraft
18 Noise: Better Information Sharing Could Im-
19 prove Responses to Washington, D.C. Area Hel-
20 icopter Noise Concerns” (GAO-21-200); and

21 (H) review air traffic controller guidance
22 on use and development of noise abatement pro-
23 cedures of the Administration to identify areas
24 for improvement or efficiency that do not ad-
25 versely impact aviation safety.

1 (3) COMPOSITION.—

2 (A) APPOINTMENT.—The Administrator
3 shall appoint the members of the Task Force.

4 (B) CHAIRPERSON.—The Task Force shall
5 be chaired by the Administrator’s executive
6 level designee.

7 (C) REPRESENTATION.—The Task Force
8 shall be comprised of representatives from—

9 (i) airport communities or a rep-
10 resentative organization of an airport com-
11 munity;

12 (ii) airport operators;

13 (iii) airlines;

14 (iv) experts with specific knowledge of
15 air traffic planning;

16 (v) aircraft manufacturers;

17 (vi) local government officials; and

18 (vii) such other representatives as the
19 Administrator considers appropriate.

20 (4) COMPENSATION.—Members of the Task
21 Force shall serve without compensation.

22 (5) NONAPPLICABILITY OF FACA.—Chapter 10
23 of title 5, United States Code, shall not apply to the
24 Task Force established under this section.

1 (6) CONSULTATION.—The Task Force shall, as
2 appropriate, consult with relevant experts and stake-
3 holders not listed in paragraph (3)(C) in conducting
4 the activities described in paragraph (2).

5 (7) REPORTS.—

6 (A) RECOMMENDATIONS.—Not later than
7 1 year after the date of the establishment of the
8 Task Force and every year thereafter through
9 fiscal year 2028, the Task Force shall provide
10 to the Committee on Transportation and Infra-
11 structure of the House of Representatives, the
12 Committee on Commerce, Science, and Trans-
13 portation of the Senate, and the Administrator
14 recommendations to improve the processes and
15 mechanisms for engaging communities impacted
16 by airport development and aviation operations.

17 (B) BRIEFING.—Not later than 60 days
18 after the submission of the annual rec-
19 ommendations under subparagraph (A), the Ad-
20 ministrator shall brief the committees described
21 in such subparagraph on any plans of the Ad-
22 ministration to implement the recommendations
23 of the Task Force, including explanations for
24 each of the recommendations the Administrator
25 does not intend to adopt.

1 (b) ENGAGEMENT EVENTS.—

2 (1) ANNUAL EVENT.—The Administrator shall
3 seek to convene at least 1 annual event in each geo-
4 graphic region of the Administration to engage with
5 aviation communities on issues of regional import.

6 (2) PURPOSE.—The purpose of the engagement
7 events described under paragraph (1) shall be to fos-
8 ter open and transparent communication between
9 the Federal Government and aviation-impacted com-
10 munities prior to, during, and after decision-making
11 at the Federal level.

12 (3) TOPICS OF CONSIDERATION.—The topics of
13 consideration of such engagement events shall be ap-
14 proved by the Regional Administrator or the Re-
15 gional Community Engagement Officer of the appli-
16 cable region, in consultation with regional interest
17 groups. Topic areas shall be driven by local and re-
18 gional feedback and may focus on—

19 (A) noise concerns from low-flying com-
20 mercial aircraft;

21 (B) purchase and installation of aircraft
22 noise reduction measures;

23 (C) new development projects in close
24 proximity to airports and realistic noise expect-
25 tations for such projects;

1 (D) proposed airport expansion projects
2 and the potential noise implications of such
3 projects;

4 (E) the establishment of new, or changes
5 to existing, approach and departure routes and
6 the community impacts of such changes;

7 (F) upcoming events with an aviation com-
8 ponent; or

9 (G) any other topic or issue considered rel-
10 evant by an aviation-impacted community.

11 (4) PARTICIPATION.—

12 (A) COORDINATION.—All events described
13 in paragraph (3) shall be convened by or in co-
14 ordination with the regional offices of the Ad-
15 ministration.

16 (B) ATTENDANCE BY REPRESENTA-
17 TIVES.—The Administrator shall ensure rep-
18 resentatives from relevant program offices of
19 the Administration are in attendance at such
20 events.

21 (C) APPROPRIATE PARTICIPATION.—The
22 Administrator shall collaborate with community
23 groups at the State, municipal, city, or local
24 government level to ensure appropriate partici-
25 pation by as many relevant parties on a given

1 issue as practicable. Such relevant parties may
2 include—

3 (i) State or local government officials;

4 (ii) local or municipal planning and
5 zoning officials;

6 (iii) neighborhood representatives;

7 (iv) aircraft operators, flight school
8 representatives, or other local aviation enti-
9 ties;

10 (v) airport operators; and

11 (vi) any other parties as appropriate.

12 (D) COORDINATION.—The Administrator
13 shall coordinate Federal participation that is
14 not under the Administration through the Fed-
15 eral Interagency Committee on Aviation Noise
16 to encourage appropriate Federal representa-
17 tion at all such events, based on the topic areas
18 of consideration.

19 **SEC. 484. COMMUNITY COLLABORATION PROGRAM.**

20 (a) ESTABLISHMENT.—Not later than 90 days after
21 the date of enactment of this Act, the Administrator of
22 the Federal Aviation Administration shall establish a
23 Community Collaboration Program (in this section re-
24 ferred to as the “Program”) within the Office for Policy,

1 International Affairs, and Environment of the Administra-
2 tion.

3 (b) STAFF.—The Program shall be comprised of rep-
4 resentatives from—

5 (1) the Office for Policy, International Affairs
6 and Environment of the Administration;

7 (2) the Office of Airports of the Administration;

8 (3) the Air Traffic Organization of the Admin-
9 istration; and

10 (4) other entities as considered appropriate by
11 the Administrator.

12 (c) RESPONSIBILITIES.—

13 (1) IN GENERAL.—The Program shall facilitate
14 and harmonize, as appropriate, policies and proce-
15 dures carried out by the entities listed in subsection
16 (b) pertaining to community engagement relating
17 to—

18 (A) airport planning and development;

19 (B) noise and environmental policy;

20 (C) NextGen implementation;

21 (D) air traffic route changes;

22 (E) integration of new and emerging en-
23 trants; and

1 (F) and other topics with respect to which
2 community engagement is critical to program
3 success.

4 (2) SPECIFIED RESPONSIBILITIES.—The re-
5 sponsibilities of the Program lead shall include—

6 (A) the establishment of, and membership
7 selection for, the Airport Community of Interest
8 Task Force, established under section 483;

9 (B) joint execution with Federal Aviation
10 Administration Regional Administrators of re-
11 gional community engagement events, as de-
12 scribed in section 483;

13 (C) updating the internal guidance of the
14 Administration for community engagement
15 based on recommendations from such Task
16 Force and best practices of other Federal agen-
17 cies and external organizations with expertise in
18 community engagement;

19 (D) coordinating with the Air Traffic Or-
20 ganization on community engagement efforts
21 related to air traffic procedure changes to en-
22 sure that impacted communities are consulted
23 in a meaningful way;

24 (E) oversight of Regional Ombudsmen of
25 the Administration;

1 (F) oversight, streamlining, and increasing
2 the responsiveness of the noise complaint pro-
3 cess of the Administration by—

4 (i) centralizing noise complaint data
5 and improving data collection methodolo-
6 gies;

7 (ii) increasing public accessibility to
8 such Regional Ombudsmen;

9 (iii) ensuring such Regional Ombuds-
10 men are consulted in local air traffic proce-
11 dure development decisions;

12 (iv) collecting feedback from such Re-
13 gional Ombudsmen to inform national pol-
14 icymaking efforts; and

15 (v) other recommendations made by
16 the Airport Community of Interest Task
17 Force;

18 (G) timely implementation of the rec-
19 ommendations, as appropriate, made by the
20 Comptroller General of the United States to the
21 Secretary of Transportation contained in the re-
22 port titled “Aircraft Noise: FAA Could Improve
23 Outreach Through Enhanced Noise Metrics,
24 Communication, and Support to Communities”,
25 issued in September 2021 (GAO–21–103933)

1 to improve the outreach of the FAA to local
2 communities impacted by aircraft noise, includ-
3 ing any recommendations to—

4 (i) identify appropriate supplemental
5 metrics for assessing noise impacts and
6 circumstances for their use to aid in the
7 internal assessment of the Administration
8 of noise impacts related to proposed flight
9 path changes;

10 (ii) update guidance to incorporate
11 additional tools to more clearly convey ex-
12 pected impacts, such as other noise metrics
13 and visualization tools;

14 (iii) improving guidance to airports
15 and communities on effectively engaging
16 with the Administration; and

17 (iv) any other recommendations in-
18 cluded in the report that would assist the
19 agency in improving outreach to commu-
20 nities affected by aircraft noise; and

21 (H) other responsibilities as considered ap-
22 propriate by the Administrator.

23 (d) REPORT.—Not later than 2 years after the Ad-
24 ministrator implements the recommendations described in
25 subsection (c)(2)(H), the Administrator shall brief the

1 Committee on Transportation and Infrastructure of the
2 House of Representatives and the Committee on Com-
3 merce, Science, and Transportation of the Senate describ-
4 ing—

5 (1) the implementation of each such rec-
6 ommendation;

7 (2) how any recommended actions are assisting
8 the Administrator in improving outreach to commu-
9 nities affected by aircraft noise and other commu-
10 nity engagement concerns; and

11 (3) any challenges or barriers that limit or pre-
12 vent the ability of the Administrator to take such ac-
13 tions.

14 **SEC. 485. THIRD-PARTY STUDY ON AVIATION NOISE**
15 **METRICS.**

16 (a) **STUDY.**—Not later than 180 days after the date
17 of enactment of this Act, the Administrator of the Federal
18 Aviation Administration shall enter into an agreement
19 with the National Academies to conduct a study on avia-
20 tion noise metrics.

21 (b) **CONTENTS.**—The study required under sub-
22 section (a) shall include an assessment of—

23 (1) the efficacy of the day-night average sound
24 level (in this section referred to as “DNL”) noise
25 metric compared to other alternative models;

1 (2) the disadvantages of the DNL noise metric
 2 in effect as of the date of enactment of this Act
 3 compared to other alternative models;

4 (3) any potential changes that should be made
 5 to the DNL noise metric in effect as of the date of
 6 enactment of this Act; and

7 (4) the data collected by the Neighborhood En-
 8 vironmental Survey of the Administration using al-
 9 ternative noise metrics.

10 (c) REPORT TO CONGRESS.—Not later than 2 years
 11 after the date of enactment of this Act, the National Acad-
 12 emies shall submit to the Administrator and Committee
 13 on Transportation and Infrastructure of the House of
 14 Representatives and the Committee on Commerce,
 15 Science, and Transportation of the Senate a report—

16 (1) on the results of the study described in sub-
 17 section (a); and

18 (2) containing recommendations regarding the
 19 most appropriate metric to adequately assess the
 20 public health impacts of aircraft noise.

21 **TITLE V—AVIATION SAFETY**

22 **Subtitle A—General Provisions**

23 **SEC. 501. ZERO TOLERANCE FOR NEAR MISSES, RUNWAY**
 24 **INCURSIONS, AND SURFACE SAFETY RISKS.**

25 (a) POLICY.—

1 (1) IN GENERAL.—Section 47101(a) of title 49,
2 United States Code, is amended—

3 (A) by redesignating paragraphs (2)
4 through (13) as paragraphs (3) through (14),
5 respectively; and

6 (B) by inserting after paragraph (1) the
7 following:

8 “(2) that projects, activities, and actions that
9 prevent runway incursions serve to—

10 “(A) improve airport surface surveillance;

11 and

12 “(B) mitigate surface safety risks that are
13 essential to ensuring the safe operation of the
14 airport and airway system;”.

15 (2) CONFORMING AMENDMENTS.—Section
16 47101 of title 49, United States Code, is amended—

17 (A) in subsection (g) by striking “sub-
18 section (a)(5)” and inserting “subsection
19 (a)(6)”; and

20 (B) in subsection (h) by striking “sub-
21 section (a)(6)” and inserting “subsection
22 (a)(7)”.

23 (3) CONTINUOUS EVALUATION.—In carrying
24 out section 47101(a) of title 49, United States Code,
25 as amended by this subsection, the Administrator of

1 the Federal Aviation Administration shall establish a
2 process to continuously track and evaluate ground
3 traffic and air traffic activity and related incidents
4 at airports.

5 (b) RUNWAY SAFETY COUNCIL.—

6 (1) IN GENERAL.—Not later than 6 months
7 after the date of enactment of this Act, the Adminis-
8 trator of the Federal Aviation Administration shall
9 establish a council, to be known as the “Runway
10 Safety Council” (hereinafter referred to as the
11 “Council” in this section), to develop a systematic
12 proactive management strategy to address surface
13 safety risks.

14 (2) DUTIES.—The duties of the Council shall
15 include, at a minimum, advancing the development
16 of risk-based, data driven, integrated systems solu-
17 tions and strategies to enhance surface safety risk
18 mitigation.

19 (3) MEMBERSHIP.—

20 (A) IN GENERAL.—In establishing the
21 Council, the Administrator shall appoint at
22 least 1 member from each of the following:

- 23 (i) Airport operators.
24 (ii) Air carriers.
25 (iii) Aircraft operators.

1 (iv) Flight schools.

2 (v) The certified bargaining represent-
3 ative of aviation safety inspectors for the
4 Administration.

5 (vi) The exclusive bargaining rep-
6 resentative of the air traffic controllers cer-
7 tified under section 7111 of title 5, United
8 States Code.

9 (vii) Other safety experts the Admin-
10 istrator determines appropriate.

11 (B) ADDITIONAL MEMBERS.—The Admin-
12 istrator may appoint members representing any
13 other stakeholder organization that the Admin-
14 istrator determines appropriate to the Runway
15 Safety Council.

16 (c) AIRPORT SURFACE SURVEILLANCE.—

17 (1) IDENTIFICATION.—Not later than 180 days
18 after the date of enactment of this Act, the Adminis-
19 trator shall, in coordination with the Council, con-
20 sult with relevant stakeholders to identify tech-
21 nologies, equipment, and systems that—

22 (A) may provide airport surface surveil-
23 lance capabilities at airports lacking such capa-
24 bilities; or

1 (B) may augment existing airport surface
2 surveillance systems.

3 (2) CRITERIA.—Not later than 1 year after the
4 date of enactment of this Act, the Administrator
5 shall—

6 (A) based on the information obtained pur-
7 suant to paragraph (1), identify airport surface
8 surveillance systems that meet the standards of
9 the Administration and may be able to—

10 (i) provide airport surface surveillance
11 capabilities at airports lacking such capa-
12 bilities; or

13 (ii) augment existing airport surface
14 surveillance systems; and

15 (B) establish clear and quantifiable criteria
16 relating to operational factors, including ground
17 traffic and air traffic activity and the rate of
18 runway and terminal airspace safety events (in-
19 cluding runway incursions), that determine
20 when the installation and deployment of an air-
21 port surface surveillance system, or other run-
22 way safety system (including runway status
23 lights), at an airport is required.

24 (3) DEPLOYMENT.—Not later than 5 years
25 after the date of enactment of this Act, the Adminis-

1 trator shall ensure that airport surface surveillance
2 systems are deployed and operational at—

3 (A) all airports described in paragraph
4 (2)(A); and

5 (B) all medium and large hub airports.

6 (4) REPORT.—Not later than 4 years after the
7 date of enactment of this Act, the Administrator
8 shall brief the Committee on Transportation and In-
9 frastructure of the House of Representatives and the
10 Committee on Commerce, Science, and Transpor-
11 tation of the Senate on the progress of the deploy-
12 ment described in paragraph (3).

13 (d) FOREIGN OBJECT DEBRIS DETECTION.—

14 (1) IN GENERAL.—Not later than 3 years after
15 the date of enactment of this Act, the Administrator
16 shall assess, in coordination with the Council, auto-
17 mated foreign object debris monitoring and detection
18 systems at not less than 3 airports that are using
19 such systems.

20 (2) CONSIDERATIONS.—In conducting the as-
21 sessment under paragraph (1), the Administrator
22 shall consider the following:

23 (A) The categorization of an airport.

1 (B) The potential frequency of foreign ob-
2 ject debris incidents on airport runways or ad-
3 jacent ramp areas.

4 (C) The availability of funding for the in-
5 stallation and maintenance of foreign object de-
6 bris monitoring and detection systems.

7 (D) The impact of such systems on the air-
8 field operations of an airport.

9 (E) The effectiveness of available foreign
10 object debris monitoring and detection systems.

11 (F) Any other relevant factors to assessing
12 the return on investment of foreign object de-
13 bris monitoring and detection systems.

14 (3) CONSULTATION.—In carrying out this sub-
15 section, the Administrator and the Council shall con-
16 sult with manufacturers and suppliers of foreign ob-
17 ject debris detection technology and any other rel-
18 evant stakeholders.

19 (e) RUNWAY SAFETY STUDY.—

20 (1) IN GENERAL.—Not later than 2 years after
21 the date of enactment of this Act, the Administrator
22 shall seek to enter into an agreement with a feder-
23 ally funded research and development center to con-
24 duct a study of runway incursions, surface incidents,
25 operational errors, or losses of standard separation

1 of aircraft in the approach or departure phase of
2 flight to determine how advanced technologies and
3 future airport development projects may be able to
4 reduce the frequency of such events and enhance
5 aviation safety.

6 (2) CONSIDERATIONS.—In conducting the study
7 under paragraph (1), the federally funded research
8 and development center shall—

9 (A) examine data relating to recurring
10 runway incursions, surface incidents, oper-
11 ational errors, or losses of standard separation
12 of aircraft in the approach or departure phase
13 of flight at airports to identify the underlying
14 factors that caused such events;

15 (B) assess metrics used to identify when
16 such events are increasing at an airport;

17 (C) assess available and developmental
18 technologies, including and beyond such tech-
19 nologies considered in subsection (c), that may
20 augment existing air traffic management capa-
21 bilities of surface surveillance and terminal air-
22 space equipment;

23 (D) consider growth trends in airport size,
24 staffing and communication complexities to
25 identify—

1 (i) future gaps in information ex-
2 change between aerospace stakeholders;
3 and

4 (ii) methods for meeting future near
5 real-time information sharing needs; and

6 (E) examine airfield safety training pro-
7 grams used by airport tenants and other stake-
8 holders operating on airfields of airports, in-
9 cluding airfield familiarization training pro-
10 grams for employees, to assess scalability to
11 handle future growth in airfield capacity and
12 traffic.

13 (3) RECOMMENDATIONS.—In conducting the
14 study required by paragraph (1), the federally fund-
15 ed research and development center shall develop
16 recommendations for the strategic planning efforts
17 of the Administration to appropriately maintain sur-
18 face safety considering future increases in air traffic
19 and based on the considerations described in para-
20 graph (2).

21 (4) REPORT TO CONGRESS.—Not later than 90
22 days after the completion of the study required by
23 paragraph (1), the Administrator shall submit to the
24 Committee on Transportation and Infrastructure of
25 the House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Sen-
2 ate a report on the findings of such study and any
3 recommendations developed under paragraph (3).

4 (f) AIRPORT SURFACE DETECTION AND SURVEIL-
5 LANCE SYSTEM DEFINED.—In this section, the term “air-
6 port surface detection and surveillance system” means an
7 airport surveillance system that is—

8 (1) designed to track surface movement of air-
9 craft and vehicles; and

10 (2) capable of alerting air traffic controllers or
11 flight crew members of a possible runway incursion,
12 misaligned approach, or other safety event.

13 **SEC. 502. GLOBAL AVIATION SAFETY.**

14 (a) IN GENERAL.—Section 40104(d) of title 49,
15 United States Code, (as redesignated by section 325) is
16 amended—

17 (1) in subsection heading by inserting “AND AS-
18 SISTANCE” after “INTERNATIONAL ROLE”;

19 (2) in paragraph (1) by striking “The Adminis-
20 trator” and inserting “In carrying out subsection
21 (a), the Administrator”;

22 (3) by redesignating paragraph (2) as para-
23 graph (4); and

24 (4) by inserting after paragraph (1) the fol-
25 lowing:

1 “(2) INTERNATIONAL PRESENCE.—The Admin-
2 istrator shall maintain an international presence
3 to—

4 “(A) assist foreign civil aviation authorities
5 in—

6 “(i) establishing robust aerospace
7 oversight practices and policies;

8 “(ii) training staff, to include inspec-
9 tors and accident investigators;

10 “(iii) harmonizing international aero-
11 space standards for air traffic manage-
12 ment, operator certification, aircraft cer-
13 tification, airports, and certificated or
14 credentialed individuals;

15 “(iv) validating and accepting foreign
16 aircraft design and production approvals;

17 “(v) maintaining appropriate levels of
18 air navigation services;

19 “(vi) preparing for new aerospace
20 technologies; and

21 “(vii) appropriately adopting con-
22 tinuing airworthiness information, such as
23 airworthiness directives;

24 “(B) encourage the adoption of United
25 States standards, regulations, and policies;

1 “(C) establish, maintain, and update bilat-
2 eral or multilateral aviation safety agreements
3 and the aviation safety information contained
4 within such agreements;

5 “(D) engage in bilateral and multilateral
6 discussions and provide technical assistance as
7 described in paragraph (5);

8 “(E) validate foreign aerospace products
9 and ensure reciprocal validation of products for
10 which the United States is the state of design
11 or production;

12 “(F) support accident and incident inves-
13 tigations, particularly such investigations that
14 involve United States persons and certified
15 products and such investigations where the Na-
16 tional Transportation Safety Board is sup-
17 porting an investigation pursuant to annex 13
18 of the International Civil Aviation Organization;

19 “(G) support the international activities of
20 the United States aerospace sector;

21 “(H) maintain valuable relationships with
22 entities with aerospace equities, including civil
23 aviation authorities, other governmental bodies,
24 non-governmental organizations, and foreign
25 manufacturers; and

1 “(I) perform other activities as determined
2 necessary by the Administrator.”.

3 (b) REVIEW OF INTERNATIONAL FIELD OFFICES.—
4 Section 40104(d) of title 49, United States Code, (as re-
5 designated by section 325) is further amended by inserting
6 after paragraph (2) the following:

7 “(3) INTERNATIONAL OFFICES.—In carrying
8 out the responsibilities described in subsection (a),
9 the Administrator shall—

10 “(A) maintain international offices of the
11 Administration;

12 “(B) every 3 years, review existing inter-
13 national offices to determine—

14 “(i) the effectiveness of such offices in
15 fulfilling the mission described in para-
16 graph (2);

17 “(ii) the adequacy of resources and
18 staffing to achieve the mission described in
19 paragraph (2); and

20 “(C) establish offices to address gaps iden-
21 tified by the review under subparagraph (B)
22 and in furtherance of the mission described in
23 paragraph (2), putting an emphasis on estab-
24 lishing such offices—

1 “(i) where international civil aviation
2 authorities are located;

3 “(ii) where regional intergovernmental
4 organizations are located;

5 “(iii) in countries that have difficulty
6 maintaining a category 1 classification
7 through the International Aviation Safety
8 Assessment program; and

9 “(iv) in regions that have experienced
10 substantial growth in aerospace operations
11 or manufacturing.”.

12 (c) BILATERAL AVIATION SAFETY AGREEMENTS.—

13 (1) ESTABLISHMENT.—Section 40104(d) of
14 title 49, United States Code, (as redesignated by
15 section 325) is further amended by inserting after
16 paragraph (4) the following:

17 “(5) BILATERAL AVIATION SAFETY AGREE-
18 MENTS.—

19 “(A) IN GENERAL.—The Administrator
20 shall negotiate, enter into, promote, enforce,
21 evaluate the effectiveness of, and seek to update
22 bilateral or multilateral aviation safety agree-
23 ments, and the parts of such agreements, with
24 international aviation authorities.

1 “(B) PURPOSE.—The Administrator shall
2 seek to enter into bilateral aviation safety
3 agreements under this section to, at a min-
4 imum—

5 “(i) improve global aerospace safety;

6 “(ii) increase harmonization of, and
7 reduce duplicative, requirements, processes,
8 and approvals to advance the aerospace in-
9 terests of the United States;

10 “(iii) ensure access to international
11 markets for operators, service providers,
12 and manufacturers from the United States;
13 and

14 “(iv) put in place procedures for re-
15 course when a party to such agreements
16 fails to meet the obligations of such party
17 under such agreements.

18 “(C) SCOPE.—The scope of a bilateral
19 aviation safety agreement entered into under
20 this section shall, as appropriate, cover existing
21 aerospace users and concepts and establish a
22 process by which bilateral aviation safety agree-
23 ments can be updated to include new and novel
24 concepts on an ongoing basis.

1 “(D) CONTENTS.—Bilateral aviation safety
2 agreements entered into under this section
3 shall, as appropriate and consistent with United
4 States law and regulation, include topics such
5 as—

6 “(i) airworthiness, certification, and
7 validation;

8 “(ii) maintenance;

9 “(iii) operations and pilot training;

10 “(iv) airspace access, efficiencies, and
11 navigation services;

12 “(v) transport category aircraft;

13 “(vi) fixed-wing aircraft, rotorcraft,
14 and powered-lift aircraft;

15 “(vii) aerodrome certification;

16 “(viii) unmanned aircraft and associ-
17 ated elements of such aircraft;

18 “(ix) flight simulation training de-
19 vices;

20 “(x) new or emerging aerospace tech-
21 nologies and technology trends; and

22 “(xi) other topics as determined ap-
23 propriate by the Administrator.

24 “(E) RULE OF CONSTRUCTION.—Bilateral
25 or multilateral aviation safety agreements en-

1 tered into under this subsection shall not be
2 construed to diminish or alter any authority of
3 the Administrator under any other provision of
4 law.”.

5 (2) AUDIT OF VALIDATION ACTIVITIES UNDER
6 BILATERAL AVIATION SAFETY AGREEMENTS.—

7 (A) IN GENERAL.—Not later than 2 years
8 after the date of enactment of this Act, the in-
9 spector general of the Department of Transpor-
10 tation shall initiate an audit of bilateral compli-
11 ance with respect to the validation of aircraft
12 and aircraft parts as set forth in bilateral or
13 multilateral aviation safety agreements between
14 the Federal Aviation Administration and the
15 civil aviation authorities of—

16 (i) the European Union;

17 (ii) Canada;

18 (iii) Brazil;

19 (iv) China;

20 (v) the United Kingdom; and

21 (vi) any other country as determined
22 by the inspector general.

23 (B) REVIEW CONTENTS.—As part of the
24 review required under this subsection, the in-

1 spectator general shall evaluate the performance
2 of validation programs by assessing—

3 (i) validation timelines and milestones
4 for individual projects;

5 (ii) trends relating to the repeated use
6 of nonbasic criteria to review systems and
7 methods of compliance that have been vali-
8 dated previously in similar contexts;

9 (iii) the extent to which implementa-
10 tion tools such as validation workplans and
11 safety emphasis items have addressed vali-
12 dation issues;

13 (iv) the perspective of Administration
14 employees;

15 (v) the perspective of employees of
16 other civil aviation authorities, who wish to
17 provide such perspective, on the validation
18 of products certified in the United States
19 and the validation of products by the
20 United States of products certified abroad;
21 and

22 (vi) the perspective of domestic and
23 foreign industry applicants seeking valida-
24 tion of aircraft and aircraft parts.

1 (C) REPORT AND RECOMMENDATIONS.—

2 Not later than 14 months after beginning the
3 audit under paragraph (1), the Comptroller
4 General shall provide to the Administrator of
5 the Federal Aviation Administration, the Com-
6 mittee on Transportation and Infrastructure of
7 the House of Representatives and the Com-
8 mittee on Commerce, Science, and Transpor-
9 tation of the Senate a report summarizing the
10 findings of the audit and any recommendations
11 to increase compliance and improve the valida-
12 tion timeframes of aircraft and aircraft parts.

13 (d) INTERNATIONAL ENGAGEMENT STRATEGY.—

14 Section 40104(d) of title 49, United States Code, (as re-
15 designated by section 325) is further amended by inserting
16 after paragraph (5) the following:

17 “(6) STRATEGIC PLAN.—The Administrator
18 shall maintain a strategic plan for the international
19 engagement of the Administration that includes—

20 “(A) all elements of the report required in
21 section 243(b)(1) of the FAA Reauthorization
22 Act of 2018 (49 U.S.C. 44701 note);

23 “(B) measures to fulfill the mission de-
24 scribed in paragraph (2);

1 “(C) initiatives to attain greater expertise
2 among employees of the Federal Aviation Ad-
3 ministration in issues related to dispute resolu-
4 tion, intellectual property, and expert control
5 laws;

6 “(D) policy regarding the future direction
7 and strategy of the United States engagement
8 with the International Civil Aviation Organiza-
9 tion;

10 “(E) procedures for acceptance of manda-
11 tory airworthiness information, such as air-
12 worthiness directives, and other safety-related
13 regulatory documents, including procedures to
14 implement the requirements of section
15 44701(e)(5);

16 “(F) all factors, including funding and
17 resourcing, necessary for the Administration to
18 maintain leadership in the global activities re-
19 lated to aviation safety and air transportation;
20 and

21 “(G) establishment of, and a process to
22 regularly track and update, metrics to measure
23 the effectiveness of, and foreign civil aviation
24 authority compliance with, bilateral aviation
25 safety agreements.”.

1 **SEC. 503. AVAILABILITY OF PERSONNEL FOR INSPECTIONS,**
2 **SITE VISITS, AND TRAINING.**

3 Section 40104 of title 49, United States Code, is fur-
4 ther amended by adding at the end the following:

5 “(g) TRAVEL.—The Administrator and the Secretary
6 of Transportation shall, in carrying out the responsibilities
7 described in subsection (a), delegate to the appropriate su-
8 pervisors of offices of the Administration the ability to au-
9 thorize the domestic and international travel of relevant
10 personnel who are not in the Federal Aviation Administra-
11 tion Executive System, without any additional approvals
12 required, for the purposes of—

13 “(1) promoting aviation safety, aircraft oper-
14 ations, air traffic, airport, unmanned aircraft sys-
15 tems, commercial space transportation, and other
16 aviation standards and regulations adopted by the
17 United States;

18 “(2) facilitating the adoption of United States
19 approaches on standards and recommended practices
20 at the International Civil Aviation Organization;

21 “(3) promoting environmental standards adopt-
22 ed by the United States and standards promulgated
23 under section 44714;

24 “(4) supporting the acceptance of Administra-
25 tion design and production approvals by other civil
26 aviation authorities;

1 “(5) training Administration personnel and
2 training provided to other persons;

3 “(6) engaging with regulated entities, including
4 performing site visits;

5 “(7) activities associated with subsections (e)
6 through (f) of this section; and

7 “(8) other activities as determined by the Ad-
8 ministrators.”.

9 **SEC. 504. HELICOPTER AIR AMBULANCE OPERATIONS.**

10 (a) **OUTDATED AIR AMBULANCE RULEMAKING RE-**
11 **QUIREMENT.**—Section 44730 of title 49, United States
12 Code, is amended—

13 (1) in subsection (a)(1) by striking “not later
14 than 180 days after the date of enactment of this
15 section,”;

16 (2) in subsection (e) by striking “address the
17 following” and inserting “consider, or address
18 through other means, the following”;

19 (3) in subsection (d) by striking “provide for
20 the following” and inserting “consider, or address
21 through other means, the following”; and

22 (4) in subsection (e)—

23 (A) in the heading by striking “SUBSE-
24 QUENT RULEMAKING” and inserting “SUBSE-
25 QUENT ACTIONS”;

1 (B) in paragraph (1) by striking “shall
2 conduct a follow-on rulemaking to address the
3 following:” and inserting “shall address through
4 a follow-on rulemaking, or through such other
5 means that the Administrator considers appro-
6 priate, the following:”;

7 (C) by striking paragraph (2); and

8 (D) by redesignating paragraph (3) as
9 paragraph (2).

10 (b) SAFETY MANAGEMENT SYSTEMS BRIEFING.—

11 Not later than 180 days after the date of enactment of
12 this Act, the Administrator of the Federal Aviation Ad-
13 ministration shall brief the Committee on Transportation
14 and Infrastructure of the House of Representatives and
15 the Committee on Commerce, Science, and Transportation
16 of the Senate on how the proposed rule published on Janu-
17 ary, 11, 2023, titled “Safety Management System” (88
18 Fed. Reg. 1932) will—

19 (1) improve helicopter air ambulance operations
20 and piloting; and

21 (2) consider the use of safety equipment by
22 flight crew and medical personnel on a helicopter
23 conducting an air ambulance operation.

1 (c) IMPROVEMENT OF PUBLICATION OF HELICOPTER
2 AIR AMBULANCE OPERATIONS DATA.—Section 44731 of
3 title 49, United States Code, is amended—

4 (1) by striking subsection (d);

5 (2) in subsection (e)—

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

8 (B) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) make publicly available, in part or in
11 whole, on the website of the Federal Aviation Ad-
12 ministration website, the database developed pursu-
13 ant to subsection (c); and

14 “(3) analyze the data submitted under sub-
15 section (a) periodically and use such data to inform
16 efforts to improve the safety of helicopter air ambu-
17 lance operations.”; and

18 (3) by redesignating subsections (e) and (f) as
19 subsections (d) and (e), respectively.

20 **SEC. 505. GLOBAL AIRCRAFT MAINTENANCE SAFETY IM-**
21 **PROVEMENTS.**

22 (a) FAA OVERSIGHT OF REPAIR STATIONS LOCATED
23 OUTSIDE THE UNITED STATES.—

24 (1) IN GENERAL.—Section 44733 of title 49,
25 United States Code, is amended—

1 (A) in the heading by striking “**Inspection**” and inserting “**Oversight**”;

2
3 (B) in subsection (a) by striking “Not
4 later than 1 year after the date of enactment of
5 this section, the” and inserting “The”;

6 (C) in subsection (e)—

7 (i) by inserting “, without prior notice
8 to such repair stations,” after “annually”;

9 (ii) by inserting “and the applicable
10 laws of the country in which the repair sta-
11 tion is located” after “international agree-
12 ments”; and

13 (iii) by striking the last sentence and
14 inserting “The Administrator may carry
15 out announced or unannounced inspections
16 in addition to the annual unannounced in-
17 spection required under this subsection
18 based on identified risks and in a manner
19 consistent with United States obligations
20 under international agreements and the
21 applicable laws of the country in which the
22 part 145 repair station is located.”;

23 (D) by redesignating subsection (g) as sub-
24 section (j); and

1 (E) by inserting after subsection (f) the
2 following:

3 “(g) DATA ANALYSIS.—

4 “(1) IN GENERAL.—Each fiscal year in which a
5 part 121 air carrier has had heavy maintenance
6 work performed on an aircraft owned or operated by
7 such carrier, such carrier shall provide to the Ad-
8 ministrator, not later than the end of the following
9 fiscal year, a report containing the information de-
10 scribed in paragraph (2).

11 “(2) INFORMATION REQUIRED.—A report under
12 paragraph (1) shall contain the following:

13 “(A) The location where any heavy mainte-
14 nance work on aircraft was performed outside
15 the United States.

16 “(B) A description of the work performed
17 at each such location.

18 “(C) The date of completion of the work
19 performed at each such location.

20 “(D) A list of all failures, malfunctions, or
21 defects affecting the safe operation of such air-
22 craft identified by the air carrier not later than
23 30 days after the date on which an aircraft is
24 returned to service, organized by reference to
25 aircraft registration number, that—

1 “(i) requires corrective action after
2 the aircraft is approved for return to serv-
3 ice; and

4 “(ii) results from such work per-
5 formed on such aircraft.

6 “(E) The certificate number of the person
7 approving such aircraft or on-wing aircraft en-
8 gine, for return to service following completion
9 of the work performed at each such location.

10 “(3) ANALYSIS.—The Administrator shall—

11 “(A) analyze information provided under
12 this subsection and sections 121.703, 121.705,
13 121.707, and 145.221 of title 14, Code of Fed-
14 eral Regulations, or any successor provisions of
15 such title, to detect safety issues associated
16 with heavy maintenance work on aircraft per-
17 formed outside the United States; and

18 “(B) require appropriate actions by an air
19 carrier or repair station in response to any safe-
20 ty issue identified by the analysis conducted
21 under subparagraph (A).

22 “(4) CONFIDENTIALITY.—Information provided
23 under this subsection shall be subject to the same
24 protections given to voluntarily provided safety or
25 security related information under section 40123.

1 “(h) APPLICATIONS AND PROHIBITION.—

2 “(1) IN GENERAL.—The Administrator may not
3 approve any new application under part 145 of title
4 14, Code of Federal Regulations, from a person lo-
5 cated or headquartered in a country that the Admin-
6 istration, through the International Aviation Safety
7 Assessment program, has classified as Category 2.

8 “(2) EXCEPTION.—Paragraph (1) shall not
9 apply to an application for the renewal of a certifi-
10 cate issued under part 145 of title 14, Code of Fed-
11 eral Regulations.

12 “(3) MAINTENANCE IMPLEMENTATION PROCE-
13 DURES AGREEMENT.—The Administrator may elect
14 not to enter into a new maintenance implementation
15 procedures agreement with a country classified as
16 Category 2, for as long as the country remains clas-
17 sified as Category 2.

18 “(3) PROHIBITION ON CONTINUED HEAVY
19 MAINTENANCE WORK.—No part 121 air carrier may
20 enter into a new contract for heavy maintenance
21 work with a person located or headquartered in a
22 country that the Administrator, through the Inter-
23 national Aviation Safety Assessment program, has
24 classified as Category 2, for as long as such country
25 remains classified as Category 2.

1 “(i) MINIMUM QUALIFICATIONS FOR MECHANICS
2 AND OTHERS WORKING ON U.S. REGISTERED AIR-
3 CRAFT.—

4 “(1) IN GENERAL.—Not later than 2 years
5 after the date of enactment of this subsection, the
6 Administrator shall require that, at each covered re-
7 pair station—

8 “(A) all supervisory personnel of such sta-
9 tion are appropriately certificated as a me-
10 chanic or repairman under part 65 of title 14,
11 Code of Federal Regulations, or under an
12 equivalent certification or licensing regime, as
13 determined by the Administrator; and

14 “(B) all personnel of such station author-
15 ized to approve an article for return to service
16 are appropriately certificated as a mechanic or
17 repairman under part 65 of such title, or under
18 an equivalent certification or licensing regime,
19 as determined by the Administrator.

20 “(2) AVAILABLE FOR CONSULTATION.—Not
21 later than 2 years after the date of enactment of
22 this subsection, the Administrator shall require any
23 individual who is responsible for approving an article
24 for return to service or who is directly in charge of
25 heavy maintenance work performed on aircraft oper-

1 ated by a part 121 air carrier be available for con-
2 sultation while work is being performed at a covered
3 repair station.”.

4 (2) DEFINITIONS.—

5 (A) IN GENERAL.—Section 44733(j) of
6 title 49, United States Code (as redesignated by
7 this section), is amended—

8 (i) in paragraph (1) by striking “air-
9 craft” and inserting “aircraft (including
10 on-wing aircraft engines)”;

11 (ii) by redesignating paragraphs (1)
12 through (3) as paragraphs (2) through (4),
13 respectively; and

14 (iii) by inserting before paragraph (2),
15 as so redesignated, the following:

16 “(1) COVERED REPAIR STATION.—The term
17 ‘covered repair station’ means a facility that—

18 “(A) is located outside the United States;

19 “(B) is a part 145 repair station; and

20 “(C) performs heavy maintenance work on
21 aircraft operated by a part 121 air carrier.”.

22 (B) TECHNICAL AMENDMENT.—Section
23 44733(a)(3) of title 49, United States Code, is
24 amended by striking “covered part 145 repair

1 stations” and inserting “part 145 repair sta-
2 tions”.

3 (3) CONFORMING AMENDMENTS.—The analysis
4 for chapter 447 of title 49, United States Code, is
5 amended by striking the item relating to section
6 44733 and inserting the following:

“44733. Oversight of repair stations located outside the United States.”.

7 (b) INTERNATIONAL STANDARDS FOR SAFETY OVER-
8 SIGHT OF EXTRATERRITORIAL REPAIR STATIONS.—

9 (1) ESTABLISHMENT.—Not later than 1 year
10 after the date of enactment of this Act, the Adminis-
11 trator of the Federal Aviation Administration shall
12 invite other civil aviation authorities to convene with
13 the Administration an extraterritorial repair station
14 working group (hereinafter referred to as the
15 “Working Group”) to conduct a review of the certifi-
16 cation and oversight of extraterritorial repair sta-
17 tions and to identify any future enhancements or
18 harmonization that might be appropriate to
19 strengthen oversight of such repair stations and im-
20 prove global aviation safety.

21 (2) COMPOSITION OF WORKING GROUP.—The
22 Working Group shall consist of—

23 (A) technical representatives from the
24 FAA; and

1 (B) such other civil aviation authorities or
2 international intergovernmental aviation safety
3 organizations as the Administrator determines
4 appropriate and are willing to participate, in-
5 cluding—

6 (i) civil aviation authorities respon-
7 sible for certificating extraterritorial repair
8 stations; and

9 (ii) civil aviation authorities of coun-
10 tries in which extraterritorial repair sta-
11 tions are located.

12 (3) CONSULTATION.—In conducting the review
13 under this section, the Working Group shall, as ap-
14 propriate, consult with relevant experts and stake-
15 holders.

16 (4) RECOMMENDATIONS.—The Working Group
17 shall make recommendations with respect to any fu-
18 ture enhancements that might be appropriate to—

19 (A) strengthen oversight of extraterritorial
20 repair stations; and

21 (B) better leverage the resources of other
22 civil aviation authorities to conduct such over-
23 sight.

24 (5) REPORTS.—

1 (A) REPAIR STATION WORKING GROUP RE-
2 PORT.—In establishing the Working Group, the
3 Administrator shall task the Working Group
4 with submitting to the participating civil avia-
5 tion authorities a report containing the findings
6 of the recommendations made under paragraph
7 (4).

8 (B) FAA REPORT.—

9 (i) TRANSMISSION OF REPAIR STA-
10 TION WORKING GROUP REPORT.—The Ad-
11 ministrator shall submit to the Committee
12 on Transportation and Infrastructure of
13 the House of Representatives, and the
14 Committee on Commerce, Science, and
15 Transportation of the Senate a copy of the
16 report required under subparagraph (A) as
17 soon as is practicable after the receipt of
18 such report.

19 (ii) FAA BRIEFING TO CONGRESS.—
20 Not later than 45 days after receipt of the
21 report under paragraph (1), the Adminis-
22 trator shall brief the Committee on Trans-
23 portation and Infrastructure of the House
24 of Representatives and the Committee on

1 Commerce, Science, and Transportation of
2 the Senate on—

3 (I) whether the Administrator
4 concurs or does not concur with each
5 recommendation contained in the re-
6 port required under subparagraph
7 (A);

8 (II) any recommendation with
9 which the Administrator does not con-
10 cur, a detailed explanation as to why
11 the Administrator does not concur;

12 (III) a plan to implement each
13 recommendation with which the Ad-
14 ministrator concurs; and

15 (IV) a plan to work with the
16 international community to implement
17 the recommendations applicable to
18 both the FAA as well as other civil
19 aviation authorities.

20 (6) TERMINATION.—The Working Group shall
21 terminate 90 days after the date of submission of
22 the report under paragraph (5)(A), unless the Ad-
23 ministrator or another participant of the Working
24 Group requests for an extension of the Working
25 Group in order to inform the implementation and

1 harmonization of any recommendation applicable to
2 multiple civil aviation authorities.

3 (7) DEFINITION OF EXTRATERRITORIAL REPAIR
4 STATION.—In this section, the term “extraterritorial
5 repair station” means a repair station that performs
6 heavy maintenance work on an aircraft (including
7 on-wing engines) and that is located outside of the
8 territory of the country of the civil aviation authority
9 which certificated the repair station.

10 (c) ALCOHOL AND DRUG TESTING AND BACK-
11 GROUND CHECKS.—

12 (1) IN GENERAL.—Not later than 2 years after
13 the date of enactment of this Act, and annually
14 thereafter, the Administrator shall submit to the
15 Committee on Transportation and Infrastructure of
16 the House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Sen-
18 ate a report updating Congress on the progress and
19 challenges involved with carrying out the require-
20 ments of subsection (b) of section 2112 of the FAA
21 Extension, Safety, and Security Act of 2016 (49
22 U.S.C. 44733).

23 (2) SUNSET.—The reporting requirement under
24 paragraph (1) shall cease to be effective after a final
25 rule carrying out the requirements of such sub-

1 section (b) has been published in the Federal Reg-
2 ister.

3 (3) RULEMAKING ON ASSESSMENT REQUIRE-
4 MENT.—With respect to any employee not covered
5 under the requirements of section 1554.101 of title
6 49, Code of Federal Regulations, the Administrator
7 shall initiate a rulemaking or request the head of an-
8 other Federal agency to initiate a rulemaking that
9 requires a covered repair station to confirm that any
10 such employee has successfully completed an assess-
11 ment commensurate with a security threat assess-
12 ment described in subpart C of part 1540 of such
13 title.

14 (d) DEFINITIONS.—In this section:

15 (1) FAA.—The term “FAA” means the Fed-
16 eral Aviation Administration.

17 (2) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the FAA.

19 (3) COVERED REPAIR STATION; HEAVY MAINTEN-
20 NANCE WORK.—The terms “covered repair station”
21 and “heavy maintenance work” have the meaning
22 given those terms in section 44733(j) of title 49,
23 United States Code.

1 **SEC. 506. ODA BEST PRACTICE SHARING.**

2 Section 44736(b) of title 49, United States Code, is
3 amended—

4 (1) in paragraph (1) by striking “Not later
5 than 120 days after the date of enactment of this
6 section, the” and insert “The”; and

7 (2) in paragraph (3)—

8 (A) in subparagraph (E) by striking “and”
9 at the end;

10 (B) in subparagraph (F) by striking the
11 period and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(G) convene a forum not less than every
14 2 years between ODA holders, unit members,
15 and other organizational representatives and
16 relevant experts, in order to—

17 “(i) share best practices;

18 “(ii) instill professionalism, ethics,
19 and personal responsibilities in unit mem-
20 bers; and

21 “(iii) foster open and transparent
22 communication between Administration
23 safety specialists, ODA holders, and unit
24 members.”.

1 **SEC. 507. TRAINING OF ORGANIZATION DELEGATION AU-**
2 **THORITY UNIT MEMBERS.**

3 (a) UNIT MEMBER ANNUAL ETHICS TRAINING.—
4 Section 44736 of title 49, United States Code, is further
5 amended by adding at the end the following:

6 “(g) ETHICS TRAINING REQUIREMENT FOR ODA
7 HOLDERS.—

8 “(1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this subsection, the Admin-
10 istrator of the Federal Aviation Administration shall
11 review and ensure each ODA holder approved under
12 section 44741 has in effect a recurrent training pro-
13 gram for all ODA unit members that covers—

14 “(A) unit member professional obligations
15 and responsibilities;

16 “(B) the ODA holder’s code of ethics as
17 required to be established under section 102(f)
18 of the Aircraft Certification, Safety, and Ac-
19 countability Act (49 U.S.C. 44701 note);

20 “(C) procedures for reporting safety con-
21 cerns, as described in the respective approved
22 procedures manual for the delegation;

23 “(D) the prohibition against and reporting
24 procedures for interference from a supervisor or
25 other ODA member described in section 44742;
26 and

1 “(E) any additional information the Ad-
2 ministrator considers relevant to maintaining
3 ethical and professional standards across all
4 ODA holders and unit members.

5 “(2) FAA REVIEW.—

6 “(A) REVIEW OF TRAINING PROGRAM.—
7 The Organization Designation Authorization
8 Office of the Administration shall review each
9 ODA holders’ recurrent training program to en-
10 sure such program includes all elements de-
11 scribed in paragraph (1).

12 “(B) CHANGES TO PROGRAM.—Such Office
13 may require changes to the training program
14 considered necessary to maintain ethical and
15 professional standards across all ODA holders
16 and unit members.

17 “(3) TRAINING.—As part of the recurrent
18 training required under paragraph (1), not later
19 than 60 business days after being designated as an
20 ODA unit member, and annually thereafter, each
21 ODA unit member shall complete the ethics training
22 required by the ODA holder of the respective ODA
23 unit member in order to exercise the functions dele-
24 gated under the ODA.

1 “(4) ACCOUNTABILITY.—The Administrator
2 shall establish such processes or requirements as are
3 necessary to ensure compliance with paragraph
4 (3).”.

5 (b) DEADLINE.—An ODA unit member authorized to
6 perform delegated functions under an ODA prior to the
7 date of completion of an ethics training required under
8 section 44736(g) of title 49, United States Code, shall
9 complete such training not later than 30 days after the
10 training program is approved by the Administrator of the
11 Federal Aviation Administration pursuant to such section.

12 **SEC. 508. CLARIFICATION ON SAFETY MANAGEMENT SYS-**
13 **TEM INFORMATION DISCLOSURE.**

14 Section 44735 of title 49, United States Code, is
15 amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1) by striking “; or”
18 and inserting a semicolon;

19 (B) in paragraph (2) by striking the period
20 at the end and inserting “; or”; and

21 (C) by adding at the end the following:

22 “(3) if the report, data, or other information is
23 submitted for any purpose relating to the develop-
24 ment, implementation, and use of a safety manage-

1 ment system, including a system required by regula-
2 tion, that is acceptable to the Administrator.”; and

3 (2) by adding at the end the following:

4 “(d) OTHER AGENCIES.—

5 “(1) IN GENERAL.—The limitation established
6 under subsection (a) shall apply to the head of any
7 other Federal agency who receives reports, data, or
8 other information described in such subsection from
9 the Administrator.

10 “(2) RULE OF CONSTRUCTION.—This section
11 shall not be construed to limit the accident or inci-
12 dent investigation authority of the National Trans-
13 portation Safety Board under chapter 11 of this
14 title, including the requirement to not disclose volun-
15 tarily provided safety-related information under sec-
16 tion 1114.”.

17 **SEC. 509. EXTENSION OF AIRCRAFT CERTIFICATION, SAFE-**
18 **TY, AND ACCOUNTABILITY ACT REPORTING**
19 **REQUIREMENTS.**

20 (a) APPEALS OF CERTIFICATION DECISIONS.—Sec-
21 tion 44704(g)(1)(C)(ii) of title 49, United States Code,
22 is amended by striking “2025” and inserting “2028”.

23 (b) OVERSIGHT OF ORGANIZATION DESIGNATION
24 AUTHORIZATION UNIT MEMBERS.—Section 44741(f)(2)
25 of title 49, United States Code, is amended by striking

1 “Not later than 90 days” and all that follows through “the
2 Administrator shall provide a briefing” and inserting “The
3 Administrator shall provide an annual briefing each fiscal
4 year through fiscal year 2028”.

5 (c) INTEGRATED PROJECT TEAMS.—Section 108(f)
6 of the Aircraft Certification, Safety, and Accountability
7 Act (49 U.S.C. 44704 note) is amended by striking
8 “2023” and inserting “2028”.

9 (d) VOLUNTARY SAFETY REPORTING PROGRAM.—
10 Section 113(f) of the Aircraft Certification, Safety, and
11 Accountability Act (49 U.S.C. 44701 note) is amended by
12 striking “2023” and inserting “2028”.

13 (e) CHANGED PRODUCT RULE.—Section 117(b)(1)
14 of the Aircraft Certification, Safety, and Accountability
15 Act (49 U.S.C. 44704 note) is amended by striking
16 “2023” and inserting “2028”.

17 **SEC. 510. DON YOUNG ALASKA AVIATION SAFETY INITIA-**
18 **TIVE.**

19 (a) IN GENERAL.—Chapter 447 of title 49, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 **“§ 44745. Don Young Alaska Aviation Safety Initia-**
23 **tive.**

24 “(a) IN GENERAL.—The Administrator of the Fed-
25 eral Aviation Administration shall redesignate the FAA

1 Alaska Aviation Safety Initiative of the Administration as
2 the Don Young Alaska Aviation Safety Initiative (in this
3 section referred to as the ‘Initiative’), under which the Ad-
4 ministrator shall carry out the provisions of this section
5 and take such other actions as the Administrator deter-
6 mines appropriate to improve aviation safety in covered
7 locations.

8 “(b) OBJECTIVE.—The objective of the Initiative
9 shall be to work cooperatively with aviation stakeholders
10 and other stakeholders towards the goal of—

11 “(1) reducing the rate of fatal aircraft acci-
12 dents in covered locations by 90 percent from 2019
13 to 2033; and

14 “(2) by January 1, 2033, eliminating fatal acci-
15 dents of aircraft operated by an air carrier that op-
16 erates under part 135 of title 14, Code of Federal
17 Regulations.

18 “(c) LEADERSHIP.—

19 “(1) IN GENERAL.—The Administrator shall
20 designate the Regional Administrator for the Alas-
21 kan Region of the Administration to serve as the Di-
22 rector of the Initiative.

23 “(2) REPORTING CHAIN.—In all matters relat-
24 ing to the Initiative, the Director of the Initiative
25 shall report directly to the Administrator.

1 “(3) COORDINATION.—The Director of the Ini-
2 tiative shall coordinate with the heads of other of-
3 fices and lines of business of the Administration, in-
4 cluding the other regional administrators, to carry
5 out the Initiative.

6 “(d) AUTOMATED WEATHER SYSTEMS.—

7 “(1) REQUIREMENT.—The Administrator shall
8 ensure, to the greatest extent practicable, for the in-
9 stallation and operation of a covered automated
10 weather system at each covered airport not later
11 than December 31, 2030.

12 “(2) WAIVER.—In complying with the require-
13 ment under paragraph (1), the Administrator may
14 waive any positive benefit-cost ratio requirement for
15 the installation and operation of a covered auto-
16 mated weather system.

17 “(3) PRIORITIZATION.—In developing the in-
18 stallation timeline of a covered automated weather
19 system at a covered airport pursuant to this sub-
20 section, the Administrator shall—

21 “(A) coordinate and consult with the gov-
22 ernments with jurisdiction over covered loca-
23 tions, covered airports, air carriers operating in
24 covered locations, private pilots based in cov-

1 ered locations, and such other members of the
2 aviation community in covered locations; and

3 “(B) prioritize early installation at covered
4 airports that would enable the greatest number
5 of instrument flight rule operations by air car-
6 riers operating under part 135 of title 14, Code
7 of Federal Regulations.

8 “(4) RELIABILITY.—

9 “(A) IN GENERAL.—Pertaining to both
10 Federal and non-Federal systems, the Adminis-
11 trator shall be responsible for ensuring—

12 “(i) the reliability of covered auto-
13 mated weather systems; and

14 “(ii) the availability of weather infor-
15 mation from such systems.

16 “(B) SPECIFICATIONS.—The Adminis-
17 trator shall establish data availability and
18 equipment reliability specifications for covered
19 automated weather systems.

20 “(C) SYSTEM RELIABILITY AND RESTORA-
21 TION PLAN.—Not later than 2 years after the
22 date of enactment of this section, the Adminis-
23 trator shall establish an automated weather sys-
24 tem reliability and restoration plan. Such plan
25 shall document the Administrator’s strategy for

1 ensuring covered automated weather system re-
2 liability, including the availability of weather in-
3 formation from such system, and for restoring
4 service in as little time as possible.

5 “(D) TELECOMMUNICATIONS OR OTHER
6 FAILURES.—If a covered automated weather
7 system is unable to broadly disseminate weather
8 information due to a telecommunications failure
9 or a failure other than an equipment failure,
10 the Administrator shall take such actions as
11 may be necessary to restore the full
12 functionality and connectivity of the covered
13 automated weather system. The Administrator
14 shall take actions under this subparagraph with
15 the same urgency as the Administrator would
16 take an action to repair a covered automated
17 weather system equipment failure or data fidel-
18 ity issue.

19 “(E) RELIABILITY DATA.—In tabulating
20 data relating to the operational status of cov-
21 ered automated weather systems (including in-
22 dividually or collectively), the Administrator
23 may not consider a covered automated weather
24 system that is functioning nominally but is un-
25 able to broadly disseminate weather information

1 telecommunications failure or a failure other
2 than an equipment failure as functioning reli-
3 ably.

4 “(5) INVENTORY.—The Administrator shall
5 consider storing excess inventory necessary air traf-
6 fic control equipment, including commonly required
7 replacement parts, in covered locations to reduce the
8 amount of time necessary to acquire such equipment
9 or such parts necessary to replace or repair air traf-
10 fic control system components.

11 “(6) VISUAL WEATHER OBSERVATION SYS-
12 TEM.—Not later than 1 year after the date of enact-
13 ment of this section, the Administrator shall take
14 such actions as may be necessary to—

15 “(A) deploy visual weather observation sys-
16 tems; and

17 “(B) ensure that such systems are capable
18 of meeting the definition of covered automated
19 weather systems.

20 “(e) WEATHER CAMERAS.—

21 “(1) IN GENERAL.—The Director shall continu-
22 ously assess the state of the weather camera systems
23 in covered locations to ensure the operational suffi-
24 ciency and reliability of such systems.

25 “(2) APPLICATIONS.—The Director shall—

1 “(A) accept applications from persons to
2 install weather cameras; and

3 “(B) consult with the governments with ju-
4 risdiction over covered locations, covered air-
5 ports, air carriers operating in covered loca-
6 tions, private pilots based in covered locations,
7 and such other members of the aviation com-
8 munity in covered locations as the Adminis-
9 trator determines appropriate to solicit addi-
10 tional locations at which to install and operate
11 weather cameras.

12 “(3) PRESUMPTION.—Unless the Director has
13 clear and compelling evidence to the contrary, the
14 Director shall presume that the installation of a
15 weather camera at a covered airport, or that is rec-
16 ommended by a government with jurisdiction over a
17 covered location, is cost beneficial and will improve
18 aviation safety.

19 “(f) COOPERATION WITH OTHER AGENCIES.—In
20 carrying out this section, the Administrator shall cooper-
21 ate with the heads of other Federal or State agencies with
22 responsibilities affecting aviation safety in covered loca-
23 tions, including the collection and dissemination of weath-
24 er data.

25 “(g) SURVEILLANCE AND COMMUNICATION.—

1 “(1) IN GENERAL.—The Director shall take
2 such actions as may be necessary to—

3 “(A) encourage and incentivize the equi-
4 page of aircrafts that operate under part 135 of
5 title 14, Code of Federal Regulations, with
6 automatic dependent surveillance and broadcast
7 out equipment; and

8 “(B) improve aviation surveillance and
9 communications in covered locations.

10 “(2) REQUIREMENT.—Not later than December
11 31, 2030, the Administrator shall ensure that auto-
12 matic dependent surveillance and broadcast coverage
13 is available at 5,000 feet above ground level
14 throughout each covered location.

15 “(3) WAIVER.—In complying with the require-
16 ment under paragraph (2), the Administrator shall
17 waive any positive benefit-cost ratio requirement for
18 the installation and operation of equipment and fa-
19 cilities necessary to implement such requirement.

20 “(4) SERVICE AREAS.—The Director shall con-
21 tinuously identify additional automatic dependent
22 surveillance-broadcast service areas in which the de-
23 ployment of automatic dependent surveillance-broad-
24 cast receivers and equipment would improve aviation
25 safety.

1 “(h) OTHER PROJECTS.—The Director shall continue
2 to build upon other initiatives recommended in the reports
3 of the FAA Alaska Aviation Safety Initiative of the Ad-
4 ministration published before the date of enactment of this
5 section.

6 “(i) ANNUAL REPORT.—

7 “(1) IN GENERAL.—The Director shall submit
8 an annual report on the status and progress of the
9 Initiative to the Committee on Transportation and
10 Infrastructure of the House of Representatives and
11 the Committee on Commerce, Science, and Trans-
12 portation of the Senate.

13 “(2) OBJECTIVES AND REQUIREMENTS.—The
14 report under paragraph (1) shall include a detailed
15 description of the Director’s progress in and plans
16 for meeting the objectives of the Initiative under
17 subsection (b) and the other requirements of this
18 section.

19 “(3) STAKEHOLDER COMMENTS.—The Director
20 shall append stakeholder comments, organized by
21 topic, to each report submitted under paragraph (1)
22 in the same manner as appendix 3 of the report ti-
23 tled ‘FAA Alaska Aviation Safety Initiative FY21
24 Final Report’, dated September 30, 2021.

25 “(j) FUNDING.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of law, in fiscal years 2024 through
3 2028—

4 “(A) the Administrator may, upon applica-
5 tion from the government with jurisdiction over
6 a covered location, use amounts apportioned to
7 a covered location under subsection (d)(2)(B)
8 or subsection (e)(5) of section 47114 to carry
9 out the Initiative; or

10 “(B) the sponsor of an airport in a covered
11 location that receives an apportionment under
12 subsection (d)(2)(B) or subsection (e) of section
13 47114 may use such apportionment for any
14 purpose contained in this section.

15 “(2) SUPPLEMENTAL FUNDING.—Out of
16 amounts made available under section 106(k) and
17 section 48101, not more than a total of \$25,000,000
18 for each of fiscal year 2024 through 2028 is author-
19 ized to be expended to carry out the Initiative.

20 “(k) DEFINITIONS.—In this section:

21 “(1) COVERED AIRPORT.—The term ‘covered
22 airport’ means an airport in a covered location that
23 is included in the national plan of integrated airport
24 systems required under section 47103 and that has
25 a status other than unclassified in such plan.

1 “(2) COVERED AUTOMATED WEATHER SYS-
2 TEM.—The term ‘covered automated weather sys-
3 tem’ means an automated or visual weather report-
4 ing facility that enables a pilot to begin an instru-
5 ment procedure approach to an airport under section
6 91.1039 or 135.225 of title 14, Code of Federal
7 Regulations.

8 “(3) COVERED LOCATION.—The term ‘covered
9 location’ means Alaska, Hawaii, Puerto Rico, Amer-
10 ican Samoa, Guam, the Northern Mariana Islands,
11 and the Virgin Islands.”.

12 (b) REMOTE POSITIONS.—Section 40122(g) of title
13 49, United States Code, is amended by adding at the end
14 the following:

15 “(6) REMOTE POSITIONS.—

16 “(A) IN GENERAL.—If the Administrator
17 determines that a covered position has not been
18 filled after multiple vacancy announcements and
19 that there are unique circumstances affecting
20 the ability of the Administrator to fill such posi-
21 tion, the Administrator may consider, in con-
22 sultation with the appropriate labor union, ap-
23 plicants for the covered position who apply
24 under a vacancy announcement recruiting from

1 the State or territory in which the position is
2 based.

3 “(B) COVERED POSITION DEFINED.—In
4 this paragraph, the term ‘covered position’
5 means a safety-critical position based in Alaska,
6 Hawaii, Puerto Rico, American Samoa, Guam,
7 the Northern Mariana Islands, and the Virgin
8 Islands.”.

9 (c) RUNWAY LENGTH.—Notwithstanding any other
10 provision of law, the Secretary of Transportation may not
11 require an airport to shorten a runway or prevent airport
12 improvement grants made by the Secretary to be used for
13 reconstructing and rehabilitating a primary runway on the
14 basis that the airport does not have a sufficient number
15 of aircraft operations requiring a certain runway length
16 if—

17 (1) the airport is located in a covered location;

18 (2) the airport is not connected to the road
19 transportation network; and

20 (3) the runway length is utilized by aircraft to
21 deliver necessary cargo, including heating fuel and
22 gasoline, for the community served by the airport.

23 (d) ALASKAN REGIONAL ADMINISTRATOR.—

24 (1) SENSE OF CONGRESS.—It is the sense of
25 Congress that—

1 (A) the Regional Administrator for the
2 Alaskan Region is a uniquely important position
3 that contributes to aviation safety in the State
4 of Alaska;

5 (B) vacancies in any Federal Aviation Ad-
6 ministration office have a deleterious effect on
7 the efficacy of the Alaskan Region office;

8 (C) a prolonged vacancy in the position of
9 Regional Administrator for the Alaskan Region
10 may be detrimental to the effective administra-
11 tion of such region and the Don Young Alaska
12 Aviation Safety Initiative; and

13 (D) the Administrator of the Federal Avia-
14 tion Administration should ensure that any va-
15 cancy in the position of Regional Administrator
16 for the Alaskan Region is filled with a highly
17 qualified candidate as expeditiously as possible.

18 (2) VACANCY NOTIFICATION REQUIREMENTS.—

19 (A) INITIAL VACANCY.—The Administrator
20 of the Federal Aviation Administration shall no-
21 tify the appropriate committees of Congress
22 when there is a vacancy for the position of Re-
23 gional Administrator for the Alaskan Region.

24 (B) STATUS UPDATES.—Not later than 90
25 days after the notification under subparagraph

1 (A) (and every 30 days thereafter until the va-
2 cancy described under subparagraph (A) is
3 filled), the Administrator shall notify the appro-
4 priate committees of Congress of any vacancy
5 of such position, if so, provide an estimated
6 timeline for filling such vacancy.

7 (C) APPROPRIATE COMMITTEES OF CON-
8 GRESS DEFINED.—In this paragraph, the term
9 “appropriate committees of Congress” means
10 the Committee on Transportation and Infra-
11 structure of the House of Representatives and
12 the Committee on Commerce, Science, and
13 Transportation of the Senate.

14 (D) SUNSET.—This paragraph shall cease
15 to be effective after September 30, 2028.

16 (e) IMPLEMENTATION OF NTSB RECOMMENDA-
17 TIONS.—

18 (1) IN GENERAL.—Not later than 3 years after
19 the date of enactment of this Act, the Administrator
20 shall takes such actions as may be necessary to im-
21 plement National Transportation Safety Board rec-
22 ommendations A–22–25 and A–22–26 (as contained
23 in Aviation Investigation Report AIR–22–09, adopt-
24 ed November 16, 2022).

1 (2) COORDINATION.—In taking actions under
2 paragraph (1), the Administrator shall coordinate
3 with the State of Alaska, airports in Alaska, air car-
4 riers operating in Alaska, private pilots (including
5 tour operators) based in Alaska, and such other
6 members of the Alaska aviation community or other
7 stakeholders as the Administrator determines appro-
8 priate.

9 (f) CLERICAL AMENDMENT.—The analysis for chap-
10 ter 447 of title 49, United States Code, is amended by
11 adding at the end the following:

“44745. Don Young Alaska Aviation Safety Initiative.”.

12 **SEC. 511. CONTINUED OVERSIGHT OF FAA COMPLIANCE**
13 **PROGRAM.**

14 Section 122 of the Aircraft Certification, Safety, and
15 Accountability Act (Public Law 116–260) is amended—

16 (1) by striking subsection (b)(2) and inserting
17 the following:

18 “(2) conduct an annual agency-wide evaluation
19 of the Compliance Program through fiscal year 2028
20 to assess the functioning and effectiveness of such
21 program and to determine—

22 “(A) the need for long-term metrics that,
23 to the maximum extent practicable, apply to all
24 program offices to assess the effectiveness of
25 the program;

1 “(B) if the program ensures the highest
2 level of compliance with safety standards; and

3 “(C) if the program has met its stated
4 safety goals and purpose;”;

5 (2) in subsection (e)(4) by striking “2023” and
6 inserting “2028”; and

7 (3) in subsection (d) by striking “2023” and in-
8 serting “2028”.

9 **SEC. 512. SCALABILITY OF SAFETY MANAGEMENT SYSTEMS.**

10 In conducting any rulemaking to require, or imple-
11 menting a regulation requiring, a safety management sys-
12 tem, the Administrator of the Federal Aviation Adminis-
13 tration shall consider the scalability of such safety man-
14 agement system requirements to the full range of entities
15 in terms of size or complexity that may be affected by such
16 rulemaking or regulation, including—

17 (1) how an entity can demonstrate compliance
18 using various documentation, tools, and methods, in-
19 cluding, as appropriate, systems with multiple small
20 operators collectively monitoring for and addressing
21 risks;

22 (2) a review of traditional safety management
23 techniques and the suitability of such techniques for
24 small entities;

1 (3) the applicability of existing safety manage-
2 ment system programs implemented by an entity;

3 (4) the suitability of existing requirements
4 under part 5 of title 14, Code of Federal Regula-
5 tions, for small entities; and

6 (5) other unique challenges relating to small en-
7 tities the Administrator determines appropriate to
8 consider.

9 **SEC. 513. FINALIZE SAFETY MANAGEMENT SYSTEM RULE-**
10 **MAKING.**

11 (a) **IN GENERAL.**—Not later than 180 days after the
12 date of enactment of this Act, the Administrator of the
13 Federal Aviation Administration shall issue a final rule
14 relating to the Notice of Proposed Rulemaking of the Fed-
15 eral Aviation Administration titled “Safety Management
16 Systems”, issued on January 11, 2023.

17 (b) **APPLICABILITY.**—In issuing a final rule under
18 subsection (a), the Administrator shall ensure that the
19 safety management system requirement under the Notice
20 of Proposed Rulemaking described in subsection (a) is ap-
21 plied to all certificate holders operating under the rules
22 for commuter and on-demand operations under part 135
23 of title 14, Code of Federal Regulations, commercial air
24 tour operators operating under section 91.147 of such
25 title, production certificate holders that are holders or li-

1 censees of a type certificate for the same product, and
2 holders of a type certificate who license out such certifi-
3 cate for production under part 21 of such title.

4 **SEC. 514. IMPROVEMENTS TO AVIATION SAFETY INFORMA-**
5 **TION ANALYSIS AND SHARING.**

6 (a) IN GENERAL.—Not later than 3 years after the
7 date of enactment of this Act, the Administrator of the
8 Federal Aviation Administration shall implement improve-
9 ments to the Aviation Safety Information Analysis and
10 Sharing Program with respect to safety data sharing and
11 risk mitigation.

12 (b) REQUIREMENTS.—In carrying out subsection (a),
13 the Administrator shall—

14 (1) identify methods to increase the rate at
15 which data is collected, processed, and analyzed to
16 expeditiously share safety intelligence;

17 (2) develop predictive capabilities to anticipate
18 emerging safety risks;

19 (3) identify methods to improve shared data en-
20 vironments with external stakeholders;

21 (4) establish a robust process for prioritizing
22 requests for safety information;

23 (5) establish guidance to encourage regular
24 safety inspector review of non-confidential aviation
25 safety and performance data;

1 (6) identify industry segments not yet included
2 and conduct outreach to such industry segments to
3 increase the rate of participation, including—

4 (A) general aviation;

5 (B) rotorcraft;

6 (C) air ambulance; and

7 (C) maintenance facilities; and

8 (7) establish processes for obtaining and ana-
9 lyzing comprehensive and aggregate data for new
10 and future industry segments.

11 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed—

13 (1) to require the Administrator to share con-
14 fidential or proprietary information and data to safe-
15 ty inspectors for purposes of enforcement; or

16 (2) to limit the applicability of section 44735 of
17 title 49, United States Code, to the Aviation Safety
18 Information Analysis and Sharing Program.

19 (d) BRIEFING.—Not later than 180 days after the
20 date of enactment of this Act, and every 6 months there-
21 after until the improvements under subsection (a) are
22 made, the Administrator shall brief the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives and the Committee on Commerce, Science,
25 and Transportation of the Senate on the progress of im-

1 plementation of the Aviation Safety Information Analysis
2 and Sharing Program and steps taken to make improve-
3 ments under subsection (a).

4 **SEC. 515. IMPROVEMENT OF CERTIFICATION PROCESSES.**

5 (a) IN GENERAL.—The Administrator of the Federal
6 Aviation Administration shall continually look for opportu-
7 nities and methods to improve the processing of applica-
8 tions, consideration of applications, communication with
9 applicants, and quality of feedback provided to applicants,
10 for aircraft certification projects.

11 (b) CERTIFICATION IMPROVEMENTS.—Not later than
12 270 days after the date of enactment of this Act, the Ad-
13 ministrator shall enter into an appropriate arrangement
14 with a qualified third-party organization or consortium to
15 identify and assess digital tools and software systems to
16 allow for efficient and virtual evaluation of an applicant
17 design, associated documentation, and software or systems
18 engineering product, including in digital 3 dimensional
19 formats or using model-based systems engineering design
20 techniques for aircraft certification projects.

21 (c) PARTIES TO REVIEW.—In identifying digital tools
22 and software systems as described in subsection (b), the
23 Administrator shall ensure that the qualified third-party
24 organization or consortium entering into an arrangement

1 under this section shall, throughout the review, consult
2 with—

3 (1) the aircraft certification and flight stand-
4 ards offices or services of the Administration; and

5 (2) at least 3 industry members representing
6 aircraft and aircraft part manufacturing interests.

7 (d) DIGITAL TOOL AND SOFTWARE SYSTEM RE-
8 QUIREMENTS.—In identifying digital tools and software
9 systems under subsection (b), the qualified third-party or-
10 ganization or consortium shall—

11 (1) consider the interoperability of such systems
12 to the extent practicable;

13 (2) consider the scalability and usability of such
14 systems for differing use-cases by aircraft manufac-
15 turers, aircraft operators, and the Administration,
16 including cross-office use-cases within the Adminis-
17 tration;

18 (3) consider such systems currently in use by
19 United States manufacturers or other civil aviation
20 authorities for certification and engineering pur-
21 poses;

22 (4) consider the—

23 (A) available technology support for such
24 systems; and

1 (B) ability for such systems to be updated
2 and adapted over time to improve user inter-
3 faces, including providing additional
4 functionalities and addressing gaps;

5 (5) consider the ability of digital tools and soft-
6 ware systems to aid in the electronic review of soft-
7 ware components of aircraft and aircraft systems;

8 (6) consider the ability of the Administration
9 and aircraft designers to use digital tools and soft-
10 ware systems for corrective actions and modifica-
11 tions in a more rapid fashion;

12 (7) determine if each system provides adequate
13 protections for the exchange of information between
14 governmental and nongovernmental entities, includ-
15 ing—

16 (A) intellectual property protections;

17 (B) cyber and network security protec-
18 tions; and

19 (C) the ability for governmental and non-
20 governmental entities to control what is accept-
21 able and what is restricted for other parties;

22 (8) evaluate the estimated ease of adoption and
23 any impediments to adoption for personnel of the
24 Federal Aviation Administration; and

1 (9) evaluate the ability for nongovernmental or-
2 ganizations of various sizes to adopt and utilize the
3 digital and software systems identified under sub-
4 section (b) to improve the aircraft certification appli-
5 cation and coordination processes with the Adminis-
6 tration.

7 (e) ASSESSMENT.—After reviewing digital and soft-
8 ware systems under subsection (b), the qualified third-
9 party organization or consortium shall provide an assess-
10 ment to the Administrator as to—

11 (1) whether or not digital and software systems
12 and tools would improve the coordination of the Ad-
13 ministration with industry;

14 (2) whether or not such systems and tools
15 would improve the ability of the Administration to
16 validate and verify aircraft and software designs in
17 non-paper formats; and

18 (3) the potential safety benefits or safety risks
19 of using such systems and tools.

20 (f) CONTENT OF ASSESSMENT.—In the event the
21 qualified third-party organization or consortium finds that
22 digital and software systems and tools would assist the
23 work of the Administration and improve certification
24 projects processing, the assessment described under sub-
25 section (e) shall also include—

1 (1) a prioritization, expected costs, and timeline
2 of acquisitions and training based on immediate and
3 future needs and benefits; and

4 (2) suggest actions the Administration could
5 take in order to institutionalize the use of such tech-
6 nologies at the headquarters and field offices of the
7 Administration, and to protect information shared
8 through such technologies, including recommended
9 updates to orders issued by the Administration.

10 (g) IMPLEMENTATION.—Based on the assessment re-
11 quired in subsections (e) and (f), if the qualified third-
12 party organization finds that the use of digital software
13 systems and tools would assist the work of the agency,
14 the Administrator shall—

15 (1) provide the Committee on Transportation
16 and Infrastructure of the House of Representatives
17 and the Committee on Commerce, Science, and
18 Transportation of the Senate with a briefing on the
19 intended actions of the Administrator;

20 (2) not later than 60 days after receiving such
21 assessment develop a plan to—

22 (A) work towards the acquisition of the
23 systems and tools recommended, subject to the
24 availability of appropriations;

1 (B) update any applicable orders and guid-
2 ance to allow for the use of these new systems
3 and tools by personnel of the Administration
4 and nongovernmental entities applying to or co-
5 ordinating with the Administration on certifi-
6 cation related activities, at the discretion of the
7 applicant or nongovernmental entity; and

8 (C) on an ongoing basis review and modify
9 orders and guidance to improve the use of these
10 systems and tools as well as addressing any in-
11 tellectual property vulnerabilities.

12 (h) BRIEFING.—Not later than 30 months after re-
13 ceiving such assessment, the Administrator shall provide
14 the committees described in paragraph (1) with a briefing
15 on the use, benefits, and any drawbacks of the systems
16 and tools, including comparisons between certification pro-
17 grams using and not using digital and software systems
18 and tools.

19 **SEC. 516. INSTRUCTIONS FOR CONTINUED AIRWORTHINESS**
20 **AVIATION RULEMAKING COMMITTEE.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Administrator of the
23 Federal Aviation Administration shall convene an aviation
24 rulemaking committee to review, and develop findings and
25 recommendations regarding, instructions for continued

1 airworthiness (as described in section 21.50 of title 14,
2 Code of Federal Regulations), and provide to the Adminis-
3 trator a report on such findings and recommendations and
4 for other related purposes as determined by the Adminis-
5 trator.

6 (b) COMPOSITION.—The aviation rulemaking com-
7 mittee established pursuant to subsection (a) shall consist
8 of members appointed by the Administrator, including
9 representatives of—

10 (1) holders of type certificates (as described in
11 subpart B of part 21, title 14, Code of Federal Reg-
12 ulations);

13 (2) holders of production certificates (as de-
14 scribed in subpart G of part 21, title 14, Code of
15 Federal Regulations);

16 (3) holders of parts manufacturer approvals (as
17 described in subpart K of part 21, title 14, Code of
18 Federal Regulations);

19 (4) holders of technical standard order author-
20 izations (as described in subpart O of part 21, title
21 14, Code of Federal Regulations);

22 (5) operators under parts 121, 125, or 135 of
23 title 14, Code of Federal Regulations;

1 (6) holders of repair station certificates (as de-
2 scribed in section 145 of title 14, Code of Federal
3 Regulations);

4 (7) the certified bargaining representative of
5 aviation safety inspectors for the Administration;
6 and

7 (8) aviation safety experts with specific knowl-
8 edge of instructions for continued airworthiness poli-
9 cies and regulations.

10 (c) CONSIDERATIONS.—The aviation rulemaking
11 committee established pursuant to subsection (a) shall
12 consider—

13 (1) existing standards, regulations, certifi-
14 cations, assessments, and guidance related to in-
15 structions for continued airworthiness and the clar-
16 ity of such standards, regulations, certifications, as-
17 sessments, and guidance to all parties;

18 (2) the sufficiency of safety data used in pre-
19 paring instructions for continued airworthiness;

20 (3) the sufficiency of maintenance data used in
21 preparing instructions for continued airworthiness;

22 (4) the protection of proprietary information
23 and intellectual property in instructions for contin-
24 ued airworthiness;

1 (5) the availability of instructions for continued
2 airworthiness, as needed, for maintenance activities;

3 (6) the need to harmonize or deconflict pro-
4 posed and existing regulations with other Federal
5 regulations, guidance, and policies;

6 (7) international collaboration, where appro-
7 priate and consistent with the interests of safety in
8 air commerce and national security, with other civil
9 aviation authorities, international aviation and
10 standards organizations, and any other appropriate
11 entities; and

12 (8) any other matter the Administrator deter-
13 mines appropriate.

14 (d) DUTIES.—The Administrator shall—

15 (1) not later than 2 years after the date of en-
16 actment of this Act, submit to the Committee on
17 Transportation and Infrastructure of the House of
18 Representatives and the Committee on Commerce,
19 Science, and Transportation of the Senate a copy of
20 the aviation rulemaking committee report under sub-
21 section (a); and

22 (2) not later than 180 days after the date of
23 submission of the report under paragraph (1), ini-
24 tiate a rulemaking activity or make such policy and
25 guidance updates necessary to address any con-

1 sensus recommendations reached by the aviation
2 rulemaking committee established pursuant to sub-
3 section (a), as determined appropriate by the Ad-
4 ministrator.

5 **SEC. 517. CLARITY FOR SUPPLEMENTAL TYPE CERTIFI-**
6 **CATE REQUIREMENTS.**

7 (a) IN GENERAL.—The Administrator of the Federal
8 Aviation Administration shall issue or update guidance,
9 policy documents, orders, job aids, or regulations to clarify
10 the conditions under which a major alteration will require
11 a supplemental type certificate under part 21 of title 14,
12 Code of Federal Regulations.

13 (b) CONTENTS.—Issuances or updates under sub-
14 section (a) shall include providing clarity around—

15 (1) the terms “might appreciatively effect” and
16 “no appreciable effect pursuant to sections 1.1 and
17 21.93 of title 14, Code of Federal Regulations, re-
18 spectively”; and

19 (2) whether the term “other approved design”,
20 as such term appears in part 21.1 of title 14, Code
21 of Federal Regulations, includes engineering data
22 approved by the Administrator by means other than
23 through a supplemental type certificate.

24 (c) CONSIDERATIONS.—In satisfying subsection (a),
25 the Administrator shall make such updates as necessary

1 to provide consideration for the level of effort required by
2 an applicant to make a major alteration and the associated
3 level of risk to the national airspace system for a single
4 aircraft or multiple aircraft using such alteration.

5 **SEC. 518. USE OF ADVANCED TOOLS IN CERTIFYING AERO-**
6 **SPACE PRODUCTS.**

7 (a) IN GENERAL.—Not later than 30 months after
8 the date of enactment of this Act, the Administrator of
9 the Federal Aviation Administration shall complete an as-
10 sessment of the use of advanced tools during the testing,
11 analysis, and verification stages of aerospace certification
12 projects to reduce the risks associated with high-risk flight
13 profiles and performing limit testing.

14 (b) CONSIDERATIONS.—In carrying out the assess-
15 ment under subsection (a), the Administrator shall con-
16 sider—

17 (1) instances where high risk flight profiles and
18 limit testing have already occurred in the certifi-
19 cation process and the applicability of such test data
20 for use in other aspects of flight testing;

21 (2) the safety of pilots during such testing;

22 (3) the value and accuracy of data collected
23 using such advanced tools;

24 (4) the ability to produce more extensive data
25 sets using such advanced tools;

1 (5) any aspects of testing for which the use of
2 such tools would not be valuable or applicable;

3 (6) the cost of using such advanced tools; and

4 (7) the best practices of other civil aviation au-
5 thorities that permit the use of advanced tools dur-
6 ing aerospace certification projects.

7 (c) CONSULTATION.—In carrying out the assessment
8 under subsection (a), the Administrator shall consult
9 with—

10 (1) aircraft manufacturers, including manufac-
11 turers that have designed and certified aircraft
12 under—

13 (A) part 23 of title 14, Code of Federal
14 Regulations;

15 (B) part 25 of such title; or

16 (C) part 27 of such title;

17 (2) aircraft manufacturers that have designed
18 and certified, or are in the process of certifying, air-
19 craft with a novel design under part 21.17(b) of
20 such title;

21 (3) associations representing aircraft manufac-
22 turers;

23 (4) researchers and academics in related fields;
24 and

25 (5) pilots who are experts in flight testing.

1 (d) CONGRESSIONAL REPORT.—Not later than 60
2 days after the completion of the assessment under sub-
3 section (a), the Administrator shall brief the Committee
4 on Transportation and Infrastructure of the House of
5 Representatives and the Committee on Commerce,
6 Science, and Transportation of the Senate on—

7 (1) the results of the assessment conducted
8 under subsection (a); and

9 (2) how the Administrator plans to implement
10 the findings of the assessment and any changes
11 needed to Administration policy, guidance, and regu-
12 lations to allow for and optimize the use of advanced
13 tools during the certification of aerospace products
14 in order to reduce risk and improve safety outcomes.

15 **SEC. 519. TRANSPORT AIRPLANE AND PROPULSION CER-**
16 **TIFICATION MODERNIZATION.**

17 Not later than 1 year after the date of enactment
18 of this Act, the Administrator of the Federal Aviation Ad-
19 ministration shall publish a notice of proposed rulemaking
20 for the rulemaking activity titled “Transport Airplane and
21 Propulsion Certification Modernization”, published in Fall
22 2022 in the Unified Agenda of Federal Regulatory and
23 Deregulatory Actions (RIN 2120–AL42).

1 **SEC. 520. ENGINE FIRE PROTECTION STANDARDS.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this Act, the Administrator of the
4 Federal Aviation Administration shall establish an inter-
5 nal regulatory review team to review and compare domes-
6 tic and international airworthiness standards and guid-
7 ance for aircraft engine firewalls.

8 (b) REVIEW.—In completing the review under sub-
9 section (a), the regulatory review team shall—

10 (1) identify any significant differences in stand-
11 ards or guidance with respect to test article selec-
12 tion, fire test boundaries, and pass-fail criteria;

13 (2) consider if alternative international stand-
14 ards used by peer civil aviation authorities reflect
15 best practices that should be adopted by the Admin-
16 istration;

17 (3) recommend updates, if appropriate, to the
18 Significant Standards List of the Administration
19 based on any findings;

20 (4) assess whether a selection of aircraft engine
21 firewalls certified by other civil aviation authorities,
22 which were validated by the Administration, comply
23 with the requirements of the Administration;

24 (5) recommend actions the Administration
25 should take during future validation activities or

1 with other civil aviation authorities to address any
2 gaps in requirements; and

3 (6) consult with industry stakeholders during
4 such review.

5 (c) BRIEFING.—Not later than 120 days after the
6 completion of the review under subsection (a), the Admin-
7 istrator shall brief the Committee on Transportation and
8 Infrastructure of the House of Representatives and the
9 Committee on Commerce, Science, and Transportation of
10 the Senate on the findings and recommendations stem-
11 ming from such review.

12 **SEC. 521. RISK MODEL FOR PRODUCTION FACILITY INSPEC-**
13 **TIONS.**

14 (a) IN GENERAL.—Not later than 18 months after
15 the date of enactment of this Act and periodically there-
16 after, the Administrator of the Federal Aviation Adminis-
17 tration shall—

18 (1) conduct a review of the risk-based model
19 used by Federal Aviation Administration certifi-
20 cation management offices to inform the frequency
21 of aircraft manufacturing or production facility in-
22 spections; and

23 (2) update the model to ensure such model ade-
24 quately accounts for risk at facilities during periods
25 of increased production.

1 (b) BRIEFINGS.—Not later than 60 days after the
2 date on which the review is conducted under subsection
3 (a), the Administrator shall brief the Committee on Trans-
4 portation and Infrastructure of the House of Representa-
5 tives and the Committee on Commerce, Science, and
6 Transportation of the Senate on—

7 (1) the results of the review;

8 (2) any changes made to the risk-based model
9 described in subsection (a); and

10 (3) how such changes would help improve the
11 in-plant inspection process.

12 **SEC. 522. SECONDARY COCKPIT BARRIERS.**

13 (a) IN GENERAL.—Not later than 9 months after the
14 issuance of a final rule on the proposed rule of the Federal
15 Aviation Administration titled “Installation and Operation
16 of Flightdeck Installed Physical Secondary Barriers on
17 Transport Category Airlines in Part 121 Service”, and
18 issued on August 1, 2022 (87 Fed. Reg. 46892), the Ad-
19 ministrator of the Federal Aviation Administration shall
20 convene an aviation rulemaking committee to review and
21 develop findings and recommendations to require installa-
22 tion of a secondary cockpit barrier on aircraft operated
23 under the provisions of part 121 of title 14, Code of Fed-
24 eral Regulations, that are not captured under another reg-
25 ulation or proposed regulation.

1 (b) MEMBERSHIP.—The Administrator shall appoint
2 the members of the rulemaking committee convened under
3 subsection (a), which shall be comprised of at least 1 rep-
4 resentative each of—

5 (1) mainline air carriers;

6 (2) regional air carriers;

7 (3) cargo air carriers;

8 (4) aircraft manufacturers;

9 (5) a labor group representing pilots;

10 (6) a labor group representing flight attend-
11 ants; and

12 (7) other stakeholders the Administrator deter-
13 mines appropriate.

14 (c) CONSIDERATIONS.—The aviation rulemaking
15 committee convened under subsection (a) shall consider—

16 (1) minimum dimension requirements for sec-
17 ondary barriers on all aircraft types operated under
18 part 121 of title 14, Code of Federal Regulations;

19 (2) secondary barrier performance standards
20 manufacturers and air carriers must meet for such
21 aircraft types;

22 (3) the availability of certified secondary bar-
23 riers suitable for use on such aircraft types;

1 (4) the development, certification, testing, man-
2 ufacturing, installation, and training for secondary
3 barriers for such aircraft types;

4 (5) flight duration and stage length;

5 (6) the location of lavatory on such aircraft as
6 related to operational complexities;

7 (7) operational complexities;

8 (8) any risks to safely evacuate passengers of
9 such aircraft; and

10 (9) other considerations the Administrator de-
11 termines appropriate.

12 (d) REPORT TO CONGRESS.—Not later than 4 years
13 after the date of enactment of this Act, the Administrator
14 shall submit to the Committee on Transportation and In-
15 frastructure of the House of Representatives and the Com-
16 mittee on Commerce, Science, and Transportation of the
17 Senate, a report based on the findings and recommenda-
18 tions of the aviation rulemaking committee convened
19 under subsection (a), to include—

20 (1) if applicable, any dissenting positions on the
21 findings and the rationale for each position; and

22 (2) any disagreements, including the rationale
23 for each position and the reasons for the disagree-
24 ment.

1 **SEC. 523. REVIEW OF FAA USE OF AEROSPACE SAFETY**

2 **DATA.**

3 (a) **IN GENERAL.**—Not later than 1 year after the
4 date of enactment of this Act, the Administrator of the
5 Federal Aviation Administration shall enter into an appro-
6 priate arrangement with a qualified third-party organiza-
7 tion or consortium to evaluate the Administration’s collec-
8 tion, collation, analysis, and use of aerospace data across
9 the Administration.

10 (b) **CONSULTATION.**—In completing the evaluation
11 under subsection (a), the qualified third-party organiza-
12 tion or consortium shall—

13 (1) seek the input of experts in data analytics,
14 including at least 1 expert in the commercial data
15 services or analytics solutions sector;

16 (2) consult with the National Transportation
17 Safety Board and the Transportation Research
18 Board; and

19 (3) consult with appropriate federally funded
20 research and development centers, to the extent that
21 such centers are not already involved in the evalua-
22 tion.

23 (c) **SUBSTANCE OF EVALUATION.**—In completing the
24 evaluation under subsection (a), the qualified third-party
25 organization or consortium shall—

1 (1) compile a list of internal and external
2 sources, databases, and streams of information the
3 Administration receives or has access to that provide
4 the Administration with operational or safety infor-
5 mation and data about the national airspace system,
6 its users, and other regulated entities of the Admin-
7 istration;

8 (2) review data sets to determine completeness
9 and accuracy of relevant information;

10 (3) identify gaps in information that the Ad-
11 ministration could fill through sharing agreements,
12 partnerships, or other means that would add value
13 during safety trend analysis;

14 (4) assess the Administration’s capabilities, in-
15 cluding analysis systems and workforce skillsets, to
16 analyze relevant data and information to make in-
17 formed decisions;

18 (5) review data and information for proper stor-
19 age, identification controls, and data privacy—

20 (A) as required by law; and

21 (B) consistent with best practices for data
22 collection, storage, and use;

23 (6) review the format of such data and identify
24 methods to improve the usefulness of such data;

1 (7) assess internal and external access to data
2 for—

3 (A) appropriateness based on data type
4 and level of detail;

5 (B) proper data access protocols and pre-
6 cautions; and

7 (C) maximizing availability of safety-re-
8 lated data that could support the improvement
9 of safety management systems of and trend
10 identification by regulated entities and the Ad-
11 ministration;

12 (8) examine the collation and dissemination of
13 data within offices and between offices of the Ad-
14 ministration;

15 (9) review and recommend improvements to the
16 data analysis techniques of the Administration; and

17 (10) recommend investments the Administra-
18 tion should consider to better collect, manage, and
19 analyze data sets, including within and between of-
20 fices of the Administration.

21 (d) ACCESS TO INFORMATION.—The Administration
22 shall provide the qualified third-party organization or con-
23 sortium and the experts described in subsection (b) with
24 adequate access to safety and operational data collected
25 by and held by the agency across all offices of the Admin-

1 istration, except if specific access is otherwise prohibited
2 by law.

3 (e) NONDISCLOSURE.—Prior to participating in the
4 review, the Administrator shall ensure that each person
5 participating in the evaluation under this section enters
6 into an agreement with the Administrator in which the
7 person shall be prohibited from disclosing at any time, ex-
8 cept as required by law, to any person, foreign or domes-
9 tic, any non-public information made accessible to the fed-
10 erally funded research and development center under this
11 section.

12 (f) REPORT.—The qualified third-party organization
13 or consortium carrying out the evaluation under this sec-
14 tion shall provide a report of the findings of the center
15 to the Administrator and include recommendations to im-
16 prove the Administration’s collection, collation, analysis,
17 and use of aerospace data, including recommendations
18 to—

19 (1) improve data access across offices within
20 the Administration, as necessary, to support efficient
21 execution of safety analysis and programs across
22 such offices;

23 (2) improve data storage best practices;

1 (3) develop or refine methods for collating data
2 from multiple administration and industry sources;
3 and

4 (4) procure or use available analytics tools to
5 draw conclusions and identify previously unrecog-
6 nized trends or miscategorized risks in the aviation
7 system, particularly when identification of such in-
8 formation requires the analysis of multiple sets of
9 data from multiple sources.

10 (g) IMPLEMENTATION OF RECOMMENDATIONS.—Not
11 later than 6 months after the receipt of the report under
12 subsection (f), the Administrator shall review, develop an
13 implementation plan, and begin the implementation of the
14 recommendations received in such report.

15 (h) REVIEW OF IMPLEMENTATION.—The qualified
16 third-party organization or consortium that conducted the
17 initial evaluation, and any experts who contributed to such
18 evaluation pursuant to subsection (b)(1), shall provide
19 regular feedback and advice to the Administrator on the
20 implementation plan developed under subsection (g) and
21 any implementation activities for at least 2 years begin-
22 ning on the date of the receipt of the report under sub-
23 section (f).

24 (i) REPORT TO CONGRESS.—The Administrator shall
25 submit to the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate the report described in subsection (f) and the im-
4 plementation plan described in subsection (g).

5 (j) EXISTING REPORTING SYSTEMS.—Consistent
6 with section 132 of the Aircraft Certification, Safety, and
7 Accountability Act (Public Law 116–260), the Executive
8 Director of the Transportation Research Board, in con-
9 sultation with the Secretary of Transportation and the Ad-
10 ministrator, may further harmonize data and sources fol-
11 lowing the implementation of recommendations contained
12 in the report required under subsection (g).

13 **SEC. 524. PART 135 DUTY AND REST.**

14 (a) PART 91 TAIL-END FERRY RULEMAKING.—Not
15 later than 3 years after the date of enactment of this Act,
16 the Administrator of the Federal Aviation Administration
17 shall require that any operation conducted by a flightcrew
18 member during an assigned duty period under the oper-
19 ational control of an operator holding a certificate under
20 part 135 of title 14, Code of Federal Regulations, before,
21 during, or after the duty period (including any operations
22 under part 91 of title 14, Code of Federal Regulations),
23 without an intervening rest period, shall count towards the
24 flight time and duty period limitations of such flightcrew

1 member under part 135 of title 14, Code of Federal Regu-
2 lations.

3 (b) RECORD KEEPING.—Not later than 1 year after
4 the date of enactment of this Act, the Administrator shall
5 update any Administration policy and guidance regarding
6 complete and accurate record keeping practices for opera-
7 tors holding a certificate under part 135 of title 14, Code
8 of Federal Regulations, in order to properly document, at
9 a minimum—

- 10 (1) flightcrew assignments;
- 11 (2) flightcrew rest notifications;
- 12 (3) compliance with flight and duty times limi-
13 tations and post-duty rest requirements; and
- 14 (4) duty period start and end times.

15 (c) SAFETY MANAGEMENT SYSTEM OVERSIGHT.—
16 The Administrator, in performing oversight of the safety
17 management system of an operator holding a certificate
18 under part 135 of title 14, Code of Federal Regulations,
19 following the implementation of the final rule issued based
20 on the rulemaking titled “Safety Management Systems”,
21 and published on January 11, 2023 (88 Fed. Reg 1932),
22 shall ensure such operator is evaluating and appropriately
23 mitigating aviation safety risks, including, at minimum,
24 risks associated with—

1 (1) inadequate flightcrew member duty and rest
2 periods; and

3 (2) incomplete records pertaining to flightcrew
4 rest, duty, and flight times.

5 **SEC. 525. COCKPIT VOICE AND VIDEO RECORDERS.**

6 (a) IN GENERAL.—Not later than 7 years after the
7 date of enactment of this Act, an air carrier certificated
8 under part 121 of title 14, Code of Federal Regulations,
9 may not operate an aircraft under part 121 of such title
10 that is not equipped with a cockpit voice recorder and a
11 cockpit video recorder each capable of recording at least
12 25 hours of data.

13 (b) ARC ESTABLISHMENT.—Not later than 180 days
14 after the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall establish an
16 aviation rulemaking committee to provide consensus rec-
17 ommendations for the installation and operation of record-
18 ers described in subsection (a).

19 (c) MEMBERSHIP.—The Administrator shall appoint
20 the members of the aviation rulemaking committee estab-
21 lished in subsection (b), which shall be comprised of at
22 least 1 representative of each of the following:

23 (1) Air carriers.

24 (2) Air cargo carriers.

1 (3) Aircraft manufacturers, including manufac-
2 turers of cockpit voice recorders and cockpit video
3 recorders.

4 (4) Aircraft part and component suppliers, in-
5 cluding suppliers of cockpit voice recorders and cock-
6 pit video recorders.

7 (5) Pilot labor groups.

8 (6) Safety experts.

9 (7) Other stakeholder groups that the Adminis-
10 trator determines appropriate.

11 (d) DUTIES.—Not later than 2 years after the date
12 of enactment of this Act, the aviation rulemaking com-
13 mittee established under subsection (b) shall submit to the
14 Administrator a report on the consensus recommendations
15 required under such subsection.

16 (e) REPORT TO CONGRESS.—Not later than 10 days
17 after the issuance of the report required under subsection
18 (d), the Administrator shall submit to the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Commerce, Science,
21 and Transportation of the Senate the report submitted
22 under subsection (d).

23 (f) RULEMAKING.—Not later than 3 years after the
24 submission of the report under subsection (d), the Admin-
25 istrator shall issue a final rule to issue regulations revising

1 part 121 of title 14, Code of Federal Regulations, and es-
2 tablishing other relevant regulations, based on the con-
3 sensus recommendations of such report to account for the
4 requirement under subsection (a) and the limitations
5 under subsection (g).

6 (g) LIMITATIONS.—The Administrator shall take
7 such action as may be necessary to ensure that any data
8 from a recording on a cockpit voice recorder or cockpit
9 video recorder—

10 (1) is protected from unlawful or unauthorized
11 disclosure to the public;

12 (2) is used exclusively by a Federal agency for
13 a criminal investigation, aircraft accident, or aircraft
14 incident investigation; and

15 (3) is not used by an air carrier as a basis for
16 any adverse employment action against an employee
17 of the air carrier except as related to the findings
18 of an investigation described in paragraph (2).

19 (h) SAVINGS CLAUSE.—Nothing in subsections (b)
20 through (f) shall be construed as constraining or otherwise
21 mandating delays to rulemaking efforts of the Federal
22 Aviation Administration related to cockpit voice recorders
23 or cockpit video recorders underway on the date of enact-
24 ment of this Act.

1 **SEC. 526. FLIGHT DATA RECOVERY FROM OVERWATER OP-**
2 **ERATIONS.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Aviation Administration shall direct the Aviation Rule-
5 making Advisory Committee (hereinafter referred to as
6 the “Committee” in this section) to review regulations re-
7 garding flight data recovery for aircraft—

8 (1) operated under part 121 of title 14, Code
9 of Federal Regulations; and

10 (2) used in extended overwater operations.

11 (b) CONSIDERATIONS.—In carrying out the review
12 pursuant to subsection (a), the Committee shall evaluate
13 if aircraft described in subsection (a) should be equipped
14 with a cockpit voice recorder and a flight data recorder
15 that—

16 (1) provide a means, in the event of an acci-
17 dent, to recover mandatory flight data parameters in
18 a manner that does not require the underwater re-
19 trieval of the cockpit voice recorder or flight data re-
20 corder;

21 (2) is equipped with a tamper-resistant method
22 to broadcast sufficient information to a ground sta-
23 tion to establish the location where an aircraft ter-
24 minates flight as the result of an accident within 6
25 nautical miles of the point of impact of the aircraft;
26 and

- 1 (A) the emergency medical needs of chil-
2 dren and pregnant women;
3 (B) opioid overdose;
4 (C) anaphylaxis; and
5 (D) cardiac arrest.

6 **SEC. 528. NAVIGATION AIDS STUDY.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the inspector general of the
9 Department of Transportation shall initiate a study exam-
10 ining the effects of reclassifying navigation aids to Design
11 Assurance Level–A from Design Assurance Level–B, in-
12 cluding the following navigation aids:

- 13 (1) Distance measuring equipment.
14 (2) Very high frequency omni-directional range.
15 (3) Tactical air navigation.
16 (4) Wide area augmentation system.

17 (b) CONTENTS.—In conducting the study required
18 under subsection (a), the inspector general shall address—

- 19 (1) the cost-benefit analyses associated with the
20 reclassification described in such subsection;
21 (2) the findings from the operational safety as-
22 sessments and preliminary hazard analyses of the
23 navigation aids listed in such subsection;
24 (3) the risks of such reclassification on naviga-
25 tion aid equipment currently in use;

1 (4) the potential impacts on global interoper-
2 ability of navigational aids; and

3 (5) what additional actions should be taken
4 based on the findings of this subsection.

5 (c) REPORT.—Not later than 24 months after the
6 date of enactment of this Act, the inspector general shall
7 submit to the Committee on Transportation and Infra-
8 structure of the House of Representatives and the Com-
9 mittee on Commerce, Science, and Transportation of the
10 Senate a report describing the results of the study con-
11 ducted under subsection (a).

12 **SEC. 529. REMOTE TOWERS.**

13 (a) STUDY.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date of enactment of this Act, the Administrator
16 of the Federal Aviation Administration shall seek to
17 enter into an agreement with a qualified organiza-
18 tion to conduct a study examining the viability and
19 feasibility of remote tower technology available on
20 the date of enactment of this Act to accommodate
21 existing air traffic activity at non-towered, public-use
22 airports.

23 (2) CONSIDERATIONS.—In the study conducted
24 under subsection (a), the qualified organization se-

1 lected under such subsection shall consider and in-
2 clude in such study—

3 (A) the effectiveness and adequacy of the
4 pilot program established under section 161 of
5 the FAA Reauthorization Act of 2018 (49
6 U.S.C. 47104 note) in—

7 (i) assessing the installation, mainte-
8 nance, and operational costs and benefits
9 of remote tower technology; and

10 (ii) establishing a clear process for the
11 safety and operational certification of such
12 technology;

13 (B) a description of actions that the Ad-
14 ministration has undertaken to carry out such
15 pilot program;

16 (C) any barriers related to the safety and
17 operational certification of such technology;

18 (D) the number and type of non-towered
19 airports in the national airspace system;

20 (E) the availability and development of re-
21 mote tower technology;

22 (F) the potential to use remote tower sys-
23 tems to control air traffic at multiple airports
24 and from a single physical location, similar to
25 a terminal radar approach control facility;

1 (G) staffing flexibility to support seasonal
2 staffing of remote towers;

3 (H) safety factors related to the potential
4 need for such remote tower technology;

5 (I) the potential to use remote tower sys-
6 tems to surveil for unmanned aircraft, in con-
7 junction with unmanned aircraft system traffic
8 management systems, to enhance air traffic
9 management of manned air traffic;

10 (J) factors related to the demand for re-
11 mote tower technology;

12 (K) an examination of remote tower use in
13 other countries;

14 (L) projected costs associated with install-
15 ing and maintain remote tower technology at a
16 single airport; and

17 (M) recommendations regarding the most
18 cost-effective approach to provide air traffic
19 control services at non-towered airports in the
20 national airspace system.

21 (3) INPUT.—In carrying out the study under
22 subsection (a), the qualified organization selected
23 under such subsection shall—

1 (A) seek coordination with the Air Traffic
2 Organization and other offices of the Adminis-
3 tration; and

4 (B) seek the participation of representa-
5 tives of—

6 (i) the exclusive bargaining represent-
7 atives of air traffic controllers certified
8 under section 7111 of title 5, United
9 States Code;

10 (ii) manufacturers of remote towers;

11 (iii) airport operators; and

12 (iv) other stakeholders that the Ad-
13 ministrator determines appropriate.

14 (4) REPORT.—Not later than 1 year after the
15 date of enactment of this Act, the Administrator
16 shall submit to the Committee on Transportation
17 and Infrastructure of the House of Representatives
18 and the Committee on Commerce, Science, and
19 Transportation of the Senate a report detailing the
20 results of the study under subsection (a).

21 (b) CERTIFICATION PROCESS.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the completion of the study required under sub-
24 section (a), the Administrator shall establish a proc-
25 ess for the certification of system design and oper-

1 ational approval of remote towers for use at public-
2 use airports.

3 (2) CONSULTATION.—In carrying out sub-
4 section (b), the Administrator shall consult with the
5 following:

6 (A) The exclusive bargaining representa-
7 tive of the air traffic controllers certified under
8 section 7111 of title 5, United States Code.

9 (B) Manufacturers of remote towers.

10 (C) Non-towered airport operators.

11 (3) REQUIREMENTS.—In developing the certifi-
12 cation process required under subsection (b), the Ad-
13 ministrator shall—

14 (A) establish requirements for the system
15 design and operational approval of remote tow-
16 ers, including—

17 (i) sensor and camera visual require-
18 ments;

19 (ii) datalink latency requirements; and

20 (iii) visual presentation design re-
21 quirements for monitors used to display
22 sensor and camera feeds;

23 (B) establish tower-closure standards for
24 contingency operations and procedures for re-
25 mote tower failures and malfunctions; and

1 (C) consider the use of—

2 (i) ground- and space-based tele-
3 communications infrastructure; and

4 (ii) any other wireless telecommuni-
5 cations infrastructure that may enable the
6 operation of a remote tower.

7 (4) OPERATIONAL APPROVAL ASSESSMENTS.—

8 In developing the operational approval process re-
9 quired under this subsection, the Administrator
10 shall—

11 (A) determine the appropriate number of
12 air traffic controllers necessary to staff a re-
13 mote tower for safe air traffic control oper-
14 ations at the respective airport based on the ex-
15 isting or projected air traffic activity at the air-
16 port;

17 (B) use a safety risk management panel
18 process to address any safety issues with re-
19 spect to the remote tower;

20 (C) if the remote tower is intended to be
21 installed at a non-towered airport, assess the
22 safety benefits of the remote tower against the
23 lack of an existing tower; and

24 (D) establish, to the satisfaction of the Ad-
25 ministrator and using performance-based cri-

1 teria, to the extent appropriate, published in
2 advance, the level of safety necessary for the
3 operation of the remote tower at the airport.

4 (5) AIRPORT OPERATORS.—An airport operator
5 seeking to install or construct a certified remote
6 tower shall submit to the Administrator an applica-
7 tion in such form and containing such information
8 as the Administrator may require.

9 (6) IMPLEMENTATION.—In carrying out this
10 section, the Administrator shall—

11 (A) identify air traffic control information
12 and data that assists the Administrator in cat-
13 egorically certifying remote towers at different
14 types of airports;

15 (B) implement processes necessary to col-
16 lect the information and data identified in sub-
17 paragraph (A); and

18 (C) develop criteria from the information
19 and data identified in subparagraph (A) to as-
20 sess remote towers for widespread use at cat-
21 egories of public-use airports.

22 (7) PRIORITIZATION OF REMOTE TOWER CER-
23 TIFICATION APPLICANTS.—With respect to applica-
24 tions submitted as required by paragraph (4), the
25 Administrator shall prioritize—

1 (A) airports that do not have a permanent
2 air traffic control tower at the time of applica-
3 tion;

4 (B) airports that would provide small and
5 rural community air service; or

6 (C) airports that have been newly accepted
7 as of the date of enactment of this Act into the
8 Contract Tower Program.

9 (8) BRIEFING.—Not later than 180 days after
10 receiving the report required under subsection (a),
11 and annually thereafter through fiscal year 2028,
12 the Administrator shall brief the Committee on
13 Transportation and Infrastructure of the House of
14 Representatives and the Committee on Commerce,
15 Science, and Transportation of the Senate on the
16 status of the activities required under this section.

17 (c) DEFINITIONS.—In this section:

18 (1) AIR TRAFFIC ACTIVITY.—The term “air
19 traffic activity” means the number of takeoffs, land-
20 ings, and simulated approaches of an airport and
21 the time of which such takeoffs, landings, and simu-
22 lated approaches occur.

23 (2) CONTRACT TOWER PROGRAM.—The term
24 “Contract Tower Program” has the meaning given

1 such term in section 47124(e) of title 49, United
2 States Code.

3 (3) QUALIFIED ORGANIZATION.—The term
4 “qualified organization” means an independent non-
5 profit organization that recommends solutions to
6 public policy challenges through objective analysis.

7 (4) REMOTE TOWER.—The term “remote
8 tower” has the meaning given such term in section
9 161(a)(9) of the FAA Reauthorization Act of 2018
10 (49 U.S.C. 47104 note).

11 **SEC. 530. WEATHER REPORTING SYSTEMS STUDY.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this Act, the Comptroller General
14 of the United States shall initiate a study to examine how
15 to improve the procurement, functionality, and sustain-
16 ability of weather reporting systems, including—

- 17 (1) automated weather observing systems;
18 (2) automated surface observing systems;
19 (3) visual weather observing systems; and
20 (4) non-Federal weather reporting systems.

21 (b) CONTENTS.—In conducting the study required
22 under section (a), the Comptroller General shall address—

- 23 (1) the current state of the supply chain related
24 to weather reporting systems and the components of
25 such systems, including—

1 (A) the adequacy of suppliers of such sys-
2 tems and components;

3 (B) the affordability of such systems and
4 components; and

5 (C) the availability and affordability of re-
6 placement parts;

7 (2) the average age of weather reporting sys-
8 tems infrastructure installed in the national airspace
9 system;

10 (3) challenges to maintaining and replacing
11 weather reporting systems, including—

12 (A) root causes of weather reporting sys-
13 tem outages, including failures of such systems,
14 and supporting systems such as telecommuni-
15 cations infrastructure; and

16 (B) the degree to which such outages af-
17 fect weather reporting in the national airspace
18 system;

19 (4) mitigation measures to maintain aviation
20 safety during such an outage; and

21 (5) alternative means of obtaining weather ele-
22 ments at airports, including wind direction, wind
23 speed, barometric pressure setting, and cloud cov-
24 erage, including visibility.

1 (c) CONSULTATION.—In conducting the study re-
2 quired under subsection (a), the Comptroller General shall
3 consult with the appropriate stakeholders and Federal
4 agencies involved in installing, managing, and supporting
5 weather reporting systems in the national airspace system.

6 (d) REPORT.—

7 (1) IN GENERAL.—Not later than 2 years after
8 the date of enactment of this Act, the Comptroller
9 General shall submit to the Committee on Transpor-
10 tation and Infrastructure of the House of Represent-
11 atives and the Committee on Commerce, Science,
12 and Transportation of the Senate a report describ-
13 ing the results of the study conducted under sub-
14 section (a).

15 (2) RECOMMENDATIONS.—The Comptroller
16 General shall include in the report submitted under
17 paragraph (1) recommendations for—

18 (A) ways to improve the resiliency and re-
19 dundancy of weather reporting systems;

20 (B) alternative means of compliance for
21 obtaining weather elements at airports; and

22 (C) if necessary, changes to Orders of the
23 Administration, including the following:

24 (i) Surface Weather Observing, Joint
25 Order 7900.5.

1 (ii) Notices to Air Missions, Joint
2 Order 7930.2.

3 **SEC. 531. GAO STUDY ON EXPANSION OF THE FAA WEATH-**
4 **ER CAMERA PROGRAM.**

5 (a) STUDY.—The Comptroller General of the United
6 States shall conduct a study on the feasibility and benefits
7 and costs of expanding the Weather Camera Program of
8 the Federal Aviation Administration to locations in the
9 United States that lack weather camera services.

10 (b) CONSIDERATIONS.—In conducting the study re-
11 quired under subsection (a), the Comptroller General shall
12 review—

13 (1) the potential effects of the existing Weather
14 Camera Program on weather-related aviation acci-
15 dents and flight interruptions;

16 (2) the potential benefits and costs associated
17 with expanding the Weather Camera Program;

18 (3) limitations on the real-time access of weath-
19 er camera information by pilots and aircraft opera-
20 tors;

21 (4) non-safety related regulatory structures or
22 barriers to the allowable use of weather camera in-
23 formation for the purposes of aircraft operations;

24 (5) limitations of existing weather camera sys-
25 tems at the time of the study;

- 1 (6) alternative sources of viable weather data;
- 2 (7) funding mechanisms for weather camera in-
- 3 stallation and operations; and
- 4 (8) other considerations the Comptroller Gen-
- 5 eral determines appropriate.

6 (c) REPORT TO CONGRESS.—Not later than 28
7 months after the date of enactment of this Act, the Comp-
8 troller General shall submit to the Committee on Trans-
9 portation and Infrastructure of the House of Representa-
10 tives and the Committee on Commerce, Science, and
11 Transportation of the Senate a report on the results of
12 the study required under subsection (a).

13 **SEC. 532. STUDY ON AVIATION SAFETY IN ERA OF WIRE-**
14 **LESS CONNECTIVITY.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of enactment of this Act, the Administrator of the
17 Federal Aviation Administration shall seek to enter into
18 an agreement with the National Academies to conduct a
19 study on matters related to potential conflicts between
20 uses of radio spectrum by the aviation ecosystem and wire-
21 less telecommunication networks.

22 (b) CONTENTS.—The study described in subsection
23 (a) shall address approaches to mitigating potential safety
24 hazards posed by conflicts between uses of spectrum by
25 the aviation ecosystem and wireless telecommunications

1 network, including best practices and policy recommenda-
2 tions for the Federal Aviation Administration to—

3 (1) improve the process by which proposed
4 spectrum reallocations or auctions are thoroughly re-
5 viewed in advance to ensure that any comments, ob-
6 jections, or technical concerns from stakeholders or
7 Federal agencies in any Federal Communication
8 Commission proceeding are definitively assessed and,
9 if necessary, addressed;

10 (2) assess the effects of proposed spectrum re-
11 allocations or auctions on the aviation ecosystem in
12 a timely manner to better meet the needs of the
13 aviation system or to establish realistic timeframes
14 relating to potential aviation equipment modifica-
15 tions or replacements; and

16 (3) better communicate to relevant Federal
17 partners and agencies when a proposed spectrum re-
18 allocation or auctions may pose a potential risk to
19 aviation safety.

20 (c) STAKEHOLDER VIEWS.—In conducting the study
21 under subsection (a), the National Academy shall consult
22 with relevant stakeholders, including—

23 (1) air carriers operating under part 121 of
24 title 14, Code of Federal Regulations;

- 1 (2) manufacturers of aircraft and aircraft com-
2 ponents;
- 3 (3) wireless telecommunication carriers;
- 4 (4) labor unions representing pilots;
- 5 (5) air traffic system safety specialists;
- 6 (6) other representatives of the telecommuni-
7 cations industry;
- 8 (7) aviation safety experts;
- 9 (8) radio spectrum experts; and
- 10 (9) such other stakeholders as the Adminis-
11 trator determines appropriate.

12 (d) REPORT TO CONGRESS.—Not later than 2 years
13 after the date of enactment of this Act, the National Acad-
14 emies shall complete and submit a report on the study de-
15 scribed in subsection (a) to—

- 16 (1) the Administrator;
- 17 (2) the Committee on Transportation and In-
18 frastructure of the House of Representatives; and
- 19 (3) the Committee on Commerce, Science, and
20 Technology of the Senate.

21 **SEC. 533. RAMP WORKER SAFETY CALL TO ACTION.**

22 (a) CALL TO ACTION RAMP WORKER SAFETY RE-
23 VIEW.—Not later than 180 days after the date of enact-
24 ment of this Act, the Administrator of the Federal Avia-
25 tion Administration shall initiate a Call to Action safety

1 review of airport ramp worker safety in order to bring
2 stakeholders together to share best practices and imple-
3 ment actions to address airport ramp worker safety.

4 (b) CONTENTS.—The Call to Action safety review re-
5 quired pursuant to subsection (a) shall include—

6 (1) a review of Administration regulations,
7 guidance, and directives related to airport ramp
8 worker procedures and oversight of such processes;

9 (2) a review of reportable accidents and inci-
10 dents involving airport ramp workers, including any
11 identified contributing factors to the reportable acci-
12 dent or incident;

13 (3) a review of training and related educational
14 materials for airport ramp workers, including super-
15 visory employees;

16 (4) a review of devices and methods for commu-
17 nication on the ramp;

18 (5) a review of markings on the ramp that de-
19 fine restriction, staging, safety, or hazard zones;

20 (6) a review of aircraft jet blast and engine in-
21 take safety markings; and

22 (7) a process for stakeholders, including air-
23 lines, aircraft manufacturers, airports, labor, and
24 aviation safety experts, to provide feedback and
25 share best practices.

1 (c) REPORT AND ACTIONS.—Not later than 180 days
2 after the conclusion of the Call to Action safety review
3 pursuant to subsection (a), the Administrator shall—

4 (1) submit to the Committee on Transportation
5 and Infrastructure of the House of Representatives
6 and the Committee on Commerce, Science, and
7 Transportation of the Senate a report on the results
8 of the review and any recommendations for actions
9 or best practices to improve airport ramp worker
10 safety, including the identification of risks and pos-
11 sible mitigations to be considered in any applicable
12 safety management system of air carriers and air-
13 ports; and

14 (2) initiate such actions as are necessary to act
15 upon the findings of the review under subsection (b).

16 **SEC. 534. SAFETY DATA ANALYSIS FOR AIRCRAFT WITHOUT**
17 **TRANSPONDERS.**

18 (a) IN GENERAL.—Not later than 90 days after the
19 date of enactment of this Act, the Administrator of the
20 Federal Aviation Administration, in coordination with the
21 Chairman of the National Transportation Safety Board,
22 shall collect and analyze data relating to accidents and in-
23 cidents involving covered exempt aircraft that occurred
24 within 30 nautical miles of an airport.

1 (b) REQUIREMENTS.—The analysis required under
2 subsection (a) shall include with respect to covered exempt
3 aircraft a review of—

4 (1) incident and accident data since 2006;

5 (2) incidents and accidents involving midair
6 events, including collisions;

7 (3) incidents and accidents involving ground
8 proximity warning system alerts;

9 (4) incidents and accidents involving traffic col-
10 lision avoidance system alerts;

11 (5) incidents and accidents involving a loss of
12 separation or near miss; and

13 (6) the causes of the accidents and incidents
14 described in paragraphs (1) through (5).

15 (c) REPORT TO CONGRESS.—Not later than 1 year
16 after the date of enactment of this Act, the Administrator
17 shall submit to the Committee on Transportation and In-
18 frastructure of the House of Representatives and the Com-
19 mittee on Commerce, Science, and Transportation of the
20 Senate a report containing the results of the analysis re-
21 quired under subsection (a) and, if appropriate, rec-
22 ommendations on how to reduce the number of incidents
23 and accidents associated with such covered exempt air-
24 craft.

1 (d) COVERED EXEMPT AIRCRAFT DEFINED.—In this
2 section, the term “covered exempt aircraft” means air-
3 craft, balloons, and gliders exempt from air traffic control
4 transponder and altitude reporting equipment and use re-
5 quirements under part 91.215(b)(3) of title 14, Code of
6 Federal Regulations.

7 **SEC. 535. CRASH-RESISTANT FUEL SYSTEMS IN ROTOR-**
8 **CRAFT.**

9 (a) IN GENERAL.—The Administrator of the Federal
10 Aviation Administration shall task the Aviation Rule-
11 making Advisory Committee to—

12 (1) review the data analysis conducted and the
13 recommendations developed by the Aviation Rule-
14 making Advisory Committee Rotorcraft Occupant
15 Protection Working Group of the Administration;

16 (2) update the 2018 report of such working
17 group on rotorcraft occupant protection by—

18 (A) reviewing National Transportation
19 Safety Board data from 2016 through 2023 on
20 post-crash fires in helicopter accidents; and

21 (B) determining whether and to what ex-
22 tent crash-resistant fuel systems could have
23 prevented fatalities; and

24 (3) develop recommendations for either the Ad-
25 ministrator or the helicopter industry to encourage

1 helicopter owners and operators to expedite the in-
2 stallation of crash-resistant fuel systems in the air-
3 craft of such owners and operators regardless of
4 original certification and manufacture date.

5 (b) SCHEDULE.—

6 (1) DEADLINE.—Not later than 18 months
7 after the Administrator tasks the Aviation Rule-
8 making Advisory Committee under subsection (a),
9 the Committee shall submit the recommendations
10 developed under subsection (a)(2) to the Adminis-
11 trator.

12 (2) IMPLEMENTATION.—If applicable, and not
13 later than 180 days after receiving the recommenda-
14 tions under paragraph (1), the Administrator
15 shall—

16 (A) begin implementing, as appropriate,
17 any consensus safety recommendations the Ad-
18 ministrator receives from the Aviation Rule-
19 making Advisory Committee, and brief the
20 Committee on Transportation and Infrastruc-
21 ture of the House of Representatives and the
22 Committee on Commerce, Science, and Trans-
23 portation of the Senate on any recommenda-
24 tions the Administrator does not implement;
25 and

1 (B) partner with the United States Heli-
2 copter Safety Team, as appropriate, to facilitate
3 implementation of any recommendations for the
4 helicopter industry pursuant to subsection
5 (a)(2)

6 **SEC. 536. REDUCING TURBULENCE ON PART 121 AIRCRAFT**
7 **OPERATIONS.**

8 (a) IN GENERAL.—Not later than 3 years after the
9 date of enactment of this Act, the Administrator of the
10 Federal Aviation Administration shall review and imple-
11 ment, as appropriate, the recommendations made by the
12 Chair of the National Transportation Safety Board to the
13 Administrator contained in the safety research report ti-
14 tled “Preventing Turbulence-Related Injuries in Air Car-
15 rier Operations Conducted Under Title 14 Code of Federal
16 Regulations Part 121”, issued on August 10, 2021
17 (NTSB/SS–21/01).

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 1 year after
20 completing the review under subsection (a), and
21 every 2 years thereafter, the Administrator shall
22 submit to the Committee on Transportation and In-
23 frastructure of the House of Representatives and the
24 Committee on Commerce, Science, and Transpor-
25 tation of the Senate a report on the status of the

1 recommendations in the safety research report de-
2 scribed in subsection (a) until the earlier of—

3 (A) the date on which such recommenda-
4 tions have been adopted; or

5 (B) the date that is 10 years after the date
6 of enactment of this Act.

7 (2) CONTENTS.—If the Administrator decides
8 not to implement a recommendation in the safety re-
9 search report described in subsection (a), the Ad-
10 ministrator shall provide, as a part of the report re-
11 quired under paragraph (1), a description of why the
12 Administrator did not implement such recommenda-
13 tion.

14 **SEC. 537. STUDY ON RADIATION EXPOSURE.**

15 (a) STUDY.—Not later than 120 days after the date
16 of enactment of this Act, the Administrator of the Federal
17 Aviation Administration shall seek to enter into an agree-
18 ment with the National Academies of Sciences, Engineer-
19 ing, and Medicine under which the National Research
20 Council of the National Academies shall conduct a study
21 on radiation exposure onboard various aircraft types oper-
22 ated under part 121 of title 14, Code of Federal Regula-
23 tions.

1 (b) SCOPE OF STUDY.—In conducting the study
2 under subsection (a), the National Research Council shall
3 assess—

4 (1) radiation concentrations in such aircraft at
5 takeoff, in-flight at high altitudes, and upon landing;

6 (2) the health risks and impact of radiation ex-
7 posure to flight attendants and passengers onboard
8 aircraft operating at high altitudes; and

9 (3) mitigation measures to prevent and reduce
10 the health and safety impacts of radiation exposure
11 to flight attendants and passengers.

12 (c) REPORT TO CONGRESS.—Not later than 16
13 months after the initiation of the study required under
14 subsection (a), the Secretary shall submit to the appro-
15 priate committees of Congress the study conducted by the
16 National Research Council pursuant to this section.

17 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
18 FINED.—In this section, the term “appropriate commit-
19 tees of Congress” means the Committee on Transpor-
20 tation and Infrastructure and the Committee on Energy
21 and Commerce of the House of Representatives and the
22 Committee on Commerce, Science, and Transportation of
23 the Senate.

24 **SEC. 538. DETERRING CREWMEMBER INTERFERENCE.**

25 (a) TASK FORCE.—

1 (1) IN GENERAL.—Not later than 120 days
2 after the date of enactment of this Act, the Adminis-
3 trator of the Federal Aviation Administration shall
4 convene a task force to develop voluntary standards
5 and best practices relating to suspected violations of
6 sections 46318, 46503, and 46504 of title 49,
7 United States Code, including—

8 (A) proper and consistent incident docu-
9 mentation and reporting techniques;

10 (B) best practices for flight crew and cabin
11 crew response, including de-escalation;

12 (C) improved coordination between stake-
13 holders, including flight crew and cabin crew,
14 airport staff, other Federal agencies as appro-
15 priate, and law enforcement; and

16 (D) appropriate enforcement actions.

17 (2) MEMBERSHIP.—The task force convened
18 under paragraph (1) shall be comprised representa-
19 tives of—

20 (A) air carriers;

21 (B) airport sponsors and airport law en-
22 forcement agencies;

23 (C) other Federal agencies determined nec-
24 essary by the Administrator;

1 (D) labor organizations representing air
2 carrier pilots;

3 (E) labor organizations representing flight
4 attendants; and

5 (F) labor organizations representing
6 ticketing, check-in, or other customer service
7 representatives employed by air carriers.

8 (b) ANNOUNCEMENTS.—Not later than 90 days after
9 the date of enactment of this Act, the Administrator shall
10 initiate such actions as may be necessary to include in the
11 briefing of passengers before takeoff required under sec-
12 tion 121.571 of title 14, Code of Federal Regulations, a
13 statement informing passengers that it is against Federal
14 law to assault or threaten to assault any individual on an
15 aircraft or interfere with the duties of a crewmember.

16 (c) DEFINITIONS.—For purposes of this section, the
17 definitions in section 40102(a) of title 49, United States
18 Code, shall apply to terms in this section.

19 **SEC. 539. CABIN TEMPERATURE STANDARDS.**

20 (a) IN GENERAL.—Not later than 24 months after
21 the date of enactment of this Act, the Administrator of
22 the Federal Aviation Administration shall review existing
23 standards produced by recognized industry standards or-
24 ganizations on safe air temperatures and humidity levels
25 in enclosed environments, including onboard aircraft, and

1 determine the validity of such standards, including the
2 American Society of Heating, Refrigerating and Air-Con-
3 ditioning Engineers (in this section referred to as
4 “ASHRAE”) standards titled “Air Quality within Com-
5 mercial Aircraft” (ASHRAE Guideline 28–2021) and
6 “Thermal Environmental Conditions for Human Occu-
7 pancy” (ASHRAE Standard 55–2020).

8 (b) CONSULTATION.—In conducting the review under
9 subsection (a), the Administrator shall consult with—

10 (1) certificate holders under part 121 of title
11 14, Code of Federal Regulations;

12 (2) certified labor representatives of flight at-
13 tendants, pilots, and other crewmembers;

14 (3) relevant Federal agencies; and

15 (4) other relevant stakeholders, as appropriate.

16 (c) ACADEMIC STUDY.—In the event that the Admin-
17 istrator determines, through the review carried out under
18 subsection (a), that there is not an appropriate standard
19 to determine unsafe temperatures onboard aircraft oper-
20 ated under part 121 of title 14, Code of Federal Regula-
21 tions, the Administrator shall enter into an appropriate
22 agreement with the National Academies to—

23 (1) conduct a study of unsafe aircraft cabin
24 temperatures and aircraft conditions that contribute
25 to such temperatures; and

1 (2) provide recommendations for air carriers
2 and aircraft manufacturers to improve the manage-
3 ment of temperature and related factors onboard
4 aircraft.

5 (d) REPORTS.—

6 (1) FAA.—Not later than 3 months after com-
7 pleting the review required under subsection (a), the
8 Administrator shall submit to the Committee on
9 Transportation and Infrastructure of the House of
10 Representatives and the Committee on Commerce,
11 Science, and Transportation of the Senate a report
12 on the findings and determination of the review.

13 (2) NATIONAL ACADEMIES.—If a report is pro-
14 duced under subsection (c), not later than 1 month
15 after receiving such report the Administrator shall
16 submit to the Committee on Transportation and In-
17 frastructure of the House of Representatives and the
18 Committee on Commerce, Science, and Transpor-
19 tation of the Senate such report.

20 **SEC. 540. CABIN AIR QUALITY.**

21 (a) REPORTING OF SMOKE OR FUME EVENTS ON-
22 BOARD COMMERCIAL AIRCRAFT.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Ad-
25 ministrator of the Federal Aviation Administration

1 shall develop a standardized system for a flight at-
2 tendants, pilots, and aircraft maintenance techni-
3 cians of air carriers to voluntarily report fume
4 events onboard passenger-carrying aircraft operating
5 under part 121 of title 14, Code of Federal Regula-
6 tions.

7 (2) INFORMATION SUBMISSION.—The system
8 developed under paragraph (1) shall include a meth-
9 od of submission, which shall request at least the
10 following information:

11 (A) Identification of the flight number,
12 type, and registration of the aircraft.

13 (B) The date of the reported fume event
14 onboard the aircraft.

15 (C) Description of smoke or fume in the
16 aircraft, including the nature, intensity, and
17 visual consistency or smell (if any).

18 (D) The location of the smoke or fumes in
19 the aircraft.

20 (E) The source (if discernible) of the
21 smoke or fumes in the aircraft.

22 (F) The phase of flight during which
23 smoke or fumes first became present.

24 (G) The duration of the fume event.

1 (H) Any required onboard medical atten-
2 tion for passengers or crew members.

3 (I) Any additional factors as determined
4 appropriate by the Administrator or crew mem-
5 ber submitting a report.

6 (3) GUIDELINES FOR SUBMISSION.—The Ad-
7 ministrator shall issue guidelines on how to submit
8 the information described in paragraph (2).

9 (4) CONFIRMATION OF SUBMISSION.—Upon
10 submitting the information described in paragraph
11 (2), the submitting party shall receive a duplicate
12 record of the submission and confirmation of receipt.

13 (5) USE OF INFORMATION.—The Adminis-
14 trator—

15 (A) may not publish any information sub-
16 mitted under this section;

17 (B) shall maintain a database of such in-
18 formation;

19 (C) at the request of an air carrier, shall
20 provide to such air carrier any information sub-
21 mitted under this section that is relevant to
22 such air carrier, except any information that
23 may be used to identify the party submitting
24 such information;

1 (D) may not, without validation, assume
2 that information submitted under this section is
3 accurate for the purposes of initiating rule-
4 making or taking an enforcement action;

5 (E) may use information submitted under
6 this section to inform the oversight of the safety
7 management system of an air carrier; and

8 (F) may use information submitted under
9 this section for the purpose of performing a
10 study or supporting a study sponsored by the
11 Administrator.

12 (b) STUDY.—

13 (1) IN GENERAL.—Not later than 3 years after
14 the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall seek to
16 enter into the appropriate arrangements with the
17 National Academies to conduct a study and issue
18 recommendations to be made publicly available per-
19 taining to cabin air quality and any risk of, and po-
20 tential for, persistent and accidental fume events on-
21 board a passenger-carrying aircraft operating under
22 part 121 of title 14, Code of Federal Regulations.

23 (2) SCOPE.—In carrying out a study pursuant
24 to paragraph (1), the National Academies shall ex-
25 amine—

1 (A) the information collected pursuant to
2 subsection (a);

3 (B) the report issued pursuant to section
4 326 of the FAA Reauthorization Act of 2018
5 (49 U.S.C. 40101 note) and any identified as-
6 sumptions or gaps described in such report;

7 (C) any health risks or impacts of fume
8 events on flight crews, including flight attend-
9 ants and pilots, and passengers onboard air-
10 craft operating under part 121 of title 14, Code
11 of Federal Regulations;

12 (D) instances of persistent or regularly oc-
13 ccurring (as determined by the National Acad-
14 emies) fume events in such aircraft;

15 (E) instances of accidental, unexpected, or
16 irregularly occurring (as determined by the Na-
17 tional Academies) fume events on such aircraft,
18 including whether such accidental events are
19 more frequent during various phases of oper-
20 ations, including ground operations, taxiing,
21 take off, cruise, and landing;

22 (F) the likely originating material of, and
23 the air contaminants present during, the situa-
24 tions described in subparagraphs (D) and (E);

1 (G) the frequencies, durations, and likely
2 causes of the situations described in subpara-
3 graphs (D) and (E); and

4 (H) any additional data on fume events as
5 determined appropriate by the National Acad-
6 emies.

7 (3) RECOMMENDATIONS.—The National Acad-
8 emies shall provide recommendations based on the
9 study conducted under paragraph (1)—

10 (A) that shall, at minimum, address how
11 to—

12 (i) improve overall cabin air quality of
13 passenger-carrying aircraft;

14 (ii) improve the detection, accuracy,
15 and reporting of fume events; and

16 (iii) reduce the frequency and impact
17 of fume events; and

18 (B) for any updates to standards, guide-
19 lines, or regulations that could help achieve the
20 recommendations described in subparagraph
21 (A).

22 (4) REPORT TO CONGRESS.—Not later than 1
23 month after the completion of the study conducted
24 under paragraph (1), the Administrator shall submit
25 to the Committee on Transportation and Infrastruc-

1 ture of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of
3 the Senate a copy of such study.

4 (c) FUME EVENT DEFINED.—In this section, the
5 term “fume event” means the presence of fumes in the
6 cabin, including smoke.

7 **SEC. 541. EVACUATION STANDARDS FOR TRANSPORT CAT-**
8 **EGORY AIRPLANES.**

9 (a) IN GENERAL.—Not later than 6 months after the
10 date of enactment of this Act, the Administrator of the
11 Federal Aviation Administration shall task the Aviation
12 Rulemaking Advisory Committee with reviewing and pro-
13 posing updates to the evacuation requirements under sec-
14 tion 25.803 of title 14, Code of Federal Regulations, and
15 appendix J to part 25 of such title.

16 (b) CONSIDERATIONS.—In tasking the Aviation Rule-
17 making Advisory Committee under subsection (a), the Ad-
18 ministrator shall, at a minimum, task the Committee to—

19 (1) evaluate whether the representative pas-
20 senger loads, prescribed in regulation on the date of
21 enactment of this Act, represent a realistic composi-
22 tion of passengers on an aircraft operated under
23 part 121 of title 14, Code of Federal Regulations,
24 including accounting for—

25 (A) children, including infants;

1 (B) passengers who do not speak English;

2 (C) passengers with disabilities; and

3 (D) service animals (as such term is de-
4 fined in section 35.104 and 36.104 of title 28,
5 Code of Federal Regulations, or successor regu-
6 lations);

7 (2) determine if there are technologies or tech-
8 niques that can be used to more accurately represent
9 categories of passengers who are unable to provide
10 consent during evacuation testing, but should be
11 simulated in such testing;

12 (3) evaluate whether the requirements pre-
13 scribed in regulation on the date of enactment of
14 this Act adequately consider the varying sizes,
15 weight, and matter or baggage present in an aircraft
16 cabin; and

17 (4) determine whether the evacuation testing
18 performed, associated with section 25.803 of title
19 14, Code of Federal Regulations, considers the seat
20 size, seat pitch, seating layout, aisle width, and aisle
21 layout of the aircraft type being tested.

22 (c) CONSULTATION.—In tasking the Aviation Rule-
23 making Advisory Committee under subsection (a), the Ad-
24 ministrator shall allow such Committee to consult with the
25 National Transportation Safety Board, transport category

1 aircraft manufacturers, air carriers certificated under part
2 121 of title 14, Code of Federal Regulations, crew mem-
3 bers of such air carriers, emergency responders, groups
4 representing passengers and passengers with disabilities,
5 and other relevant experts.

6 (d) RULEMAKING.—Not later than 18 months after
7 receiving such recommendations to update section 25.803
8 of title 14, Code of Federal Regulations, and appendix J
9 to part 25 of such title, the Administrator shall issue a
10 final rulemaking based on the recommendations provided
11 by the aviation rulemaking advisory committee tasked
12 under this section, as necessary.

13 (e) PASSENGER WITH DISABILITIES.—In this sec-
14 tion, the term “passenger with disabilities” means any
15 qualified individual with a disability, as such term is de-
16 fined in section 382.3 of title 14, Code of Federal Regula-
17 tions, or successor regulations.

18 **SEC. 542. LITHIUM-ION POWERED WHEELCHAIRS.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation shall task the Air Carrier Access Act Advisory Com-
22 mittee (in this section referred to as the “Committee”)
23 to conduct a review of regulations regarding lithium-ion
24 battery powered wheelchairs and mobility aids and provide
25 recommendations to the Secretary to ensure safe transport

1 of such wheelchairs and mobility aids in air transpor-
2 tation.

3 (b) CONSIDERATIONS.—In conducting the review re-
4 quired under subsection (a), the Committee shall consider
5 the following:

6 (1) Any existing or necessary standards for lith-
7 ium-ion batteries, including casings or other similar
8 components, in such wheelchairs and mobility aids.

9 (2) The availability of necessary containment or
10 storage devices, including fire containment covers or
11 fire-resistant storage containers, for such wheel-
12 chairs and mobility aids.

13 (3) The policies of each air carrier (as such
14 term is defined in part 121 of title 14, Code of Fed-
15 eral Regulations) pertaining to lithium-ion battery
16 powered wheelchairs and mobility aids (as in effect
17 on the date of enactment of this Act).

18 (4) Any other considerations the Secretary de-
19 termines appropriate.

20 (c) CONSULTATION REQUIREMENT.—In conducting
21 the review required under subsection (a), the Committee
22 shall consult with the Administrator of the Pipeline and
23 Hazardous Materials Safety Administration.

24 (d) NOTIFICATION.—

1 (1) IN GENERAL.—Upon completion of the re-
2 view conducted under subsection (a), the Committee
3 shall notify the Secretary if an air carrier does not
4 have a policy pertaining to lithium-ion battery pow-
5 ered wheelchairs and mobility aids in effect.

6 (2) NOTIFICATION.—The Secretary shall notify
7 an air carrier described in paragraph (1) of the sta-
8 tus of such air carrier.

9 (e) REPORT TO CONGRESS.—Not later than 90 days
10 after submission of the recommendations to the Secretary,
11 the Secretary shall submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and Transpor-
14 tation of the Senate any recommendations under sub-
15 section (a), in the form of a report.

16 (f) PUBLICATION.—The Secretary shall publish the
17 report required under subsection (e) on the public website
18 of the Department of Transportation.

19 **SEC. 543. NATIONAL SIMULATOR PROGRAM POLICIES AND**
20 **GUIDANCE.**

21 (a) REVIEW.—Not later than 2 years after the date
22 of enactment of this Act, the Administrator of the Federal
23 Aviation Administration shall review relevant policies and
24 guidance, including all advisory circulars, information bul-

1 letins, and directives, pertaining to part 60 of title 14,
2 Code of Federal Regulations.

3 (b) UPDATES.—Upon completion of the review re-
4 quired under subsection (a), the Administrator shall, at
5 a minimum, update the following:

6 (1) Advisory Circular 120–40B, issued July 29,
7 1991.

8 (2) Advisory Circular 120–45A, issued Feb-
9 ruary 5, 1992.

10 (3) Advisory Circular 120–50A, issued Feb-
11 ruary 9, 1996.

12 (4) Advisory Circular 120–63, issued October
13 11, 1994.

14 (c) CONSULTATION.—In carrying out the review re-
15 quired under subsection (a), the Administrator shall con-
16 vene and consult with entities required to comply with part
17 60 of title 14, Code of Federal Regulations, including rep-
18 resentatives of—

19 (1) air carriers;

20 (2) flight schools certificated under part 141 of
21 title 14, Code of Federal Regulations;

22 (3) training centers certificated under part 142
23 of title 14, Code of Federal Regulations; and

24 (4) manufacturers and suppliers of flight sim-
25 ulation training devices (as defined in part 1 of title

1 14, Code of Federal Regulations, and Appendix F to
2 part 60 of such title).

3 **SEC. 544. GAO STUDY ON FAA NATIONAL SIMULATOR PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Not later than 18 months after
6 the date of enactment of this Act, the Comptroller General
7 of the United States shall conduct a study into the Na-
8 tional Simulator Program of the Federal Aviation Admin-
9 istration that is part of the Air Transportation Division’s
10 Training and Simulation Group.

11 (b) CONSIDERATIONS.—In conducting the study re-
12 quired under subsection (a), the Comptroller General
13 shall, at a minimum, assesses—

14 (1) how the program described under subsection
15 (a), is maintained to reflect and account for ad-
16 vancement in technologies pertaining to flight sim-
17 ulation training devices (as defined in part 1 of title
18 14, Code of Federal Regulations, and appendix F to
19 part 60 of such title);

20 (2) the staffing levels, critical competencies,
21 and skills gaps of Administration personnel respon-
22 sible for carrying out and supporting the program
23 described in subsection (a); and

24 (3) how the program described in subsection (a)
25 engages air carriers and relevant industry stake-

1 holders, including flight schools, to ensure efficient
2 compliance with part 60 of such title.

3 (c) REPORT.—Not later than 18 months after the
4 date of enactment of this Act, the Comptroller General
5 shall submit to the Committee on Transportation and In-
6 frastructure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on the findings of the study conducted
9 under subsection (a).

10 **SEC. 545. GAO STUDY ON FAA ALIGNMENT WITH BEST**
11 **AVAILABLE TECHNOLOGIES AND STAND-**
12 **ARDS.**

13 (a) IN GENERAL.—The Comptroller General of the
14 United States shall conduct a study on the incorporation
15 of best available technologies by the Federal Aviation Ad-
16 ministration to increase aviation safety and improve the
17 health and safety of aviation workers.

18 (b) SCOPE.—In conducting the study under sub-
19 section (a), the Comptroller General shall—

20 (1) analyze the degree to which the Adminis-
21 trator of the Federal Aviation Administration is ena-
22 bling the use or adoption of technologies used by
23 other air navigation service providers to meet ICAO
24 standards; and

1 (2) identify any barriers to adoption of such
2 technologies.

3 (c) REPORT.—Not later than 4 years after the date
4 of enactment of this Act, the Comptroller General shall
5 report to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate on the findings of the study.

9 (d) IACO DEFINED.—In this section, the term
10 “IACO” means the International Civil Aviation Organiza-
11 tion.

12 **SEC. 546. ADVANCED SIMULATION TRAINING.**

13 (a) IN GENERAL.—Notwithstanding section
14 61.159(a)(6) of title 14, Code of Federal Regulations (or
15 any successor regulations), a person who is applying for
16 an airline transport certificate with an airplane category
17 and class rating may obtain up to 150 additional hours
18 of the total aeronautical experience requirement in a full
19 flight simulator representing an airplane that provides six-
20 degrees of freedom motion, provided the aeronautical ex-
21 perience—

22 (1) was accomplished as part of a Federal Avia-
23 tion Administration approved training course in
24 parts 121, 135, 141, or 142 of such title; and

1 (2) does not qualify for flight credit hours for
2 an individual applying for an airline transport pilot
3 certificate with restricted privileges under para-
4 graphs (a), (b), (c), and (d) of section 61.160 of
5 such title (or any successor regulation).

6 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion shall be construed to affect the ability of a person
8 to also obtain 100 hours of aeronautical experience in a
9 flight training device or full flight simulator under section
10 61.159(a)(6) of title 14, Code of Federal Regulations (or
11 any successor regulations).

12 (c) RULEMAKING.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, the Administrator
15 of the Federal Aviation Administration shall issue a
16 final rule to update part 61 of title 14, Code of Fed-
17 eral Regulations, to reflect changes made by this
18 section.

19 (2) CONSULTATION.—The Administrator shall
20 consult with the Air Carrier Training Aviation Rule-
21 making Committee—

22 (A) in developing the rule under paragraph
23 (1), and

24 (B) in evaluating, notwithstanding sub-
25 section (a), whether the additional 150 hours

1 allowed under subsection (a) may be accrued in
2 a full flight simulator representing an airplane
3 that provides three-degrees of freedom motion.

4 (3) **APPLICABILITY.**—Nothing in this sub-
5 section, nor any potential failure of the Adminis-
6 trator to issue a final rule under paragraph (1),
7 shall be construed to prohibit the immediate applica-
8 bility of subsection (a).

9 (d) **DEFINITIONS.**—In this section, the terms “flight
10 training device” and “full flight simulator” have the
11 meanings given such terms in section 1.1 of title 14, Code
12 of Federal Regulations.

13 **Subtitle B—Aviation Cybersecurity**

14 **SEC. 571. FINDINGS.**

15 Congress finds the following:

16 (1) Congress has repeatedly tasked the Federal
17 Aviation Administration with responsibility for se-
18 curing the national airspace system, including the
19 air traffic control system and other air navigation
20 services, civil aircraft, and aeronautical products and
21 articles through safety regulation and oversight.
22 These mandates have routinely included protecting
23 against associated cyber threats affecting aviation
24 safety or the Administration’s provision of safe, se-

1 cure, and efficient air navigation services and air-
2 space management.

3 (2) In 2016, Congress passed the FAA Exten-
4 sion, Safety, and Security Act of 2016, which estab-
5 lished requirements for the Federal Aviation Admin-
6 istration to enhance the national airspace system’s
7 cybersecurity and included mandates for the Admin-
8 istration to—

9 (A) develop a cybersecurity strategic plan;

10 (B) coordinate with other Federal agencies
11 to identify cyber vulnerabilities;

12 (C) develop a cyber threat model; and

13 (D) complete a comprehensive, strategic
14 policy framework to identify and mitigate cyber-
15 security risks to the air traffic control system.

16 (3) In 2018, Congress passed the FAA Reau-
17 thorization Act of 2018 which—

18 (A) authorized funding for the construction
19 of Federal Aviation Administration facilities
20 dedicated to improving the cybersecurity of the
21 national airspace system;

22 (B) required the Federal Aviation Admin-
23 istration to review and update its comprehen-
24 sive, strategic policy framework for cybersecu-
25 rity to assess the degree to which the frame-

1 work identifies and addresses known cybersecurity
2 risks associated with the aviation system,
3 and evaluate existing short- and long-term ob-
4 jectives for addressing cybersecurity risks to the
5 national airspace system;

6 (C) created a Chief Technology Officer po-
7 sition within the Federal Aviation Administra-
8 tion to be responsible for, among other things,
9 coordinating the implementation, operation,
10 maintenance, and cybersecurity of technology
11 programs relating to the air traffic control sys-
12 tem with the aviation industry and other Fed-
13 eral agencies; and

14 (D) directed the National Academy of
15 Sciences to study the cybersecurity workforce of
16 the Federal Aviation Administration in order to
17 develop recommendations to increase the size,
18 quality, and diversity of such workforce.

19 (4) Congress has tasked the Federal Aviation
20 Administration with being the primary Federal
21 agency to assess and address the threats posed from
22 cyber incidents relating to Federal Aviation Admin-
23 istration-provided air traffic control and air naviga-
24 tion services and the threats posed from cyber inci-
25 dents relating to civil aircraft, aeronautical products

1 and articles, aviation networks, aviation systems,
2 services, and operations, and the aerospace industry
3 affecting aviation safety or the provision of safe, se-
4 cure, and efficient air navigation services and air-
5 space management by the Administration.

6 (5) Since 2005, the Federal Aviation Adminis-
7 tration has been addressing cyber vulnerabilities in
8 civil aircraft and aeronautical products and articles
9 during the safety certification process.

10 **SEC. 572. AEROSPACE PRODUCT SAFETY.**

11 (a) **CYBERSECURITY STANDARDS.**—Section 44701(a)
12 of title 49, United States Code, is amended—

13 (1) in paragraph (1) by inserting “cybersecu-
14 rity,” after “quality of work,”; and

15 (2) in paragraph (5)—

16 (A) by inserting “cybersecurity and” after
17 “standards for”; and

18 (B) by striking “procedure” and inserting
19 “procedures”.

20 (b) **EXCLUSIVE RULEMAKING AUTHORITY.**—Section
21 44701 of title 49, United States Code, is amended by add-
22 ing at the end the following:

23 “(g) **EXCLUSIVE RULEMAKING AUTHORITY.**—Not-
24 withstanding any other provision of law and except as pro-
25 vided in section 40131, the Administrator, in consultation

1 with the heads of such other agencies as the Administrator
2 determines necessary, shall have exclusive authority to
3 prescribe regulations for purposes of assuring civil air-
4 craft, including unmanned aircraft systems, aircraft en-
5 gine, propeller, and appliance cybersecurity.”.

6 **SEC. 573. FEDERAL AVIATION ADMINISTRATION REGULA-**
7 **TIONS, POLICY, AND GUIDANCE.**

8 (a) IN GENERAL.—Chapter 401 of title 49, United
9 States Code, is further amended by adding at the end the
10 following:

11 **“§ 40132. National airspace system cyber threat man-**
12 **agement process**

13 “(a) ESTABLISHMENT.—The Administrator of the
14 Federal Aviation Administration, in consultation with
15 other agencies as the Administrator determines necessary,
16 shall establish a national airspace system cyber threat
17 management process to protect the national airspace sys-
18 tem cyber environment, including the safety, security, and
19 efficiency of the air navigation services provided by the
20 Administration.

21 “(b) ISSUES TO BE ADDRESSED.—In establishing
22 the national airspace system cyber threat management
23 process under subsection (a), the Administrator shall, at
24 a minimum—

1 “(1) monitor the national airspace system for
2 cybersecurity incidents;

3 “(2) in consultation with appropriate Federal
4 agencies, evaluate the cyber threat landscape for the
5 national airspace system, including updating such
6 evaluation on both annual and threat-based
7 timelines;

8 “(3) conduct national airspace system cyber in-
9 cident analyses;

10 “(4) create a cyber common operating picture
11 for the national airspace system cyber environment;

12 “(5) coordinate national airspace system cyber
13 incident responses with other appropriate Federal
14 agencies;

15 “(6) track cyber incident detection, response,
16 mitigation implementation, recovery, and closure;

17 “(7) establish a process, or utilize existing proc-
18 esses, to collect relevant interagency and stakeholder
19 national airspace system cyber incident data, includ-
20 ing data from other Federal agencies and private
21 persons; and

22 “(8) consider any other matter the Adminis-
23 trator determines appropriate.

24 “(c) DEFINITIONS.—In this section:

1 “(1) CYBER COMMON OPERATING PICTURE.—

2 The term ‘cyber common operating picture’ means
3 the correlation of a detected cyber incident or cyber
4 threat in the national airspace system and other
5 operational anomalies to provide a holistic view of
6 potential cause and impact.

7 “(2) CYBER ENVIRONMENT.—The term ‘cyber
8 environment’ means the information environment
9 consisting of the interdependent networks of infor-
10 mation technology infrastructures and resident data,
11 including the internet, telecommunications networks,
12 computer systems, and embedded processors and
13 controllers.

14 “(3) CYBER INCIDENT.—The term ‘cyber inci-
15 dent’ means an action that creates noticeable deg-
16 radation, disruption, or destruction to the cyber en-
17 vironment and causes a safety or other negative im-
18 pact on operations of—

19 “(A) the national airspace system;

20 “(B) civil aircraft; or

21 “(C) aeronautical products and articles.

22 “(4) CYBER THREAT.—The term ‘cyber threat’
23 means the threat of an action that, if carried out,
24 would constitute a cyber incident or an electronic at-
25 tack.

1 “(5) ELECTRONIC ATTACK.—The term ‘elec-
2 tronic attack’ means the use of electromagnetic spec-
3 trum energy to impede operations in the cyber envi-
4 ronment, including through techniques such as jam-
5 ming or spoofing.”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 401 of title 49, United States Code, is further amend-
8 ed by adding at the end the following:

“40132. National airspace system cyber threat management process.”.

9 **SEC. 574. CIVIL AVIATION CYBERSECURITY RULEMAKING**
10 **COMMITTEE.**

11 (a) IN GENERAL.—Not later than 1 year after the
12 date of enactment of this Act, the Administrator of the
13 Federal Aviation Administration shall convene an aviation
14 rulemaking committee on civil aircraft cybersecurity to
15 conduct a review and develop findings and recommenda-
16 tions on cybersecurity standards for civil aircraft, aircraft
17 ground support information systems, airports, air traffic
18 control mission systems, and aeronautical products and
19 articles.

20 (b) DUTIES.—The Administrator shall—

21 (1) not later than 2 years after the date of en-
22 actment of this Act, submit to the Committee on
23 Transportation and Infrastructure of the House of
24 Representatives and the Committee on Commerce,
25 Science, and Transportation of the Senate a report

1 based on the findings of the aviation rulemaking
2 committee convened under subsection (a); and

3 (2) not later than 180 days after the date of
4 submission of the report under paragraph (1) and,
5 in consultation with other agencies as the Adminis-
6 trator determines necessary, for consensus rec-
7 ommendations reached by such aviation rulemaking
8 committee—

9 (A) undertake a rulemaking, if appro-
10 priate, based on such recommendations; and

11 (B) submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Rep-
13 resentatives and the Committee on Commerce,
14 Science, and Transportation of the Senate a
15 supplemental report with explanations for each
16 consensus recommendation not addressed, if ap-
17 plicable, by a rulemaking under subparagraph
18 (A).

19 (c) COMPOSITION.—The aviation rulemaking com-
20 mittee convened under subsection (a) shall consist of mem-
21 bers appointed by the Administrator, including representa-
22 tives of—

23 (1) aircraft manufacturers, to include at least 1
24 manufacturer of transport category aircraft;

25 (2) air carriers;

1 (3) unmanned aircraft system stakeholders, in-
2 cluding operators, service suppliers, and manufactur-
3 ers of hardware components and software applica-
4 tions;

5 (4) manufacturers of powered-lift aircraft;

6 (5) airports;

7 (6) original equipment manufacturers of ground
8 and space based aviation infrastructure;

9 (7) aviation safety experts with specific knowl-
10 edge of aircraft cybersecurity; and

11 (8) a non-profit which operates 1 or more feder-
12 ally funded research and development centers with
13 specific knowledge of aviation and cybersecurity.

14 (d) MEMBER ELIGIBILITY.—Prior to a member’s ap-
15 pointment under subsection (c), the Administrator shall
16 determine if there is cause for such member to be re-
17 stricted from possessing sensitive security information.
18 Upon a determination of no cause being found regarding
19 the member, and upon the member voluntarily signing a
20 nondisclosure agreement, the member may be granted ac-
21 cess to sensitive security information that is relevant to
22 the member’s duties on the aviation rulemaking com-
23 mittee. The member shall protect the sensitive security in-
24 formation in accordance with part 1520 of title 49, Code
25 of Federal Regulations.

1 (e) PROHIBITION ON COMPENSATION.—The members
2 of the aviation rulemaking committee convened under sub-
3 section (a) shall not receive pay, allowances, or benefits
4 from the Government by reason of their service on such
5 committee.

6 (f) CONSIDERATIONS.—The Administrator shall di-
7 rect such committee to consider—

8 (1) existing cybersecurity standards, regula-
9 tions, policies, and guidance, including those from
10 other Federal agencies;

11 (2) threat- and risk-based security approaches
12 used by the aviation industry, including the assess-
13 ment of the potential costs and benefits of cyberse-
14 curity actions;

15 (3) data gathered from cybersecurity reporting;

16 (4) data gathered from safety reporting;

17 (5) the diversity of operations and systems on
18 aircraft and amongst air carriers;

19 (6) security of design data;

20 (7) the need to harmonize or deconflict pro-
21 posed and existing standards, regulations, policies,
22 and guidance with other Federal standards, regula-
23 tions, policies, and guidance;

24 (8) design approval holder aircraft network se-
25 curity guidance for operators;

1 (9) the need for such standards, regulations,
2 policies, and guidance as applied to civil aircraft in-
3 formation, data, networks, systems, services, oper-
4 ations, and technology;

5 (10) Federal Aviation Administration services,
6 aviation industry services, and aircraft use of posi-
7 tioning, navigation, and timing data in the context
8 of Executive Order 13905, as in effect on the date
9 of enactment of this Act;

10 (11) updates needed to airworthiness regula-
11 tions and systems safety assessment methods used
12 to show compliance with airworthiness requirements
13 for design, function, installation, and certification of
14 civil aircraft, aeronautical products and articles, and
15 aircraft networks;

16 (12) updates needed to air carrier operating
17 and maintenance regulations to ensure continued ad-
18 herence with processes and procedures established in
19 airworthiness regulations to provide cybersecurity
20 protections for aircraft systems, including for contin-
21 ued airworthiness;

22 (13) policies and procedures to coordinate with
23 other Federal agencies, including intelligence agen-
24 cies, and the aviation industry in sharing informa-
25 tion and analyses related to cyber threats to civil

1 aircraft information, data, networks, systems, serv-
2 ices, operations, and technology and aeronautical
3 products and articles;

4 (14) the response of the Administrator and
5 aviation industry to, and recovery from, cyber inci-
6 dents, including by coordinating with other Federal
7 agencies, including intelligence agencies;

8 (15) processes for members of the aviation in-
9 dustry to voluntarily report to the Federal Aviation
10 Administration cyber incidents that may affect avia-
11 tion safety in a manner that protects trade secrets
12 and confidential business information;

13 (16) the unique nature of the aviation industry,
14 including aircraft networks, aircraft systems, and
15 aeronautical products, and the interconnectedness of
16 cybersecurity and aviation safety;

17 (17) appropriate cybersecurity controls for air-
18 craft networks, aircraft systems, and aeronautical
19 products and articles to protect aviation safety, in-
20 cluding airworthiness;

21 (18) appropriate cybersecurity controls for air-
22 ports relative to the size and nature of airside oper-
23 ations of such airports to ensure aviation safety;

24 (19) minimum standards for protecting civil
25 aircraft, aeronautical products and articles, aviation

1 networks, aviation systems, services, and operations
2 from cyber threats and cyber incidents;

3 (20) international collaboration, where appro-
4 priate and consistent with the interests of aviation
5 safety in air commerce and national security, with
6 other civil aviation authorities, international aviation
7 and standards organizations, and any other appro-
8 priate entities to protect civil aviation from cyber in-
9 cidents and cyber threats;

10 (21) the recommendations and implementation
11 of the Aircraft System Information Security/Protec-
12 tion report of the aviation rulemaking advisory com-
13 mittee submitted on August 22, 2016; and

14 (22) any other matter the Administrator deter-
15 mines appropriate.

16 (g) DEFINITIONS.—The definitions set forth in sec-
17 tion 40131 of title 49, United States Code (as added by
18 this subtitle), shall apply to this section.

19 **TITLE VI—AEROSPACE**
20 **INNOVATION**
21 **Subtitle A—Unmanned Aircraft**
22 **Systems**

23 **SEC. 601. DEFINITIONS.**

24 (a) DEFINITION.—Section 44801(1) of title 49,
25 United States Code, is amended—

1 (1) in subparagraph (B) by striking “and” at
2 the end;

3 (2) in subparagraph (C) by striking the period
4 at the end and inserting a semicolon; and

5 (3) by adding at the end of the following:

6 “(D) is able to maintain safe flight control
7 in the event of a power or flight control failure
8 during flight; and

9 “(E) is programmed to initiate a controlled
10 landing in the event of a tether separation.”.

11 **SEC. 602. UNMANNED AIRCRAFT SYSTEM TEST RANGES.**

12 (a) IN GENERAL.—Section 44803 of title 49, United
13 States Code, is amended by striking subsections (a)
14 through (h) and inserting the following:

15 “(a) IN GENERAL.—The Administrator of the Fed-
16 eral Aviation Administration shall carry out and update,
17 as appropriate, a program to enable a broad variety of
18 testing and evaluation activities at unmanned aircraft sys-
19 tem test ranges, as in effect on the day before the date
20 of enactment of the Securing Growth and Robust Leader-
21 ship in American Aviation Act, to the extent consistent
22 with aviation safety and efficiency, and for purposes of
23 the safe integration of unmanned aircraft systems into the
24 national airspace system.

1 “(b) AIRSPACE REQUIREMENTS.—In carrying out the
2 program under subsection (a)—

3 “(1) the Administrator may establish non-
4 regulatory special use airspace areas upon the re-
5 quest of a test range sponsor selected by the Admin-
6 istrator under subsection (a), for purposes of accom-
7 modating hazardous testing and evaluation activities
8 to inform the safe integration of unmanned aircraft
9 systems into the national airspace system, or for
10 purposes of other activities authorized by the Ad-
11 ministrator under subsection (g);

12 “(2) each selected test range sponsor for a des-
13 igned test range shall be considered the using
14 agency for purposes of the respective nonregulatory
15 special use airspace areas established by the Admin-
16 istrator under this section; and

17 “(3) the Administrator may require that each
18 selected test range sponsor for a designated test
19 range provide a draft environmental review con-
20 sistent with the National Environmental Policy Act
21 of 1969 (42 U.S.C. 4321 et seq.), subject to the su-
22 pervision and adoption of the Administrator, with re-
23 spect to any request for the establishment of a non-
24 regulatory special use airspace area under this sec-
25 tion.

1 “(c) PROGRAM REQUIREMENT.—In carrying out the
2 program under subsection (a), the Administrator—

3 “(1) may develop operational standards and air
4 traffic requirements for flight operations at test
5 ranges;

6 “(2) shall coordinate with, and leverage the re-
7 sources of, other Federal agencies, as the Adminis-
8 trator considers appropriate;

9 “(3) shall address both civil and public aircraft
10 operations;

11 “(4) shall provide for verification of the safety
12 of flight systems and related navigation procedures
13 as it relates to continued development of standards
14 for integration into the national airspace system;

15 “(5) shall engage test range sponsors, as nec-
16 essary and within available resources, in projects for
17 testing and evaluation of flight systems to facilitate
18 the development of standards by the Administration
19 for the safe integration of unmanned aircraft sys-
20 tems into the national airspace system, which may
21 include solutions for—

22 “(A) developing and enforcing geographic
23 and altitude limitations;

1 “(B) providing for alerts by manufacturers
2 regarding any hazards or limitations on flight,
3 including prohibition on flight, as necessary;

4 “(C) sense and avoid capabilities;

5 “(D) technology to support communica-
6 tions, navigation, and surveillance;

7 “(E) unmanned aircraft system operations
8 beyond-visual-line-of-sight, at nighttime, or over
9 people;

10 “(F) operation of multiple unmanned air-
11 craft systems by a single remote pilot or oper-
12 ator;

13 “(G) unmanned aircraft systems traffic
14 management capabilities or services;

15 “(H) counter unmanned aircraft system
16 capabilities;

17 “(I) improving privacy protections through
18 the use of advances in unmanned aircraft sys-
19 tems; and

20 “(J) other critical priority areas for which
21 testing and evaluation is needed;

22 “(6) shall coordinate periodically with all test
23 range sponsors to ensure test range sponsors know
24 which data should be collected, how data can be de-
25 identified to flow more readily to the Administration,

1 what procedures should be followed, and what test-
2 ing and evaluations would advance efforts to safely
3 integrate unmanned aircraft systems into the na-
4 tional airspace system; and

5 “(7) shall allow test range sponsors to receive
6 Federal funding, other than from the Federal Avia-
7 tion Administration, including in-kind contributions,
8 from test range participants in the furtherance of
9 testing and evaluation objectives.

10 “(d) EXEMPTION.—Except as provided in subsection
11 (g), the requirements of section 44711, including related
12 implementing regulations, shall not apply to persons ap-
13 proved by the test range sponsor for operation at a des-
14 ignated test range under this section.

15 “(e) RESPONSIBILITIES OF TEST RANGE SPON-
16 SOR.—The sponsor of each test range under subsection
17 (a) shall—

18 “(1) provide access to all interested private and
19 public entities seeking to carry out testing and eval-
20 uation activities at the test range designated pursu-
21 ant to this section, to the greatest extent practicable,
22 consistent with safety and any operating procedures
23 established by the test range sponsor, including ac-
24 cess by small business concerns (as that term is de-

1 scribed in section 3(a) of the Small Business Act (15
2 U.S.C. 632(a));

3 “(2) ensure all activities remain within the geo-
4 graphical boundaries and altitude limitations estab-
5 lished for the nonregulatory special use airspace
6 area covering the test range;

7 “(3) ensure no activity is conducted at the des-
8 ignated test range in a careless or reckless manner;

9 “(4) establish safe operating procedures for all
10 operators approved for activities at the test range,
11 including provisions for maintaining operational con-
12 trol and ensuring protection of persons and property
13 on the ground, subject to approval by the Adminis-
14 trator;

15 “(5) exercise direct oversight of all operations
16 conducted at the test range;

17 “(6) consult with the Administrator on the na-
18 ture of planned activity at the test range and wheth-
19 er temporary segregation of the nonregulatory spe-
20 cial use airspace area is required to contain the ac-
21 tivity consistent with aviation safety;

22 “(7) protect proprietary technology, sensitive
23 data, or sensitive research of any civil or private en-
24 tity when using the test range;

1 “(8) maintain detailed records of all ongoing
2 and completed testing and evaluation activities con-
3 ducted at the test range and all operators con-
4 ducting such activities, for inspection by, and report-
5 ing to, the Administrator, as required by agreement
6 between the Administrator and the test range spon-
7 sor;

8 “(9) make all original records available for in-
9 spection upon request by the Administrator; and

10 “(10) provide recommendations to the Adminis-
11 trator to further enable public and private testing
12 and evaluation activities at the test ranges that con-
13 tribute to the safe integration of unmanned aircraft
14 systems by the Administration into the national air-
15 space system, on a quarterly basis until the program
16 terminates.

17 “(f) TESTING.—

18 “(1) IN GENERAL.—The Administrator may au-
19 thorize a sponsor of a test range designated under
20 subsection (a) to host testing and evaluation activi-
21 ties other than those directly related to the integra-
22 tion of unmanned aircraft systems into the national
23 airspace system, provided that the activity is nec-
24 essary to inform the development of standards or

1 policy for integrating new types of flight systems
2 into the national airspace system.

3 “(2) WAIVER.—In carrying out this subsection,
4 the Administrator may waive the requirements of
5 section 44711, including related regulations, to the
6 extent consistent with aviation safety.

7 “(g) AGREEMENTS.—The Administrator may use the
8 transaction authority under section 106(l)(6) to enter into
9 appropriate agreements to direct testing and evaluation
10 activities related to unmanned aircraft systems, including
11 at any test range designated under subsection (a).

12 “(h) TERMINATION.—The program under this sec-
13 tion shall terminate on September 30, 2028.”.

14 (b) CONFORMING AMENDMENT.—Section 44801(10)
15 of title 49, United States Code, is amended by striking
16 “any of the 6 test ranges” and all that follows through
17 “January 1, 2009” and inserting “the test ranges estab-
18 lished by the Administrator under section 44803”.

19 **SEC. 603. UNMANNED AIRCRAFT IN THE ARCTIC.**

20 (a) IN GENERAL.—Section 44804 of title 49, United
21 States Code, is amended—

22 (1) in section heading by striking “**Small un-**
23 **manned**” and inserting “**Unmanned**”; and

24 (2) by striking “small” each place it appears.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 448 of title 49, United States Code, is amended by
3 striking the item relating to section 44804 and insert the
4 following:

“44804. Unmanned aircraft in the Arctic.”.

5 **SEC. 604. PUBLIC SAFETY USE OF TETHERED UAS.**

6 (a) IN GENERAL.—Section 44806 of title 49, United
7 States Code, is amended—

8 (1) in the section heading by inserting “**and**
9 **public safety use of unmanned aircraft**
10 **systems**” after “**systems**”;

11 (2) in subsection (c)—

12 (A) in the subsection heading by inserting
13 “SAFETY USE OF” after “PUBLIC”; and

14 (B) in paragraph (1)—

15 (i) in the matter preceding subpara-
16 graph (A)—

17 (I) by striking “Not later than
18 180 days after the date of enactment
19 of this Act, the” and inserting “The”;

20 (II) by striking “permit the use
21 of” and inserting “permit”;

22 (III) by striking “public”; and

23 (IV) by inserting “by a public
24 safety organization for such systems”
25 after “systems”;

1 (ii) by striking subparagraph (A) and
2 inserting the following:

3 “(A) operated—

4 “(i) at or below an altitude of 150
5 feet above ground level within class B, C,
6 D, E, or G airspace, but not at a greater
7 altitude than the ceiling depicted on the
8 UAS facility maps published by the Fed-
9 eral Aviation Administration, where appli-
10 cable;

11 “(ii) within zero-grid airspaces as de-
12 picted on such UAS facility maps, only if
13 operated in life-saving or emergency situa-
14 tions and with prior notification to the Ad-
15 ministration in a manner determined by
16 the Administrator; or

17 “(iii) above 150 feet above ground
18 level within class B, C, D, E, or G airspace
19 only with prior authorization from the Ad-
20 ministrator;”;

21 (iii) by striking subparagraph (B);
22 and

23 (iv) by redesignating subparagraphs
24 (C), (D), and (E) as subparagraphs (B),
25 (C), and (D), respectively; and

1 (C) in paragraph (3) by striking “Public
2 actively” and inserting “Actively”; and
3 (3) by adding at the end, the following:

4 “(e) DEFINITION.—In this section, the term ‘public
5 safety organization’ means an entity that primarily en-
6 gages in activities related to the safety and well-being of
7 the general public, including law enforcement, fire depart-
8 ments, emergency medical services, and other organiza-
9 tions that protect and serve the public in matters of safety
10 and security.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 448 of title 49, United States Code, is amended by
13 striking the item relating to section 44806 and inserting
14 the following:

“44806. Public unmanned aircraft systems and public safety use of unmanned
aircraft systems.”.

15 **SEC. 605. SPECIAL AUTHORITY FOR UNMANNED AIRCRAFT**
16 **SYSTEMS.**

17 Section 44807 of title 49, United States Code, is
18 amended—

19 (1) in subsection (a)—

20 (A) by inserting “or chapter 447” after
21 “this chapter”;

22 (B) by striking “the Secretary of Trans-
23 portation” and inserting “the Administrator of
24 the Federal Aviation Administration”; and

1 (C) by striking “if certain” and inserting
2 “how”;

3 (2) in subsection (b)—

4 (A) by striking “the Secretary” and insert-
5 ing “the Administrator”; and

6 (B) in paragraph (1)—

7 (i) by striking “which types of un-
8 manned aircraft systems, if any, as a re-
9 sult of their size” and inserting “how the
10 unmanned aircraft, as a result of such air-
11 craft’s size”; and

12 (ii) by striking “do not create” and
13 inserting “does not create”;

14 (3) in subsection (c) to read as follows:

15 “(c) REQUIREMENTS FOR SAFE OPERATION.—

16 “(1) IN GENERAL.—For unmanned aircraft sys-
17 tems that the Administrator determines under this
18 section may operate safely in the national airspace
19 system, the Administrator shall establish require-
20 ments, or a process to accept proposed requirements,
21 for the safe operation of such aircraft systems in the
22 national airspace system, including operation related
23 to testing and evaluation of proprietary systems.

24 “(2) TREATMENT OF MITIGATION MEASURES.—

25 To the extent that a proposed operation will be con-

1 ducted exclusively within the airspace of a Mode C
2 Veil during the entirety of the operation, such oper-
3 ation shall be treated as satisfying the requirements
4 of section 91.113(b) of title 14, Code of Federal
5 Regulations, so long as the operation employs—

6 “(A) ADS-B In-based detect and avoid ca-
7 pabilities;

8 “(B) air traffic control communication and
9 coordination; and

10 “(C) aeronautical information management
11 systems to notify other aircraft operators of
12 such operations.

13 “(3) RULE OF CONSTRUCTION.—Nothing in
14 this subsection shall be construed to give an un-
15 manned aircraft operating pursuant to this section
16 the right of way over a manned aircraft.”;

17 (4) in subsection (d) by striking “2023” and in-
18 serting “2033”; and

19 (5) by adding at the end the following:

20 “(e) LIMITATION.—In making determinations under
21 this section, the Administrator may not consider un-
22 manned aircraft systems to the extent that such systems
23 may meet the requirements of established regulations ap-
24 plicable to the proposed operation of a system.”.

1 **SEC. 606. RECREATIONAL OPERATIONS OF DRONE SYS-**
2 **TEMS.**

3 (a) SPECIFIED EXCEPTION FOR LIMITED REC-
4 REATIONAL OPERATIONS OF UNMANNED AIRCRAFT.—
5 Section 44809 of title 49, United States Code, is amend-
6 ed—

7 (1) in subsection (a) by striking paragraph (6)
8 and inserting the following:

9 “(6) Except for circumstances when the Admin-
10 istrator establishes alternative altitude ceilings or as
11 otherwise authorized in section (c), in Class G air-
12 space, the aircraft is flown from the surface to not
13 more than 400 feet above ground level and complies
14 with all airspace and flight restrictions and prohibi-
15 tions established under this subtitle, such as special
16 use airspace designations and temporary flight re-
17 strictions.”;

18 (2) by striking subsection (c) and inserting the
19 following:

20 “(c) OPERATIONS AT FIXED SITES.—

21 “(1) IN GENERAL.—The Administrator shall es-
22 tablish a process to approve, and publicly dissemi-
23 nate the location of, fixed sites at which a person
24 may carry out recreational unmanned aircraft sys-
25 tem operations.

26 “(2) OPERATING PROCEDURES.—

1 “(A) CONTROLLED AIRSPACE.—Persons
2 operating unmanned aircraft under paragraph
3 (1) from a fixed site within Class B, Class C,
4 or Class D airspace or within the lateral bound-
5 aries of the surface area of Class E airspace
6 designated for an airport, or a community-
7 based organization sponsoring operations within
8 such airspace, shall make the location of the
9 fixed site known to the Administrator and shall
10 establish a mutually agreed upon operating pro-
11 cedure with the air traffic control facility.

12 “(B) ALTITUDE.—The Administrator, in
13 coordination with community-based organiza-
14 tions sponsoring operations at fixed sites, shall
15 develop a process to approve requests for rec-
16 reational unmanned aircraft systems operations
17 at fixed sites that exceed the maximum altitude
18 contained in a UAS Facility Map.

19 “(C) CLASS G AIRSPACE.—Subject to com-
20 pliance with all airspace and flight restrictions
21 and prohibitions established under this subtitle,
22 such as special use airspace designations and
23 temporary flight restrictions, persons operating
24 drones under paragraph (1) from a fixed site at
25 which the operations are sponsored by a com-

1 community-based organization may operate within
2 Class G airspace—

3 “(i) up to 400 feet above ground level,
4 without prior authorization from the Ad-
5 ministrator; and

6 “(ii) above 400 feet above ground
7 level, with prior authorization from the Ad-
8 ministrator.

9 “(3) UNMANNED AIRCRAFT WEIGHING 55
10 POUNDS OR GREATER.—A person may operate an
11 unmanned aircraft weighing 55 pounds or greater,
12 including the weight of anything attached to or car-
13 ried by the aircraft, under paragraph (1) if—

14 “(A) the unmanned aircraft complies with
15 standards and limitations developed by a com-
16 munity-based organization and approved by the
17 Administrator; and

18 “(B) the aircraft is operated from a fixed
19 site as described in paragraph (1).

20 “(4) FAA-RECOGNIZED IDENTIFICATION
21 AREAS.—In implementing subpart C of part 89 of
22 title 14, Code of Federal Regulations, the Adminis-
23 trator shall prioritize the review and adjudication of
24 requests to establish FAA Recognized Identification
25 Areas at fixed sites established under this section.”;

1 (3) in subsection (d) by striking the subsection
2 heading and all that follows through “(3) SAVINGS
3 CLAUSE.—” and inserting “(d) SAVINGS CLAUSE.—
4 ”;

5 (4) in subsection (d) by striking “subsection (a)
6 of”;

7 (5) in subsection (f)(1) by striking “updates
8 to”;

9 (6) by striking subsection (g)(1) and inserting
10 the following:

11 “(1) IN GENERAL.—The Administrator, in con-
12 sultation with manufacturers of unmanned aircraft
13 systems, community-based organizations, and other
14 industry stakeholders, shall develop, maintain, and
15 update, as necessary, an aeronautical knowledge and
16 safety test. Such test shall be administered electroni-
17 cally by the Administrator or a person designated by
18 the Administrator.”; and

19 (7) in subsection (h)—

20 (A) by redesignating paragraphs (1)
21 through (6) as paragraphs (2) through (7), re-
22 spectively; and

23 (B) by inserting before paragraph (2) (as
24 so redesignated) the following:

1 “(1) is recognized by the Administrator of the
2 Federal Aviation Administration;”.

3 (b) USE OF UNMANNED AIRCRAFT SYSTEMS FOR
4 EDUCATIONAL PURPOSES.—Section 350 of the FAA Re-
5 authorization Act of 2018 (49 U.S.C. 44809 note) is
6 amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraphs (2) and
9 (3) as paragraphs (3) and (4), respectively; and

10 (B) by inserting before paragraph (3) (as
11 so redesignated) the following:

12 “(2) operated by an elementary school or sec-
13 ondary school for educational or research pur-
14 poses;”; and

15 (2) in subsection (d)—

16 (A) in paragraph (2) by inserting “an ele-
17 mentary school, or a secondary school,” after
18 “with respect to the operation of an unmanned
19 aircraft system by an institution of higher edu-
20 cation,”; and

21 (B) by inserting after paragraph (2) the
22 following:

23 “(3) ELEMENTARY SCHOOL.—The term ‘ele-
24 mentary school’ has the meaning given to that term

1 by section 8101 of the Elementary and Secondary
2 Education Act of 1965 (20 U.S.C. 7801(19)).

3 “(4) SECONDARY SCHOOL.—The term ‘sec-
4 ondary school’ has the meaning given to that term
5 by section 8101 of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 7801(45)).”.

7 **SEC. 607. AIRPORT SAFETY AND AIRSPACE HAZARD MITI-**
8 **GATION AND ENFORCEMENT.**

9 Section 44810(h) of title 49, United States Code, is
10 amended by striking “2023” and inserting “2028”.

11 **SEC. 608. APPLICATIONS FOR DESIGNATION.**

12 Section 2209 of the FAA Extension, Safety, and Se-
13 curity Act of 2016 (Public Law 114–190) is further
14 amended—

15 (1) in subsection (b)(1)(C)—

16 (A) in clause (iv), by striking “Other loca-
17 tions that warrant such restrictions” and in-
18 serting “State correctional facilities”; and

19 (B) by adding at the end the following:

20 “(v) Eligible outdoor gatherings.”;

21 and

22 (2) by adding at the end the following:

23 “(f) ELIGIBLE OUTDOOR GATHERING DEFINED.—In
24 this section, the term ‘eligible outdoor gathering’ means
25 an event that—

1 “(1) is primarily outdoors;

2 “(2) has an estimated daily attendance of
3 20,000 or greater in at least 1 of the preceding 3
4 years;

5 “(3) has defined and static geographical bound-
6 aries; and

7 “(4) is advertised in the public domain.

8 “(f) DEADLINES.—

9 “(1) Not later than March 1, 2024, the Admin-
10 istrator shall publish a notice of proposed rule-
11 making to carry out the requirements of this section.

12 “(2) Not later than 16 months after publishing
13 the notice of proposed rulemaking under paragraph
14 (1), the Administrator shall issue a final rule.”.

15 **SEC. 609. BEYOND VISUAL LINE OF SIGHT RULEMAKING.**

16 (a) IN GENERAL.—Not later than 4 months after the
17 date of enactment of this Act, the Administrator of the
18 Federal Aviation Administration shall issue a notice of
19 proposed rulemaking establishing airworthiness and oper-
20 ational regulations for unmanned aircraft systems oper-
21 ated beyond visual line of sight that are intended to oper-
22 ate primarily at or below 400 feet above ground level.

23 (b) CONTENTS.—In carrying out subsection (a), the
24 Administrator shall—

25 (1) establish a means to accept proposed—

1 (A) airworthiness standards for unmanned
2 aircraft;

3 (B) standards for associated elements of
4 unmanned aircraft; and

5 (C) qualification standards for remote pi-
6 lots operating unmanned aircraft;

7 (2) enable the ability for unmanned aircraft to
8 be operated for agricultural purposes;

9 (3) establish a process by which the Adminis-
10 trator may approve or accept third party compliance
11 services in support of the safe integration of un-
12 manned aircraft systems into the national airspace
13 system; and

14 (4) establish protocols, as appropriate, for
15 networked information exchange, including network-
16 based remote identification in support of beyond vis-
17 ual line of sight operations.

18 (c) UNMANNED AIRCRAFT AIRWORTHINESS STAND-
19 ARDS.—In carrying out subsection (b)(1)(A), the Adminis-
20 trator shall—

21 (1) define the operational environments for
22 which airworthiness is needed to ensure aviation
23 safety;

1 (2) establish an airworthiness category or cat-
2 egories for unmanned aircraft to be eligible for a
3 special airworthiness certificate; and

4 (3) establish a process to approve standards,
5 means of compliance, and declarations of compli-
6 ance.

7 (d) UNMANNED AIRCRAFT ASSOCIATED ELEMENTS
8 STANDARDS.—

9 (1) IN GENERAL.—In carrying out subsection
10 (b)(1)(B), the Administrator shall establish a proc-
11 ess to accept or approve the associated elements of
12 an unmanned aircraft that, when considered collec-
13 tively with other associated elements and an un-
14 manned aircraft, meet an acceptable performance-
15 based safety standard.

16 (2) CONSIDERATIONS.—In establishing the
17 process under paragraph (1), the Administrator
18 shall consider the ways associated elements of an
19 unmanned aircraft system interact with other associ-
20 ated elements and unmanned aircraft.

21 (e) REMOTE PILOT QUALIFICATIONS.—

22 (1) IN GENERAL.—In carrying out subsection
23 (b)(1)(C), the Administrator shall establish quali-
24 fications and standards, or a means to accept pro-

1 posed qualifications and standards, for remote pilots
2 operating unmanned aircraft systems.

3 (2) CONSIDERATIONS.—In carrying out sub-
4 section (e)(1), the Administrator shall account for
5 the varying levels of automation of unmanned air-
6 craft systems.

7 (3) RULE OF CONSTRUCTION.—Nothing in this
8 subsection may be construed to allow for the estab-
9 lishment of type-ratings that apply specifically and
10 exclusively to an aircraft manufactured by 1 manu-
11 facturer.

12 (f) INTERIM APPROVALS.—Before the date on which
13 the Administrator issues a final rule under this section,
14 the Administrator shall use the process described in sec-
15 tion 44807 of title 49, United States Code, to authorize
16 unmanned aircraft system operations conducted beyond
17 visual line of sight.

18 (g) FINAL RULE.—Not later than 16 months after
19 the date of enactment of this Act, the Administrator shall
20 issue a final rule establishing the regulations required
21 under this section.

22 (h) DEFINITIONS.—In this section:

23 (1) ASSOCIATED ELEMENTS.—The term “asso-
24 ciated elements” means any component of an un-
25 manned aircraft system, not permanently affixed to

1 the unmanned aircraft, required for the remote pilot
2 to operate such aircraft safely and efficiently in the
3 national airspace system.

4 (2) BEYOND VISUAL LINE OF SIGHT.—The
5 term “beyond visual line of sight” means a distance
6 at which the remote pilot in command of an un-
7 manned aircraft system cannot see the unmanned
8 aircraft with vision unaided by any device other than
9 corrective lenses.

10 (3) UNMANNED AIRCRAFT; UNMANNED AIR-
11 CRAFT SYSTEM.—The terms “unmanned aircraft”
12 and “unmanned aircraft system” have the meaning
13 given such terms in section 44801 of title 49, United
14 States Code.

15 **SEC. 610. UAS TRAFFIC MANAGEMENT.**

16 (a) IN GENERAL.—Not later than 3 years after the
17 date of enactment of this Act, the Administrator of the
18 Federal Aviation Administration may enter into agree-
19 ments for purposes of—

20 (1) testing and refining UTM capabilities and
21 services to inform the development of UTM stand-
22 ards in subsection (b);

23 (2) authorizing UTM service providers that
24 meet the requirements described in subsection (b) to

1 provide UTM services to better enable advanced un-
2 manned aircraft systems operations, including—

3 (A) beyond visual line of sight operations;

4 (B) aircraft-to-aircraft communications;

5 and

6 (C) operations in which an individual acts

7 as remote pilot in command of more than 1 un-

8 manned aircraft at the same time; and

9 (3) fostering the safe integration of unmanned
10 aircraft systems using UTM capabilities and services
11 within the national airspace system.

12 (b) STANDARDIZATION.—

13 (1) IN GENERAL.—In carrying out subsection
14 (a), the Administrator shall publish requirements as-
15 sociated with UTM, including—

16 (A) the types of operations requiring, or
17 benefitting from, the use of UTM capabilities
18 and services described in subsection (a), includ-
19 ing beyond visual line of sight operations;

20 (B) areas of operation or categories of air-
21 space requiring, or benefitting from, the use of
22 UTM capabilities and services;

23 (C) performance-based technical standards
24 for UAS operations using UTM capabilities and
25 services; and

1 (D) application program interfaces that en-
2 able UTM service suppliers to integrate UTM
3 capabilities and services into other systems for
4 use by users of the national airspace system, in-
5 cluding unmanned aircraft system operators.

6 (2) INTERNATIONAL HARMONIZATION.—In car-
7 rying out paragraph (1), the Administrator shall
8 seek to harmonize, to the extent practicable and ad-
9 visable, UTM standards with standards produced by
10 recognized industry standards organizations or other
11 peer civil aviation authorities.

12 (3) FEEDBACK OF CONCEPT OF OPERATIONS.—
13 Not later than 90 days after the date of enactment
14 of this Act, the Administrator shall solicit feedback
15 from stakeholders on the most recently published
16 UTM concept of operations of the Administration.

17 (4) FINALIZATION OF CONCEPT OF OPER-
18 ATIONS.—Not later than 1 year after the date of en-
19 actment of this Act, the Administrator shall publish
20 a final version of the UTM concept of operations of
21 the Administration.

22 (c) STAKEHOLDER PARTNERSHIPS.—In carrying out
23 subsection (a), the Administrator shall establish a means
24 by which the Administrator can enter into cooperative
25 agreements, contracts, other transaction agreements, and

1 other appropriate mechanisms with appropriate persons,
2 partnerships, and consortia to enable qualified third-par-
3 ties to design, build, develop, fund, and manage UTM.

4 (d) RULES OF CONSTRUCTION.—

5 (1) BEYOND VISUAL LINE OF SIGHT OPER-
6 ATIONS.—Nothing in this section shall be construed
7 to prevent or prohibit beyond visual line of sight op-
8 erations through the use of technologies other than
9 UTM capabilities and services.

10 (2) AIRSPACE.—Nothing in this section shall be
11 construed to alter the authority under section 40103
12 of title 49, United States Code.

13 (e) BRIEFING.—Not later than 90 days after the date
14 of enactment of this Act, and annually thereafter, the Ad-
15 ministrator shall brief the Committee on Transportation
16 and Infrastructure of the House of Representatives and
17 the Committee on Commerce, Science, and Transportation
18 of the Senate on progress made by the Administration de-
19 tailing the implementation and requirements of this sec-
20 tion and any applicable timelines to completion.

21 (f) DEFINITIONS.—In this section:

22 (1) APPROPRIATE PERSONS.—The term “appro-
23 priate persons” means a Federal, State, local, Trib-
24 al, or territorial governmental entity, or a person.

1 (2) UTM.—The term “UTM” means the man-
2 ner in which the Administration will support oper-
3 ations for unmanned aircraft systems operating in
4 low-altitude airspace.

5 **SEC. 611. RADAR DATA PILOT PROGRAM.**

6 (a) SENSITIVE RADAR DATA FEED PILOT PRO-
7 GRAM.—Not later than 1 year after the date of enactment
8 of this Act, the Administrator of the Federal Aviation Ad-
9 ministration, in coordination with the Secretary of De-
10 fense, and other heads of relevant Federal agencies, shall
11 establish a pilot program to make airspace data feeds con-
12 taining classified or controlled unclassified information
13 available to qualified users, in conjunction with subsection
14 (b).

15 (b) AUTHORIZATION.—In carrying out subsection (a),
16 the Administrator and the heads of other relevant Federal
17 agencies and in coordination with the Secretary of De-
18 fense, shall establish a process to authorize qualified enti-
19 ties to receive airspace data feeds containing classified in-
20 formation related to air traffic within the national airspace
21 system and use such information in an agreed upon man-
22 ner to—

23 (1) provide—

24 (A) air traffic management services; and

1 (B) unmanned aircraft system traffic man-
2 agement services; or

3 (2) to test technologies that may enable or en-
4 hance the provision of the services described in para-
5 graph (1).

6 (c) BRIEFING.—Not later than 90 days after estab-
7 lishing the pilot program under subsection (a), and annu-
8 ally thereafter, the Administrator shall brief the Com-
9 mittee on Transportation and Infrastructure of the House
10 of Representatives and the Committee on Commerce,
11 Science, and Transportation of the Senate on the findings
12 of the Administrator related to the pilot program estab-
13 lished under this section.

14 (d) SUNSET.—This section shall cease to be effective
15 on October 1, 2028.

16 (e) DEFINITION OF QUALIFIED USER.—In this sec-
17 tion, the term “qualified user” means an entity authorized
18 to receive airspace data feeds containing classified or con-
19 trolled unclassified information pursuant to subsection
20 (b).

21 **SEC. 612. ELECTRONIC CONSPICUITY STUDY.**

22 (a) IN GENERAL.—The Comptroller General of the
23 United States shall conduct a study of technologies and
24 methods that may be used by operators of unmanned air-
25 craft systems to detect and avoid manned aircraft that

1 may lawfully operate below 500 feet above ground level
2 and that are—

3 (1) not equipped with a transponder or auto-
4 matic dependent surveillance-broadcast out equip-
5 ment; or

6 (2) otherwise not electronically conspicuous.

7 (b) CONSULTATION.—In conducting the study re-
8 quired under subsection (a), the Comptroller General shall
9 consult with—

10 (1) representatives from—

11 (A) unmanned aircraft systems manufac-
12 turers and operators;

13 (B) general aviation operators;

14 (C) aerial applicators; and

15 (D) helicopter operators, including State
16 and local governments; and

17 (2) any other person the Comptroller General
18 determines appropriate.

19 (c) REPORT.—Not later than 1 year after the date
20 of the enactment of this Act, the Comptroller General shall
21 submit to the Committee on Transportation and Infra-
22 structure of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate a report describing the results of such study.

1 **SEC. 613. REMOTE IDENTIFICATION ALTERNATIVE MEANS**
2 **OF COMPLIANCE.**

3 (a) **STUDY.**—The Administrator of the Federal Avia-
4 tion Administration shall review and evaluate the final
5 rule titled “Remote Identification of Unmanned Aircraft”,
6 issued on January 15, 2021, to determine the feasibility
7 and advisability of whether unmanned aircraft manufac-
8 turers and operators can meet the intent of such final rule
9 through alternative means of compliance, including
10 through network-based remote identification.

11 (b) **REPORT.**—Not later than 1 year after the date
12 of enactment of this Act, the Administrator shall submit
13 to the Committee on Transportation and Infrastructure
14 of the House of Representatives and the Committee on
15 Commerce, Science, and Transportation of the Senate a
16 report on the results of the study under subsection (a).

17 **SEC. 614. PART 107 WAIVER IMPROVEMENTS.**

18 (a) **IN GENERAL.**—The Administrator of the Federal
19 Aviation Administration shall adopt a performance- and
20 risk-based approach in reviewing requests for certificates
21 of waiver under section 107.200 of title 14, Code of Fed-
22 eral Regulations.

23 (b) **STANDARDIZATION OF WAIVER APPLICATION.**—

24 (1) **IN GENERAL.**—In carrying out subsection

25 (a), the Administrator shall improve the process es-

1 established to submit requests for certificates of waiver
2 described in subsection (a).

3 (2) **FORMAT.**—In carrying out paragraph (1),
4 the Administrator may not require the use of open-
5 ended descriptive prompts that are required to be
6 filled out by an applicant, except to provide appli-
7 cants the ability to provide the Administration with
8 information for an unusual or irregular operation.

9 (3) **DATA.**—

10 (A) **IN GENERAL.**—In carrying out para-
11 graph (1), the Administrator shall leverage data
12 gathered from previous requests for certificates
13 of waivers.

14 (B) **CONSIDERATIONS.**—In carrying out
15 subparagraph (A), the Administrator shall safe-
16 ly use—

17 (i) big data analytics; and

18 (ii) machine learning.

19 (c) **CONSIDERATION OF PROPERTY OWNERSHIP IN-**
20 **TEREST.**—

21 (1) **IN GENERAL.**—In determining whether to
22 issue a certificate of waiver under section 107.200 of
23 title 14, Code of Federal Regulations, the Adminis-
24 trator shall—

1 (A) consider whether the waiver applicant
2 has control over access to all real property on
3 the ground within the area of operation; and

4 (B) recognize and account for the safety
5 enhancements of such controlled access.

6 (2) RULE OF CONSTRUCTION.—Nothing in this
7 subsection shall be construed to direct the Adminis-
8 trator to consider the lack of control over access to
9 all real property on the ground within an area of op-
10 eration, or a lack of property interest in such area
11 of operation, as negatively affecting the safety of the
12 operation intended to be conducted under such cer-
13 tificate of waiver.

14 (d) PUBLIC AVAILABILITY OF WAIVERS.—

15 (1) IN GENERAL.—The Administrator shall
16 publish all certificates of waiver issued under section
17 107.200 of title 14, Code of Federal Regulations, on
18 the website of the Administration, including, with re-
19 spect to each issued certificate of waiver—

20 (A) the terms, conditions, and limitations;
21 and

22 (B) the class of airspace and any restric-
23 tions related to operating near airports or heli-
24 ports.

1 (2) PUBLICATION.—In carrying out paragraph
2 (1), the Administrator shall ensure that published
3 information is made available in a manner that pre-
4 vents inappropriate disclosure of proprietary infor-
5 mation.

6 (e) PRECEDENTIAL USE OF PREVIOUSLY APPROVED
7 WAIVERS.—

8 (1) WAIVER APPROVAL PRECEDENT.—Except
9 as provided in paragraph (3), if the Administrator
10 determines, using criteria for a particular waiver,
11 that an application for a certificate of waiver issued
12 under section 107.200 of title 14, Code of Federal
13 Regulations, is substantially similar (or is comprised
14 of elements that are substantially similar) to an ap-
15 plication for a certificate of waiver that the Adminis-
16 trator has previously approved, the Administrator
17 may streamline, as appropriate, the approval of ap-
18 plications with substantially similar conditions and
19 limitations as a previously approved application.

20 (2) RULE OF CONSTRUCTION.—Nothing in
21 paragraph (1) shall be construed to preclude an ap-
22 plicant for a certificate of waiver from applying to
23 modify a condition, or remove a limitation of, such
24 certificate.

25 (f) MODIFICATION OF WAIVERS.—

1 (1) IN GENERAL.—The Administrator shall es-
2 tablish an expedited review process for a request to
3 modify or renew certificates of waiver previously
4 issued under section 107.200 of title 14, Code of
5 Federal Regulations, as appropriate.

6 (2) USE OF REVIEW PROCESS.—The review
7 process established under paragraph (1) shall be
8 used to review certificates of waiver that cover oper-
9 ations that are substantially similar in all material
10 facts to operations covered under a subsequently
11 issued certificate of waiver.

12 **SEC. 615. ACCEPTABLE LEVELS OF RISK AND RISK ASSESS-**
13 **MENT METHODOLOGY.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of enactment of this Act, the Administrator of the
16 Federal Aviation Administration shall establish acceptable
17 levels of risk, and develop a risk assessment methodology
18 associated with such levels of risk, to enable unmanned
19 aircraft system operations conducted—

20 (1) under waivers issued to part 107 of title 14,
21 Code of Federal Regulations;

22 (2) pursuant to section 44807 of title 49,
23 United States Code; or

24 (3) pursuant to future regulations promulgated
25 by the Administrator, as appropriate.

1 (b) ACCEPTABLE LEVELS OF RISK.—In carrying out
2 subsection (a), the Administrator shall establish accept-
3 able levels of risk for unmanned aircraft system operations
4 in the national airspace system and a method for assessing
5 the operational risk of a proposed operation in accordance
6 with such acceptable level.

7 (c) RISK ASSESSMENT METHODOLOGY.—In carrying
8 out subsections (a) and (b), the Administrator shall de-
9 velop a risk assessment methodology to allow remote pilots
10 in command operating unmanned aircraft systems pursu-
11 ant to subsection (a) to determine the risk associated with
12 a specific operation, and mitigate such a risk, as nec-
13 essary.

14 (d) RISK ASSESSMENT METHODOLOGY CONSIDER-
15 ATIONS.—In establishing the risk assessment methodology
16 described under this section, the Administrator shall con-
17 sider—

18 (1) the time of day of the operation;

19 (2) the population density of the area of oper-
20 ation;

21 (3) the class of airspace and such requirements
22 necessary for airspace users to legally operate in
23 each class of airspace;

1 (4) the proximity to infrastructure, to the ex-
2 tent that proximity mitigates risk to other operators
3 of the national airspace system;

4 (5) the nature of the detect and avoid mitiga-
5 tion measures of an unmanned aircraft system; and

6 (6) the attributes and characteristics of the un-
7 manned aircraft of the unmanned aircraft system,
8 including the—

9 (A) size;

10 (B) visibility;

11 (C) maximum takeoff weight;

12 (D) maximum indicated airspeed; and

13 (E) payload.

14 (e) PUBLICATION.—The Administrator shall make
15 the risk assessment methodology established under this
16 section available to the public on an appropriate website
17 of the Administration.

18 (f) DEFINITIONS OF UNMANNED AIRCRAFT AND UN-
19 MANNED AIRCRAFT SYSTEM.—In this section, the terms
20 “unmanned aircraft” and “unmanned aircraft system”
21 have the meanings given such terms in section 44801 of
22 title 49, United States Code.

23 **SEC. 616. ENVIRONMENTAL REVIEW.**

24 (a) GUIDANCE UPDATES.—Not later than 180 days
25 after the date of enactment of this Act, the Administrator

1 of the Federal Aviation Administration shall publish un-
2 manned aircraft system-specific guidance and implementa-
3 tion procedures. Such guidance and implementation proce-
4 dures shall—

5 (1) provide guidance to streamline environ-
6 mental assessments at a programmatic level, as the
7 Administrator considers appropriate, for an un-
8 manned aircraft system operator’s network of oper-
9 ations within a defined geographical region, includ-
10 ing within and over approved commercial or indus-
11 trial sites closed or restricted to the public;

12 (2) provide guidance for nationwide pro-
13 grammatic approaches for large scale distributed un-
14 manned aircraft system operations whereby a Pro-
15 grammatic Environmental Assessment or Environ-
16 mental Impact Statement can be leveraged for sub-
17 sequent related actions to ensure efficient environ-
18 mental review;

19 (3) consider additional Categorical Exclusions
20 based on previously prepared and finalized Environ-
21 mental Assessments or in consultation with the
22 Council on Environmental Quality;

23 (4) prioritize proposed projects or activities that
24 can be shown to—

1 (A) offset or limit the impacts of non-zero
2 emission activities;

3 (B) offset or limit the release of environ-
4 mental pollutants to soil or water; or

5 (C) demonstrate other factors to the ben-
6 efit of the environment as determined by the
7 Administrator;

8 (5) contain intra-agency process improvements
9 to avoid providing conflicting safety and environ-
10 mental feedback to operators;

11 (6) contain standards and criteria for engaging
12 specialized third parties to support the Administra-
13 tion's preparation and review of documentation re-
14 lating to the requirements of the National Environ-
15 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
16 to ensure streamlined timelines for complex reviews;
17 and

18 (7) any other modifications the Administrator
19 considers necessary within the stated environmental
20 objectives of the National Environmental Policy Act
21 of 1969 (42 U.S.C. 4321 et seq.) and the Federal
22 priority to maintain global leadership in aviation in-
23 novation.

24 (b) BRIEFING.—No later than 90 days after the date
25 of enactment of this Act, the Administrator shall brief the

1 Committee on Transportation and Infrastructure of the
2 House of Representatives and the Committee on Com-
3 merce, Science, and Transportation of the Senate on the
4 plan of the Administration to implement subsection (b),
5 including each of the considerations specified in the sub-
6 section, and an explanation for any consideration the Ad-
7 ministrator does not intend to implement.

8 (c) CONCURRENT REVIEWS.—If the Administrator
9 determines that the review of an unmanned aircraft sys-
10 tem’s design, construction, maintenance and operational
11 sustainability, airworthiness approval, or operational ap-
12 proval requires environmental assessment, including re-
13 quirements under the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4321 et seq.), the Administrator shall,
15 to the maximum extent practicable, conduct such reviews
16 and analyses concurrent with one another.

17 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed as prohibiting, restricting or other-
19 wise limiting the authority of the Secretary of Transpor-
20 tation or the Administrator from implementing or com-
21 plying with the requirements of the National Environ-
22 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
23 any related requirements to ensure the protection of the
24 environment and aviation safety.

1 (e) ASSOCIATED UAS CERTIFICATION STAND-
2 ARDS.—

3 (1) IN GENERAL.—The Administrator shall de-
4 velop and establish substantive criteria and stand-
5 ards metrics used by the Administrator to determine
6 whether to approve or disapprove the airworthiness
7 of an unmanned aircraft pursuant to part 36 of title
8 14, Code of Federal Regulations.

9 (2) SUBSTANTIVE CRITERIA AND STANDARDS
10 METRICS.—In establishing the substantive criteria
11 and standards metrics as required under paragraph
12 (1), the Administrator shall include such criteria and
13 metrics related to the airworthiness of unmanned
14 aircraft for the following:

15 (A) Noise impacts.

16 (B) Visual impacts.

17 (3) PUBLICATION.—The Administrator shall
18 publish in the Federal Register and post on a
19 website of the Federal Aviation Administration the
20 criteria and metrics established pursuant to para-
21 graph (1).

22 (f) DEFINITION OF UNMANNED AIRCRAFT SYS-
23 TEM.—In this section, the term “unmanned aircraft sys-
24 tem” has the meaning given such term in section 44801
25 of title 49, United States Code.

1 **SEC. 617. CARRIAGE OF HAZARDOUS MATERIALS.**

2 (a) NEAR-TERM APPROVALS.—Not later than 180
3 days after the date of enactment of this Act, the Adminis-
4 trator of the Federal Aviation Administration shall coordi-
5 nate with the Administrator of the Pipeline and Haz-
6 ardous Materials Safety Administration to revise processes
7 in effect on the date of enactment of this Act for the car-
8 riage of hazardous materials by unmanned aircraft sys-
9 tems to provide that—

10 (1) special conditions, waivers, or other require-
11 ments necessary to enable the carriage of hazardous
12 materials shall be incorporated into the existing reg-
13 ulatory and operator certification processes of the
14 Federal Aviation Administration for unmanned air-
15 craft operations in which the aircraft—

16 (A) weighs less than 100 pounds; and

17 (B) is capable of carrying less than 10
18 pounds gross weight of limited quantity cargo;
19 and

20 (2) the existing special permitting process or
21 other existing processes carried out by the Adminis-
22 trator of the Pipeline and Hazardous Materials Safe-
23 ty Administration shall be initiated as early as prac-
24 ticable, and in conjunction with the existing regu-
25 latory and operator certification processes of the

1 Federal Aviation Administration, for unmanned air-
2 craft operations in which the unmanned aircraft—

3 (A) weighs 100 pounds or more; or

4 (B) is capable of carrying 10 pounds or
5 more gross weight of limited quantity cargo.

6 (b) RULEMAKING.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Secretary of
9 Transportation shall revise requirements, guidance,
10 standards, or other policy materials governing the
11 carriage of hazardous materials to allow for the car-
12 riage of a de minimis amount of hazardous materials
13 by an unmanned aircraft.

14 (2) CONSIDERATIONS.—In carrying out para-
15 graph (1), the Administrator shall consider—

16 (A) whether a hazardous material is a con-
17 sumer commodity;

18 (B) requirements for common carriage and
19 private carriage;

20 (C) whether the transportation of a de
21 minimis volume, weight, or amount of a haz-
22 ardous material would pose an unreasonable
23 risk to health and safety or property;

24 (D) whether the volume, weight, or amount
25 of a hazardous material is large enough to per-

1 mit the transportation of a commercially mean-
2 ingful volume, weight, or amount; and

3 (E) the altitude at which unmanned air-
4 craft operations are conducted.

5 (3) IMPLEMENTATION.—

6 (A) PETITION.—The Secretary shall estab-
7 lish a process for a person to petition to estab-
8 lish or revise a de minimis amount or a haz-
9 ardous material.

10 (B) PERIODIC UPDATES.—The Secretary
11 shall—

12 (i) periodically review, as necessary,
13 de minimis amounts of hazardous mate-
14 rials established under paragraph (1);

15 (ii) determine whether such amounts
16 of Hazardous materials should be revised,
17 based on operational and safety data or
18 other factors; and

19 (iii) assess whether to establish a de
20 minimis amount for a hazardous material
21 for which a de minimis volume, weight, or
22 amount has previously not been estab-
23 lished.

24 (c) SAVING CLAUSE.—Nothing in this section shall
25 be construed to—

1 (1) limit the authority of the Secretary, the Ad-
2 ministrator of the Federal Aviation Administration,
3 or the Administrator of the Pipeline and Hazardous
4 Materials Safety Administration from implementing
5 requirements under existing authorities to ensure
6 the safe carriage of hazardous materials by aircraft;
7 and

8 (2) confer upon the Administrator of the Fed-
9 eral Aviation Administration the authorities of the
10 Administrator of the Pipeline and Hazardous Mate-
11 rials Safety Administration, as described in part 175
12 of title 49, Code of Federal Regulations, and chapter
13 51 of title 49, United States Code.

14 (d) EXEMPTION.—The authorities of the Adminis-
15 trator related to the transportation, packaging, marking,
16 or description of hazardous materials in section 106(g)(1)
17 of title 49, United States Code, shall not apply to the ex-
18 tent necessary to enact the requirements of this section.

19 (e) DEFINITIONS.—In the section:

20 (1) UNMANNED AIRCRAFT SYSTEM.—The term
21 “unmanned aircraft system” has the meaning given
22 the term in section 44801 of title 49, United States
23 Code.

24 (2) CONSUMER COMMODITY.—The term “con-
25 sumer commodity” has the meaning given such term

1 in section 171.8 of title 49, Code of Federal Regula-
2 tions.

3 **SEC. 618. UNMANNED AIRCRAFT SYSTEM USE IN WILDFIRE**
4 **RESPONSE.**

5 (a) UNMANNED AIRCRAFT SYSTEMS IN WILDFIRE
6 RESPONSE.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Administrator
9 of the Federal Aviation Administration, in coordina-
10 tion with the United States Forest Service and any
11 other Federal entity the Administrator considers ap-
12 propriate, shall develop a plan on the use of un-
13 manned aircraft systems by public entities in wild-
14 fire response efforts, including wildfire detection,
15 mitigation, and suppression.

16 (2) PLAN CONTENTS.—The plan under sub-
17 section (a) shall provide recommendations to—

18 (A) identify and designate areas of public
19 land with high potential for wildfires in which
20 public entities may conduct unmanned aircraft
21 system beyond visual line of sight operations as
22 part of wildfire response efforts, including wild-
23 fire detection, mitigation, and suppression;

24 (B) develop a process to facilitate the safe
25 and efficient operation of unmanned aircraft

1 systems beyond the visual line of sight in wild-
2 fire response efforts in areas designated under
3 paragraph (A), including the waiver process
4 under section 91.113 or section 107.31 of title
5 14, Code of Federal Regulations, for public en-
6 tities that use unmanned aircraft systems for
7 aerial wildfire detection, mitigation, and sup-
8 pression; and

9 (C) improve coordination between the rel-
10 evant Federal agencies and public entities on
11 the use of unmanned aircraft systems in wild-
12 fire response efforts.

13 (3) PLAN SUBMISSION.—Upon completion of
14 the plan under subsection (a), the Administrator of
15 the Federal Aviation Administration shall submit
16 such plan to, and provide a briefing for, the Com-
17 mittee on Transportation and Infrastructure of the
18 House of Representatives and the Committee on
19 Commerce, Science, and Transportation of the Sen-
20 ates.

21 (4) PUBLICATION.—Upon submission of the
22 plan under subsection (a), the Administrator of the
23 Federal Aviation Administration shall publish such
24 plan on a publicly available website of the Adminis-
25 tration.

1 (b) APPLICABILITY.—This section shall only apply to
2 unmanned aircraft systems that are—

3 (1) operated by, or on behalf of, a public entity;

4 (2) operated in airspace covered by a wildfire-
5 related temporary flight restriction under section
6 91.137 of title 14, Code of Federal Regulations; and

7 (3) under the operational control of, or other-
8 wise are being operationally coordinated by, an au-
9 thorized aviation coordinator responsible for coordi-
10 nating disaster relief aircraft within the airspace
11 covered by such temporary flight restriction.

12 (c) INTERAGENCY COORDINATION.—Not later than
13 180 days after the date of enactment of this Act, the Ad-
14 ministrator shall seek to enter into the necessary agree-
15 ments to provide a liaison of the Administration to the
16 National Interagency Fire Center to facilitate the use of
17 manned and unmanned aircraft in wildfire response ef-
18 forts, including wildfire detection, mitigation, and suppres-
19 sion.

20 (d) SAVINGS CLAUSE.—Nothing in this Act shall be
21 construed to confer upon the Administrator of the Federal
22 Aviation Administration the authorities of the Administra-
23 tion of the Federal Emergency Management Agency on
24 wildfire response under section 611 of the Robert T. Staf-

1 ford Disaster Relief and Emergency Assistance Act (42
2 U.S.C. 5196).

3 (e) DEFINITIONS.—In this section:

4 (1) PUBLIC ENTITY.—The term “public entity”
5 means—

6 (A) a Federal agency;

7 (B) a State government;

8 (C) a local government;

9 (D) a Tribal government; and

10 (E) a territorial government.

11 (2) PUBLIC LAND.—The term “public land”
12 has the meaning given such term in section 205 of
13 the Sikes Act (16 U.S.C. 670k).

14 (3) UNMANNED AIRCRAFT SYSTEM.—The term
15 “unmanned aircraft system” has the meaning given
16 such term in section 44801 of title 49, United
17 States Code.

18 (4) WILDFIRE.—The term “wildfire” has the
19 meaning given that term in section 2 of the Emer-
20 gency Wildfire Suppression Act (42 U.S.C. 1856m).

21 **SEC. 619. PILOT PROGRAM FOR UAS INSPECTIONS OF FAA**
22 **INFRASTRUCTURE.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of enactment of this Act, the Secretary of Transpor-
25 tation shall establish and initiate a pilot program to sup-

1 plement appropriate inspection and oversight activities of
2 the department with unmanned aircraft systems for the
3 purposes of increasing employee safety, enhancing data
4 collection, increasing the accuracy of inspections, reducing
5 costs, and other purposes the Secretary considers to be
6 in the broader interests of good government.

7 (b) GROUND-BASED AVIATION INFRASTRUCTURE.—
8 Under the program required in subsection (a), the Admin-
9 istrator of the Federal Aviation Administration shall
10 evaluate the use of unmanned aircraft systems to inspect
11 ground-based aviation infrastructure that may require vis-
12 ual inspection in hard-to-reach areas, including—

- 13 (1) navigational aids;
- 14 (2) air traffic control towers;
- 15 (3) radar facilities;
- 16 (4) communication facilities; and
- 17 (5) other air traffic control facilities.

18 (c) COORDINATION.—In carrying out the pilot pro-
19 gram established under subsection (a), the Secretary shall
20 consult with the labor union certified under section 7111
21 of title 5, United States Code, to represent personnel re-
22 sponsible for the inspection of the ground-based aviation
23 infrastructure described in subsection (b).

24 (d) COVERED FOREIGN UNMANNED AIRCRAFT SYS-
25 TEM.—The Secretary may not carry out an inspection

1 under this section using an unmanned aircraft system
2 manufactured by—

3 (1) an entity domiciled in the People’s Republic
4 of China or the Russian Federation; or

5 (2) an entity, or a subsidiary or affiliate of an
6 entity, that is subject to influence or control by—

7 (A) the Government of the People’s Repub-
8 lic of China;

9 (B) the Chinese Communist Party; or

10 (C) the Russian Federation.

11 (e) BRIEFING.—Not later than 2 years after the date
12 of enactment of this Act, and annually thereafter until the
13 termination of the pilot program under this section, the
14 Secretary shall provide to the Committee on Transpor-
15 tation and Infrastructure of the House of Representatives
16 and the Committee on Commerce, Science, and Transpor-
17 tation of the Senate a briefing on the status and results
18 of the pilot program established under subsection (a), in-
19 cluding—

20 (1) cost saving;

21 (2) a description of how unmanned aircraft sys-
22 tems were used to supplement existing inspection,
23 data collection, or oversight activities of Department
24 employees, including the number of operations and
25 types of activities performed;

1 (3) efficiency or safety improvements, if any,
2 associated with the use of unmanned aircraft sys-
3 tems to supplement conventional inspection, data
4 collection, or oversight activities;

5 (4) the fleet of unmanned aircraft systems
6 maintained by the Department of Transportation for
7 the program, or an overview of the services used as
8 part of the pilot program; and

9 (5) recommendations for improving the use or
10 efficacy of unmanned aircraft systems to supplement
11 the Department's conventional inspection, data col-
12 lection, or oversight activities.

13 (f) SUNSET AND INCORPORATION INTO STANDARD
14 PRACTICE.—

15 (1) SUNSET.—The pilot program established
16 under subsection (a) and the reporting requirement
17 under subsection (f) shall terminate on the date that
18 is 50 months after the date of enactment of this Act.

19 (2) INCORPORATION INTO STANDARD PRAC-
20 TICE.—Upon termination of the pilot program, the
21 Secretary shall assess the results of the pilot pro-
22 gram under this section and determine whether to
23 permanently incorporate the use of unmanned air-
24 craft systems into the regular inspection, data collec-
25 tion, and oversight activities of the Department.

1 (3) REPORT TO CONGRESS.—Not later than 3
2 months after the termination of the pilot program
3 under paragraph (1), the Secretary shall submit to
4 the Committee on Transportation and Infrastructure
5 of the House of Representatives and the Committee
6 on Commerce, Science, and Transportation of the
7 Senate a report on the final results of the pilot pro-
8 gram and the actions taken by the Administrator
9 pursuant to paragraph (2).

10 **SEC. 620. DRONE INFRASTRUCTURE INSPECTION GRANT**
11 **PROGRAM.**

12 (a) AUTHORITY.—Not later than 180 days after the
13 date of enactment of this Act, the Secretary of Transpor-
14 tation shall establish a drone infrastructure inspection
15 grant program to make grants to governmental entities
16 to facilitate the use of eligible small unmanned aircraft
17 systems to support more efficient inspection, operation,
18 construction, maintenance, modernization, and repair of
19 critical infrastructure to improve worker safety related to
20 critical infrastructure projects.

21 (b) USE OF GRANT AMOUNTS.—A governmental enti-
22 ty may use a grant provided under this section to—

23 (1) purchase or lease eligible small unmanned
24 aircraft systems;

1 (2) support operational capabilities of eligible
2 small unmanned aircraft systems by the govern-
3 mental entity;

4 (3) contract for services performed using an eli-
5 gible small unmanned aircraft system in cir-
6 cumstances in which the governmental entity does
7 not have the resources or expertise to safely carry
8 out or assist in carrying out the activities described
9 under subsection (a); and

10 (4) support the program management capability
11 of the governmental entity to use an eligible small
12 unmanned aircraft system.

13 (c) ELIGIBILITY.—To be eligible to receive a grant
14 under this section, a governmental entity shall submit an
15 application to the Secretary at such time, in such form,
16 and containing such information as the Secretary may re-
17 quire, including an assurance that the governmental entity
18 or any contractor of the governmental entity, will comply
19 with relevant Federal regulations.

20 (d) SELECTION OF APPLICANTS.—In awarding a
21 grant under this section, the Secretary shall prioritize ap-
22 plications that propose to—

23 (1) carry out a critical infrastructure project in
24 a variety of communities, including urban, suburban,
25 rural, tribal, or any other type of community; and

1 (2) address a safety risk in the inspection, oper-
2 ation, construction, maintenance, or repair of critical
3 infrastructure.

4 (e) LIMITATION.—Nothing in this section shall be
5 construed as to interfere with an agreement between a
6 governmental entity and a labor union, including require-
7 ments under section 5333(b) of title 49, United States
8 Code.

9 (f) REPORT TO CONGRESS.—Not later than 1 year
10 after the first grant is provided under this section, the
11 Secretary shall submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and Transpor-
14 tation of the Senate a report that evaluates the program
15 carried out under this section, including—

16 (1) a description of the number of grants
17 awarded;

18 (2) the amount of each grant;

19 (3) the activities funded under this section; and

20 (4) the effectiveness of such funded activities in
21 meeting the objectives described in subsection (a).

22 (g) FUNDING.—

23 (1) FEDERAL SHARE.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), the Federal share of the cost

1 of a project carried out using a grant under
2 this section shall not exceed 50 percent of the
3 total project cost.

4 (B) WAIVER.—The Secretary may increase
5 the Federal share requirement under subpara-
6 graph (A) to up to 75 percent for a project car-
7 ried out using a grant under this section by a
8 governmental entity if such entity—

9 (i) submits a written application to
10 the Secretary requesting an increase in the
11 Federal share; and

12 (ii) demonstrates that the additional
13 assistance is necessary to facilitate the ac-
14 ceptance and full use of a grant under this
15 section, such as alleviating economic hard-
16 ship, meeting additional workforce needs,
17 or such other uses that the Secretary de-
18 termines to be appropriate.

19 (2) AUTHORIZATION OF APPROPRIATIONS.—Out
20 of amounts authorized to be appropriated under sec-
21 tion 106(k) of title 49, United States Code, the Sec-
22 retary shall make available to carry out this sec-
23 tion—

24 (A) \$2,000,000 for fiscal year 2024;

25 (B) \$12,000,000 for fiscal year 2025;

- 1 (C) \$12,000,000 for fiscal year 2026;
2 (D) \$12,000,000 for fiscal year 2027; and
3 (E) \$12,000,000 for fiscal year 2028.

4 (h) DEFINITIONS.—In this section:

5 (1) COVERED FOREIGN ENTITY.—The term
6 “covered foreign entity” means an entity—

7 (A) included on the Consolidated Screening
8 List or Entity List as designated by the Sec-
9 retary of Commerce;

10 (B) domiciled in the People’s Republic of
11 China or the Russian Federation;

12 (C) subject to influence or control by the
13 government of the People’s Republic of China
14 or by the Russian Federation; or

15 (D) is a subsidiary or affiliate of an entity
16 described in subparagraphs (A) through (C).

17 (8) CRITICAL INFRASTRUCTURE.—The term
18 “critical infrastructure” has the meaning given such
19 term in subsection (e) of the Critical Infrastructures
20 Protection Act of 2001 (42 U.S.C. 5195c(e)).

21 (7) ELEMENT OF CRITICAL INFRASTRUC-
22 TURE.—The term “element of critical infrastruc-
23 ture” means a critical infrastructure facility or
24 asset, including public bridges, tunnels, roads, high-
25 ways, dams, electric grid, water infrastructure, com-

1 munication systems, pipelines, or other related facili-
2 ties or assets, as determined by the Secretary.

3 (4) ELIGIBLE SMALL UNMANNED AIRCRAFT
4 SYSTEM.—The term “eligible small unmanned air-
5 craft system” means a small unmanned aircraft sys-
6 tem manufactured or assembled by a company that
7 is domiciled in the United States and is not a cov-
8 ered foreign entity.

9 (5) ELIGIBLE SMALL UNMANNED AIRCRAFT
10 SYSTEM TECHNOLOGY.—The term “eligible small
11 unmanned aircraft system technology” means—

12 (A) an eligible small unmanned aircraft
13 system; or

14 (B) a major component of such a system
15 that is not manufactured by or procured from
16 a covered foreign entity.

17 (6) GOVERNMENTAL ENTITY.—The term “gov-
18 ernmental entity” means—

19 (A) a State, the District of Columbia, the
20 Commonwealth of Puerto Rico, a territory of
21 the United States, or a political subdivision
22 thereof;

23 (B) a unit of local government;

24 (C) a Tribal Government;

1 (D) a metropolitan planning organization;

2 or

3 (E) a consortia of more than 1 of the enti-
4 ties described in subparagraphs (A) through
5 (D).

6 (7) PROJECT.—The term “project” means a
7 project for the inspection, operation, maintenance,
8 repair, modernization, or construction of an element
9 of critical infrastructure, including mitigating envi-
10 ronmental hazards to such infrastructure.

11 (8) SMALL UNMANNED AIRCRAFT; UNMANNED
12 AIRCRAFT SYSTEM.—The terms “small unmanned
13 aircraft” and “unmanned aircraft system” have the
14 meanings given such terms in section 44801 of title
15 49, United States Code.

16 **SEC. 621. DRONE EDUCATION AND WORKFORCE TRAINING**
17 **GRANT PROGRAM.**

18 (a) AUTHORITY.—Not later than 180 days after the
19 date of enactment of this Act, the Secretary of Transpor-
20 tation shall establish a drone education and training grant
21 program to make grants to educational institutions for
22 workforce training for eligible small unmanned aircraft
23 system technology.

24 (b) USE OF GRANT AMOUNTS.—Amounts from a
25 grant under this section shall be used in furtherance of

1 activities authorized under sections 631 and 632 of the
2 FAA Reauthorization Act of 2018 (49 U.S.C. 40101
3 note).

4 (c) ELIGIBILITY.—To be eligible to receive a grant
5 under this section, an educational institution shall submit
6 an application to the Secretary at such time, in such form,
7 and containing such information as the Secretary may re-
8 quire.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—Out of
10 amounts authorized to be appropriated under section
11 106(k) of title 49, United States Code, the Secretary shall
12 make available to carry out this section—

- 13 (1) \$2,000,000 for fiscal year 2024;
- 14 (2) \$12,000,000 for fiscal year 2025;
- 15 (3) \$12,000,000 for fiscal year 2026;
- 16 (4) \$12,000,000 for fiscal year 2027; and
- 17 (5) \$12,000,000 for fiscal year 2028.

18 (e) DEFINITIONS.—In this section:

19 (1) COVERED FOREIGN ENTITY.—The term
20 “covered foreign entity” means an entity—

21 (A) included on the Consolidated Screening
22 List or Entity List as designated by the Sec-
23 retary of Commerce;

24 (B) domiciled in the People’s Republic of
25 China or the Russian Federation;

1 (C) subject to influence or control by the
2 government of the People’s Republic of China
3 or by the Russian Federation; or

4 (D) is a subsidiary or affiliate of an entity
5 described in subparagraphs (A) through (C).

6 (2) EDUCATIONAL INSTITUTION.—The term
7 “educational institution” means an institution of
8 higher education (as defined in section 101 of the
9 High Education Act of 1965 (20 U.S.C. 1001)) that
10 participates in a program authorized under sections
11 631 and 632 of the FAA Reauthorization Act of
12 2018 (49 U.S.C. 40101 note).

13 (3) ELIGIBLE SMALL UNMANNED AIRCRAFT
14 SYSTEM.—The term “eligible small unmanned air-
15 craft system” means a small unmanned aircraft sys-
16 tem manufactured or assembled by a company that
17 is domiciled in the United States and is not a cov-
18 ered foreign entity.

19 (4) SMALL UNMANNED AIRCRAFT; UNMANNED
20 AIRCRAFT SYSTEM.—The terms “small unmanned
21 aircraft” and “unmanned aircraft system” have the
22 meanings given such terms in section 44801 of title
23 49, United States Code.

1 **SEC. 622. DRONE WORKFORCE TRAINING PROGRAM STUDY.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Comptroller General
4 of the United States shall initiate a study of the effective-
5 ness of the Collegiate Training Initiative Program for Un-
6 manned Aircraft Systems, established pursuant to section
7 632 of the FAA Reauthorization Act 2018 (49 U.S.C.
8 40101 note).

9 (b) REPORT.—Upon completion of the study under
10 subsection (a), the Comptroller General shall submit to the
11 Committee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a report
14 describing—

15 (1) the findings of the study; and

16 (2) any recommendations to improve and ex-
17 pand the Collegiate Training Initiative Program for
18 Unmanned Aircraft Systems.

19 **SEC. 623. UAS INTEGRATION OFFICE.**

20 The Executive Director of the UAS Integration Of-
21 fice of the Federal Aviation Administration shall—

22 (1) support rulemaking proceedings, in coordi-
23 nation with the Assistant Administrator of Rule-
24 making and Regulatory Improvement, regarding the
25 integration of unmanned aircraft systems into the
26 national airspace system;

1 (2) support the review and adjudication of sub-
2 missions under the processes established under sec-
3 tion 44807 of title 49, United States Code, as
4 amended by section 605;

5 (3) support the development, modification, and
6 acceptance or approval of relevant consensus stand-
7 ards, means of compliance, and declarations of com-
8 pliance related to unmanned aircraft systems;

9 (4) ensure the timely consideration of airworthi-
10 ness and operational determinations related to un-
11 manned aircraft systems by relevant offices of the
12 Administration;

13 (5) consult, advise, and coordinate with relevant
14 lines of business and staff offices of the Administra-
15 tion to support the activities of the Administration
16 and efficiently carry out the duties described in this
17 section;

18 (6) hire full-time equivalent employees, as nec-
19 essary, to build expertise within the UAS Integration
20 Office to assess unmanned aviation technologies and
21 related operational risk mitigation; and

22 (7) engage in any other activities determined
23 necessary by the Executive Director or the Adminis-
24 trator of the Federal Aviation Administration, to ful-
25 fill the duties described in this section.

1 **SEC. 624. TERMINATION OF ADVANCED AVIATION ADVI-**
2 **SORY COMMITTEE.**

3 The Secretary of Transportation may not renew the
4 charter of the Advanced Aviation Advisory Committee
5 (chartered by the Secretary on June 10, 2022).

6 **SEC. 625. UNMANNED AND AUTONOMOUS FLIGHT ADVI-**
7 **SORY COMMITTEE.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 termination of the Advanced Aviation Advisory Committee
10 pursuant to section 624, the Administrator of the Federal
11 Aviation Administration shall establish an Unmanned and
12 Autonomous Flight Advisory Committee (in this section
13 referred to as the “Advisory Committee”).

14 (b) DUTIES.—The Advisory Committee shall provide
15 the Administrator advice on policy- and technical-level
16 issues related to unmanned and autonomous aviation oper-
17 ations and activities, including, at a minimum, the fol-
18 lowing:

19 (1) The safe integration of unmanned aircraft
20 systems and autonomous flight operations into the
21 national airspace system, including feedback on—

22 (A) the certification and operational stand-
23 ards of highly automated aircraft, unmanned
24 aircraft, and associated elements of such air-
25 craft;

1 (B) coordination of procedures for oper-
2 ations in controlled airspace; and

3 (C) communication protocols.

4 (2) The use cases of unmanned aircraft sys-
5 tems, including evaluating and assessing the poten-
6 tial benefits of using unmanned aircraft systems.

7 (3) The development of processes and meth-
8 odologies to address safety concerns related to the
9 operation of unmanned aircraft systems, including
10 risk assessments and mitigation strategies.

11 (4) Unmanned aircraft system training, edu-
12 cation, and workforce development programs, includ-
13 ing evaluating aeronautical knowledge gaps in the
14 unmanned aircraft system workforce, assessing the
15 workforce needs of unmanned aircraft system oper-
16 ations, and establishing a strong pipeline to ensure
17 a robust unmanned aircraft system workforce.

18 (5) The analysis of unmanned aircraft system
19 data and trends.

20 (6) Unmanned aircraft system infrastructure,
21 including the use of existing aviation infrastructure
22 and the development of necessary infrastructure.

23 (c) MEMBERSHIP.—

24 (1) IN GENERAL.—The Advisory Committee
25 shall be composed of not more than 12 members.

1 (2) REPRESENTATIVES.—The Advisory Com-
2 mittee shall include at least 1 representative of each
3 of the following:

4 (A) Small unmanned aircraft system com-
5 mercial operators.

6 (B) Small unmanned aircraft system man-
7 ufacturers.

8 (C) Manufacturers of unmanned aircraft
9 weighing 55 pounds or more pursuing or hold-
10 ing a certificate for design or production of
11 such unmanned aircraft.

12 (D) Counter-unmanned aircraft system
13 manufacturers.

14 (E) Federal Aviation Administration ap-
15 proved unmanned aircraft system service sup-
16 pliers.

17 (F) Unmanned aircraft system test sites
18 under section 44803 of title 49, United States
19 Code.

20 (G) An unmanned aircraft system physical
21 infrastructure network provider.

22 (H) Community advocates.

23 (I) Certified labor representatives for pi-
24 lots, air traffic control specialists employed by

1 the Administration, aircraft mechanics, and
2 aviation safety inspectors.

3 (d) REPORTING.—

4 (1) IN GENERAL.—The Advisory Committee
5 shall submit to the Secretary an annual report of the
6 activities, findings, and recommendations of the
7 Committee.

8 (2) CONGRESSIONAL REPORTING.—The Sec-
9 retary shall submit to the Committee on Transpor-
10 tation and Infrastructure of the House of Represent-
11 atives and the Committee on Commerce, Science,
12 and Transportation of the Senate the reports re-
13 quired under paragraph (1).

14 (e) DEFINITION OF UNMANNED AIRCRAFT.—In this
15 section, the term “unmanned aircraft” has the meaning
16 given such term in section 44801 of title 49, United States
17 Code.

18 **SEC. 626. NEXTGEN ADVISORY COMMITTEE MEMBERSHIP**

19 **EXPANSION.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of enactment of this Act, the Secretary of Transpor-
22 tation shall take such actions as may be necessary to ex-
23 pand the membership of the NextGen Advisory Committee
24 chartered by the Secretary on June 15, 2022, and any
25 subsequent chartered committees, to include a representa-

1 tive from the unmanned aircraft system industry and a
2 representative from the powered-lift industry.

3 (b) QUALIFICATIONS.—The representatives required
4 under subsection (a) shall have the following qualifica-
5 tions, as applicable:

6 (1) Demonstrated expertise in the design, man-
7 ufacture, and operation of unmanned aircraft sys-
8 tems.

9 (2) Demonstrated experience in the develop-
10 ment or implementation of unmanned aircraft sys-
11 tems policies and procedures.

12 (3) Demonstrated commitment to advancing the
13 safe integration of unmanned aircraft systems into
14 the national airspace system.

15 **SEC. 627. TEMPORARY FLIGHT RESTRICTION INTEGRITY.**

16 (a) IN GENERAL.—Section 40103(b) of title 49,
17 United States Code, is amended by adding at the end the
18 following:

19 “(5)(A) In issuing a temporary flight restric-
20 tion, the Administrator shall—

21 “(i) ensure there is a specific and
22 articulable safety or security basis for the size,
23 scope, and duration of such restriction;

1 “(ii) immediately distribute a notice of the
2 temporary flight restriction via the Notice to
3 Air Missions system; and

4 “(iii) detail in the notice required under
5 clause (ii)—

6 “(I) the safety basis for the restric-
7 tion; and

8 “(II) how a covered person may law-
9 fully and expeditiously operate an aircraft
10 within the restriction.

11 “(B) In this paragraph, the term ‘covered per-
12 son’ means—

13 “(i) a public safety agency;

14 “(ii) a first responder;

15 “(iii) an accredited news representative; or

16 “(iv) any other person as determined ap-
17 propriate by the Administrator.”.

18 **SEC. 628. INTERAGENCY COORDINATION.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the purpose of the joint Department of De-
22 fense-Federal Aviation Administration executive
23 committee (referred to in this subsection as “Execu-
24 tive Committee”) on conflict and dispute resolution
25 as described in Section 1036(b) of the Duncan Hun-

1 ter National Defense Authorization Act for Fiscal
2 Year 2009 (Public Law 110–417) is to resolve dis-
3 putes on the matters of policy and procedures be-
4 tween the Department of Defense and the Federal
5 Aviation Administration relating to airspace, aircraft
6 certifications, aircrew training, and other issues, in-
7 cluding the access of unmanned aerial systems of the
8 Department of Defense to the national airspace sys-
9 tem;

10 (2) by mutual agreement of Executive Com-
11 mittee leadership, operating with the best of inten-
12 tions, the current scope of activities and membership
13 of the Executive Committee has exceeded the origi-
14 nal intent of, and tasking to, the Executive Com-
15 mittee; and

16 (3) the expansion described in paragraph (2)
17 has resulted in an imbalance in the oversight of cer-
18 tain Federal entities in matters concerning civil avia-
19 tion safety and security.

20 (b) IN GENERAL.—

21 (1) CHARTER REVISION.—Not later than 180
22 days after the date of enactment of this Act, the Ad-
23 ministrator of the Federal Aviation Administration
24 shall seek to revise the charter of the Executive
25 Committee to reflect the scope, objectives, member-

1 ship, and activities described in such section 1036(b)
2 in order to achieve the increasing, and ultimately
3 routine, access of unmanned aircraft systems (as de-
4 fined in section 44801 of title 49, United States
5 Code) into the national airspace system.

6 (2) SUNSET.—Not earlier than 2 years after
7 the date of enactment of this Act, the Administrator
8 shall seek to sunset its activities by joint agreement
9 of the Administrator and the Secretary of Defense.

10 **SEC. 629. REVIEW OF REGULATIONS TO ENABLE**
11 **UNESCORTED UAS OPERATIONS.**

12 (a) IN GENERAL.—Not later than 2 years after the
13 date of enactment of this Act, the Administrator of the
14 Federal Aviation Administration shall, in coordination
15 with the Secretary of Defense, conduct a review of require-
16 ments necessary to permit an unmanned aircraft systems
17 (excluding small unmanned aircraft systems) operated by
18 a Federal agency or an armed service to be operated in
19 the national airspace system, including outside of re-
20 stricted airspace, without being escorted by a manned air-
21 craft.

22 (b) REPORT.—Not later than 2 years after the date
23 of enactment of this Act, the Administrator shall submit
24 to the Committee on Transportation and Infrastructure
25 of the House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Senate a
2 report on the results of the review, including findings and
3 recommendations on regulatory and statutory changes
4 that can be made to enable the operations described under
5 subsection (a).

6 (c) DEFINITIONS.—The definitions under section
7 44801 of title 49, United States Code, shall apply to this
8 section.

9 **SEC. 630. UAS OPERATIONS OVER HIGH SEAS.**

10 (a) IN GENERAL.—An unmanned aircraft system op-
11 eration that begins and ends within the United States or
12 the territorial waters of the United States, shall not be
13 considered international flight regardless of whether the
14 unmanned aircraft system enters international airspace.

15 (b) DEFINITION OF UNMANNED AIRCRAFT SYS-
16 TEM.—In this section, the term “unmanned aircraft sys-
17 tem” has the meaning given such term in section 44801
18 of title 49, United States Code.

19 **SEC. 631. BEYOND BEYOND.**

20 (a) FAA BEYOND PROGRAM EXTENSION.—

21 (1) IN GENERAL.—The Administrator of the
22 Federal Aviation Administration shall extend the
23 BEYOND program of the Administration (referred
24 to in this section as the “Program”), and the exist-
25 ing agreements with State, local, and Tribal govern-

1 ments entered into under the program, including any
2 related approvals and exemptions, to September 30,
3 2025.

4 (2) SCOPE.—In extending the Program under
5 paragraph (1), the Administrator shall address addi-
6 tional factors, including—

7 (A) increasing automation in civil aircraft,
8 including unmanned aircraft systems and new
9 or emerging aviation technologies;

10 (B) operations of such aircraft and tech-
11 nologies, including beyond visual line-of sight;
12 and

13 (C) the social and economic impacts of
14 such operations.

15 (b) FAA BEYOND PROGRAM EXPANSION.—Not later
16 than 6 months after the extension date described in sub-
17 section (a)(1), the Administrator shall expand the Pro-
18 gram to test the use of new and emerging aviation con-
19 cepts and technologies, including concepts and tech-
20 nologies unrelated to unmanned aircraft systems, to evalu-
21 ate and inform Administration policies, rulemaking, and
22 guidance related to the safe integration of such concepts
23 and technologies into the national airspace system.

1 **SEC. 632. UAS INTEGRATION STRATEGY.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Aviation Administration shall implement the recommenda-
4 tions made by—

5 (1) the Comptroller General of the United
6 States to the Secretary of Transportation contained
7 in the report titled “Drones: FAA Should Improve
8 Its Approach to Integrating Drones into the Na-
9 tional Airspace System” issued in January 2023
10 (GAO–23–105189); and

11 (2) the inspector general of the Department of
12 Transportation to the Administrator contained in
13 the audit report titled “FAA Made Progress
14 Through Its UAS Integration Pilot Program, but
15 FAA and Industry Challenges Remain To Achieve
16 Full UAS Integration” issued in April 2022 (Project
17 ID: AV2022027).

18 (b) BRIEFING.—Not later than 12 months after the
19 date of enactment of this Act, the Administrator shall pro-
20 vide a briefing to the Committee on Transportation and
21 Infrastructure of the House of Representatives and the
22 Committee on Commerce, Science, and Transportation of
23 the Senate annually on the status of the activities de-
24 scribed in subsection (a).

1 **SEC. 633. AUTHORIZATION OF APPROPRIATIONS FOR KNOW**
2 **BEFORE YOU FLY CAMPAIGN.**

3 There is hereby authorized to be appropriated to the
4 Administrator \$1,000,000 for each of fiscal years 2024
5 through 2028, out of funds made available under section
6 106(k) of title 49, United States Code, for the Know Be-
7 fore You Fly educational campaign or similar public infor-
8 mational efforts intended to broaden unmanned aircraft
9 systems safety awareness.

10 **SEC. 634. PUBLIC AIRCRAFT DEFINITION.**

11 Section 40125(a)(2) of title 49, United States Code,
12 is amended—

13 (1) by striking “or”; and

14 (2) by inserting “(including data collection on
15 civil aviation systems undergoing research, develop-
16 ment, test, or evaluation at a test range (as such
17 term is defined in section 44801)), infrastructure in-
18 spections, or any other activity undertaken by a gov-
19 ernmental entity that the Administrator determines
20 is inherently governmental” after “biological or geo-
21 logical resource management”.

22 **Subtitle B—Advanced Air Mobility**

23 **SEC. 651. DEFINITION.**

24 In this subtitle, the term “powered-lift aircraft” has
25 the meaning given the term “powered-lift” in section 1.1
26 of title 14, Code of Federal Regulations.

1 **SEC. 652. POWERED-LIFT AIRCRAFT RULEMAKINGS.**

2 (a) PROPOSED RULEMAKING.—Not later than 3
3 months after the date of enactment of Act, the Adminis-
4 trator of the Federal Aviation Administration shall issue
5 a notice of proposed rulemaking for a special Federal avia-
6 tion regulation establishing procedures for certifying pow-
7 ered-lift pilots and providing operational rules for pow-
8 ered-lift aircraft providing commercial service.

9 (b) FINAL RULEMAKING.—Not later than 16 months
10 after the date of enactment of this Act, the Administrator
11 shall publish a final rule for a special Federal aviation reg-
12 ulation establishing procedures for certifying powered-lift
13 pilots and providing operational rules for powered-lift air-
14 craft.

15 (c) FUTURE RULEMAKING.—Not later than 5 years
16 after the date of enactment of this Act, the Administrator
17 shall initiate a rulemaking activity providing for a perma-
18 nent pathway for the—

19 (1) performance-based certification of powered-
20 lift aircraft;

21 (2) certification of powered-lift airmen; and

22 (3) operation of powered-lift aircraft in com-
23 mercial service and air transportation.

24 (d) RULEMAKING CONSIDERATIONS.—

1 (1) CONTENTS OF RULEMAKINGS.—In the de-
2 velopment of the rulemakings required under sub-
3 sections (b) and (c), the Administrator shall—

4 (A) provide for a combination of pilot
5 training requirements, including simulators, to
6 ensure the safe operation of powered-lift air-
7 craft;

8 (B) grant an individual with an existing
9 commercial airplane (single- or multi-engine) or
10 helicopter pilot certificate the authority to serve
11 as pilot-in-command of a powered-lift aircraft in
12 commercial operation following the completion
13 of a Federal Aviation Administration-approved
14 pilot type rating for such type of aircraft;

15 (C) to the maximum extent practicable,
16 align powered-lift pilot qualifications with sec-
17 tion 2.1.1.4 of the International Civil Aviation
18 Organization’s Annex 1; and

19 (D) consider the adoption of the rec-
20 ommendations contained in document 10103 of
21 the International Civil Aviation Organization
22 for powered-lift operations, as appropriate.

23 (2) CONSIDERATIONS FOR FUTURE
24 RULEMAKINGS.—In the development of the

1 rulemakings required under subsection (c), the Ad-
2 ministrator shall—

3 (A) consider and plan for unmanned and
4 remotely piloted powered-lift aircraft systems,
5 and the associated elements of such aircraft,
6 through the promulgation of performance-based
7 regulations;

8 (B) consider and plan for alternative fuel
9 types and propulsion methods, including review-
10 ing the performance-based nature of parts 33
11 and 35 of title 14, Code of Federal Regulations;
12 and

13 (C) work to harmonize the certification
14 and operational requirements of the Federal
15 Aviation Administration with the certification
16 and operational requirements of civil aviation
17 authorities with bilateral safety agreements in
18 place with the United States, to the extent har-
19 monization does not negatively impact domestic
20 manufacturers and operators.

21 (e) INTERIM APPLICATION OF RULES AND PRIVI-
22 LEGES IN LIEU OF RULEMAKING.—Beginning 24 months
23 after the date of enactment of this Act, if a final rule has
24 not been published pursuant to subsection (b)—

1 (1) rules in effect on such date that apply to
2 the operation and the operator of rotorcraft or fixed-
3 wing aircraft under subchapters F, G, H, and I of
4 chapter 1 of title 14, Code of Federal Regulations,
5 shall be—

6 (A) deemed to apply to—

7 (i) the operation of a powered-lift air-
8 craft in the national airspace system; and

9 (ii) the operator of such a powered-lift
10 aircraft; and

11 (B) applicable as determined by the oper-
12 ator of an airworthy powered-lift aircraft in
13 consultation with the Administrator and con-
14 sistent with sections 91.3 and 91.13 of title 14,
15 Code of Federal Regulations; and

16 (2) upon the completion of a type rating for a
17 specific powered-lift aircraft, airmen that hold a
18 pilot or instructor certification with airplane cat-
19 egory ratings in any class or rotorcraft category rat-
20 ings in the helicopter class shall be deemed to have
21 privileges of a powered-lift rating for that aircraft.

22 (f) TERMINATION OF INTERIM RULES AND PRIVI-
23 LEGES.—Subsection (e) shall cease to have effect 1 month
24 after the effective date of a final rule issued pursuant to
25 subsection (b).

1 **SEC. 653. POWERED-LIFT AIRCRAFT ENTRY INTO SERVICE.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Aviation Administration shall, in consultation with exclu-
4 sive bargaining representatives of air traffic controllers
5 certified under section 7111 of title 5, United States Code,
6 take such actions as may be necessary to safely integrate
7 powered-lift aircraft into the national airspace system, in-
8 cluding in controlled airspace, and learn from any efforts
9 to adopt and update related policy and guidance.

10 (b) AIR TRAFFIC POLICIES FOR ENTRY INTO SERV-
11 ICE.—Not later than 24 months after the date of enact-
12 ment of this Act, the Administrator shall update air traffic
13 orders and policies, to the extent necessary, and address
14 air traffic control system challenges in order to allow for—

15 (1) the use of existing air traffic procedures,
16 where safe, by powered-lift aircraft; and

17 (2) the approval of letters of agreement between
18 air traffic control system facilities and powered-lift
19 operators and infrastructure operators to minimize
20 the amount of active coordination required for safe
21 recurring powered-lift aircraft operations.

22 (c) LONG-TERM AIR TRAFFIC POLICIES.—Based on
23 the implementation of subsection (b), the Administrator
24 shall—

25 (1) continue to update air traffic orders and
26 policies;

1 (2) to the extent necessary, develop powered-lift
2 specific procedures for airports, heliports, and
3 vertiports;

4 (3) evaluate the human factors impacts on con-
5 trollers associated with managing powered-lift air-
6 craft operations, consider the impact of additional
7 operations on air traffic controller staffing, and
8 make necessary changes to staffing, procedures, reg-
9 ulations, and orders; and

10 (4) consider the use of third-party service pro-
11 viders to manage increased operations in controlled
12 airspace to support and supplement the work of air
13 traffic controllers.

14 **SEC. 654. SENSE OF CONGRESS ON PREPARATION FOR**
15 **ENTRY INTO SERVICE OF POWERED-LIFT AIR-**
16 **CRAFT.**

17 It is the sense of Congress that the Administrator
18 of the Federal Aviation Administration should work with
19 manufacturers, prospective operators of powered-lift air-
20 craft, and other stakeholders, to enable the safe entry of
21 such aircraft into commercial service following the publica-
22 tion of the final special Federal Aviation Administration
23 rulemaking titled “Integration of Powered-Lift: Pilot Cer-
24 tification and Operations; Miscellaneous Amendments Re-
25 lated to Rotorcraft and Airplanes”, including by reviewing

1 and providing feedback to such manufacturers and opera-
2 tors on draft pilot training, operations, and maintenance
3 manuals after the publication of the draft special Federal
4 Aviation Administration rulemaking and prior to the pub-
5 lication of a final rule, as appropriate.

6 **SEC. 655. INFRASTRUCTURE SUPPORTING VERTICAL**
7 **FLIGHT.**

8 (a) **UPDATES TO REGULATIONS FOR CONSIST-**
9 **ENCY.**—The Administrator of the Federal Aviation Ad-
10 ministration shall update part 1 and part 157 of title 14,
11 Code of Federal Regulations, and other regulations as nec-
12 essary to implement the amendments made by section
13 401.

14 (b) **UPDATE TO HELIPORT DESIGN STANDARDS.**—
15 The Administrator shall update the version of Advisory
16 Circular 150/5390–2, titled “Heliport Design” in effect on
17 the date of enactment of this Act, to—

18 (1) increase the inclusion of performance-based
19 guidance, including around aircraft fuel type and
20 propulsion method;

21 (2) update guidance to consider risk mitigations
22 and hazards associated with different aircraft fuel
23 types and propulsion methods;

1 (3) affirm the general permissibility of any
2 vertical takeoff and landing capable aircraft to use
3 heliports; and

4 (4) include vertiport as a subclass of heliport.

5 (c) ENGINEERING BRIEF ON VERTIPOINT DESIGN.—

6 The Administrator may update the version of Engineering
7 Brief 105, titled “Vertiport Design” in effect on the date
8 of enactment of this Act, prior to issuing an update to
9 Advisory Circular 150/5390–2, as required under sub-
10 section (b).

11 (d) ENGINEERING BRIEF SUNSET.—The Adminis-
12 trator shall revoke Engineering Brief 105, titled
13 “Vertiport Design”, on the earlier of—

14 (1) the date on which Advisory Circular 150/
15 5390–2 is updated under subsection (b); or

16 (2) 36 months after the date of enactment of
17 this Act.

18 (e) GUIDANCE, FORMS, AND PLANNING.—The Ad-
19 ministrators shall—

20 (1) ensure airport district offices of the Admin-
21 istration have sufficient guidance and policy direc-
22 tion regarding the Administration’s heliport and
23 vertiport design guidance not later than 18 months
24 after the date of enactment of this Act and update
25 such guidance routinely;

1 (2) determine if updates to Administration
2 Form 7460 and Form 7480 are necessary and take
3 such actions, as appropriate; and

4 (3) ensure that the methodology and underlying
5 data sources of the Administration's Terminal Area
6 Forecast include commercial operations conducted
7 by aircraft regardless of propulsion type or fuel type.

8 **SEC. 656. CHARTING OF AVIATION INFRASTRUCTURE.**

9 (a) IN GENERAL.—The Administrator of the Federal
10 Aviation Administration shall increase efforts to update
11 and keep current the Airport Master Record of the Admin-
12 istration, including by establishing a streamlined process
13 by which the owners and operators of public and private
14 aviation facilities with nontemporary, nonintermittent op-
15 erations are encouraged to keep the information on such
16 facilities current.

17 (b) BRIEFING.—The Administrator shall brief the
18 Committee on Transportation and Infrastructure of the
19 House of Representatives and the Committee on Com-
20 merce, Science, and Transportation of the Senate on the
21 plans of the Administrator to update and keep current the
22 Airport Master Record for private and public airports, hel-
23 iports, and vertiports.

1 **SEC. 657. ADVANCED AIR MOBILITY WORKING GROUP.**

2 Section 2 of the Advanced Air Mobility Coordination
3 and Leadership Act (49 U.S.C. 40101 note) is amended—

4 (1) in subsection (b) by striking “, particularly
5 passenger-carrying aircraft,”;

6 (2) in subsection (d)(1) by striking subpara-
7 graph (D) and inserting the following:

8 “(D) operators of airports, heliports, and
9 vertiports, and fixed-base operators;”;

10 (3) in subsection (e)—

11 (A) in the matter preceding paragraph (1)
12 by striking “1 year” and inserting “18
13 months”;

14 (B) in paragraph (3) by inserting “or that
15 may impede maturation” after “AAM indus-
16 try”;

17 (C) in paragraph (7) by striking “and” at
18 the end;

19 (D) in paragraph (8) by striking the period
20 at the end and inserting “; and”; and

21 (E) by adding at the end the following:

22 “(9) processes and programs that can be lever-
23 aged to improve the efficiency of Federal reviews re-
24 quired for infrastructure development, including for
25 electrical capacity projects.”;

1 (4) in subsection (f)(1) by striking “necessary
2 to support the evolution of early” and inserting the
3 following: “that would allow for—

4 “(A) the timely entry into service of AAM
5 after aircraft and operator certification; and

6 “(B) the evolution of early”;

7 (5) in subsection (g)—

8 (A) in the matter preceding paragraph (1)
9 by striking “working group” and inserting
10 “Secretary of Transportation”;

11 (B) in paragraph (1) by striking “and” at
12 the end;

13 (C) by redesignating paragraph (2) as
14 paragraph (3); and

15 (D) by inserting after paragraph (1) the
16 following:

17 “(2) summarizing any dissenting views and
18 opinions of a participant of the working group de-
19 scribed in subsection (c)(3); and”;

20 (6) in subsection (i)—

21 (A) in paragraph (1) by striking “that
22 transports people and property by air between
23 two points in the United States using aircraft
24 with advanced technologies, including electric
25 aircraft or electric vertical take-off and landing

1 aircraft,” and inserting “comprised of urban air
2 mobility and regional air mobility using manned
3 or unmanned aircraft”;

4 (B) by redesignating paragraph (5) as
5 paragraph (7);

6 (C) by redesignating paragraph (6) as
7 paragraph (9);

8 (D) by inserting after paragraph (4) the
9 following:

10 “(5) POWERED-LIFT AIRCRAFT.—The term
11 ‘powered-lift aircraft’ has the meaning given the
12 term ‘powered-lift’ in section 1.1 of title 14, Code of
13 Federal Regulations.

14 “(6) REGIONAL AIR MOBILITY.—The term ‘re-
15 gional air mobility’ means the movement of people or
16 property by air between 2 points using an airworthy
17 aircraft that—

18 “(A) has advanced technologies, such as
19 distributed propulsion, vertical take-off and
20 landing, powered-lift, non-traditional power sys-
21 tems, or autonomous technologies;

22 “(B) has a maximum takeoff weight of
23 greater than 1,320 pounds; and

24 “(C) is not urban air mobility.”;

1 (E) by inserting after paragraph (7), as so
2 redesignated, the following:

3 “(8) URBAN AIR MOBILITY.—The term ‘urban
4 air mobility’ means the movement of people or prop-
5 erty by air between 2 intracity or intercity points
6 using an airworthy aircraft that—

7 “(A) advanced technologies, such as dis-
8 tributed propulsion, vertical take-off and land-
9 ing, powered-lift, nontraditional power systems,
10 or autonomous technologies; and

11 “(B) a maximum takeoff weight of greater
12 than 1,320 pounds.”; and

13 (F) by adding at the end the following:

14 “(10) VERTIPOINT.—The term ‘vertipoint’ has
15 the meaning given such term in section 47102 of
16 title 49, United States Code.”;

17 (7) by redesignating subsection (i) as subsection
18 (j); and

19 (8) by inserting after subsection (h) the fol-
20 lowing:

21 “(i) CONSIDERATIONS FOR TERMINATION OF WORK-
22 ING GROUP.—In deciding whether to terminate the work-
23 ing group under subsection (h), the Secretary and the Ad-
24 ministrator of the Federal Aviation Administration shall
25 consider other interagency coordination activities associ-

1 ated with AAM, or other new or novel users of the national
2 airspace system, that could benefit from continued wider
3 interagency coordination.”.

4 **SEC. 658. ADVANCED AIR MOBILITY INFRASTRUCTURE**
5 **PILOT PROGRAM EXTENSION.**

6 Section 101 of division Q of the Consolidated Appro-
7 priations Act, 2023 (Public Law 117–328) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (2)—

10 (i) in subparagraph (A) by inserting
11 “, as well as the use of existing airport and
12 heliport infrastructure that may require
13 modifications to safely accommodate AAM
14 operations,” after “vertiport infrastruc-
15 ture”; and

16 (ii) in subparagraph (B)—

17 (I) in clause (iii) by striking
18 “vertiport” and inserting “locations
19 for”;

20 (II) in clause (iv) by inserting
21 “and guidance” after “any stand-
22 ards”;

23 (III) in clause (v) by striking
24 “vertiport infrastructure” and insert-

1 ing “urban air mobility and regional
2 air mobility operations”; and

3 (IV) in clause (x) by inserting
4 “or the modification of existing avia-
5 tion infrastructure” after “operation
6 of a vertiport”; and

7 (B) in paragraph (6)(B)—

8 (i) in clause (i) by striking “and” at
9 the end;

10 (ii) in clause (ii) by striking the pe-
11 riod at the end and inserting “; and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(iii) a description of—

15 “(I) initial community engage-
16 ment efforts and responses from the
17 public on the planning and develop-
18 ment efforts of eligible entities related
19 to urban air mobility and regional air
20 mobility operations;

21 “(II) how eligible entities are
22 planning for and encouraging early
23 adoption of urban air mobility and re-
24 gional air mobility operations;

1 “(III) what role each level of gov-
2 ernment plays in the process; and

3 “(IV) whether such entities rec-
4 ommend specific regulatory or guid-
5 ance actions be taken by the Secretary
6 of Transportation or other Federal
7 agencies in order to support such
8 early adoption.”; and

9 (2) in subsection (e)—

10 (A) by striking paragraph (1) and insert-
11 ing the following:

12 “(1) ADVANCED AIR MOBILITY; AAM; REGIONAL
13 AIR MOBILITY; URBAN AIR MOBILITY; VERTIPOINT.—
14 The terms ‘advanced air mobility’, ‘AAM’, ‘regional
15 air mobility’, ‘urban air mobility’, and ‘vertiport’
16 have the meaning given such terms in section 2(j) of
17 the Advanced Air Mobility Coordination and Leader-
18 ship Act (49 U.S.C. 40101 note).”; and

19 (B) by striking paragraphs (9) and (10).

20 **Subtitle C—Other Provisions**

21 **SEC. 681. REPORT ON NATIONAL SPACEPORTS POLICY.**

22 Section 580(c)(3) of the FAA Reauthorization Act of
23 2018 (Public Law 115–254) is amended by striking
24 “2024” and inserting “2028”.

1 **SEC. 682. AIRBORNE DEBRIS COLLISION AVOIDANCE.**

2 (a) IN GENERAL.—Chapter 447 of title 49, United
3 States Code, is further amended by adding at the end the
4 following:

5 **“§ 44746. Airborne debris collision avoidance**

6 “(a) IN GENERAL.—The Secretary of Transpor-
7 tation, in coordination with the Administrator of the Fed-
8 eral Aviation Administration, shall—

9 “(1) establish a program to track objects that
10 are potential sources of covered airborne debris;

11 “(2) establish a database containing data and
12 information on such objects;

13 “(3) utilize existing tools and methods, includ-
14 ing communication with the owners or operators of
15 such objects, if applicable, to determine on an ongo-
16 ing basis the likelihood and the circumstances, in-
17 cluding the time and location, under which such ob-
18 jects may reenter the Earth’s atmosphere in a con-
19 trolled or uncontrolled manner;

20 “(4) assess the potential of a reentry of each
21 such object to create covered airborne debris and the
22 risk such debris may pose to aircraft or individuals
23 and property on the ground; and

24 “(5) establish a system, in consultation with the
25 Chief Operating Officer for the air traffic control
26 system, by which—

1 “(A) airspace may be identified for pos-
2 sible control or restrictions when risks are
3 present due to the presence or expected pres-
4 ence of covered airborne debris; and

5 “(B) aircraft at risk of being impacted by
6 covered airborne debris can be expeditiously no-
7 tified and redirected.

8 “(b) TRACKING PROGRAM.—In establishing the pro-
9 gram under subsection (a)(1), the Secretary may—

10 “(1) acquire or establish facilities and equip-
11 ment to directly track objects that are potential
12 sources of covered airborne debris; and

13 “(2) contract for, or utilize reliable sources of,
14 data and information relating to such objects from
15 other Federal agencies or any eligible entity, includ-
16 ing by using the authority provided in section
17 106(l)(6).

18 “(c) DATA AND INFORMATION AGREEMENTS.—

19 “(1) FEDERAL AGREEMENT.—Prior to receiving
20 data and information from a Federal agency under
21 subsection (b)(2), or using such data and informa-
22 tion for any purpose under this section, the Sec-
23 retary shall enter into an agreement with the head
24 of such Federal agency that—

1 “(A) details the purposes for which the
2 Secretary is authorized to use such data and in-
3 formation;

4 “(B) describes the conditions under which
5 such data and information may not be released,
6 including a list of eligible entities or categories
7 of eligible entities that are not permitted to re-
8 ceive such data and information;

9 “(C) ensures that such data or information
10 is safety-related and unclassified;

11 “(D) designates the Secretary as the sole
12 or primary Federal distributor of such data and
13 information to an eligible entity; and

14 “(E) contains any other condition or re-
15 striction as the Secretary and the head of such
16 Federal agency consider appropriate.

17 “(2) EXCEPTIONS.—

18 “(A) IN GENERAL.—The Secretary may
19 not enter into an agreement with the head of a
20 Federal agency under this subsection that re-
21 stricts the ability of the Secretary to provide
22 the minimum data and information necessary to
23 an eligible entity to effectively provide services
24 described under subsection (d).

1 “(B) CLASSIFIED DATA OR INFORMA-
2 TION.—If the Secretary and the head of a Fed-
3 eral agency determine that the sharing of clas-
4 sified data or information from such Federal
5 agency under subsection (b)(2) is necessary or
6 otherwise appropriate, the Secretary and the
7 head of the Federal agency shall include in an
8 agreement under this subsection any procedures
9 and policies that are necessary to manage the
10 use of such classified data or information with-
11 out compromising the national security interests
12 of the United States.

13 “(3) NON-FEDERAL AGREEMENT.—Prior to re-
14 ceiving data and information from an eligible entity
15 under subsection (b)(2), or using such data and in-
16 formation for any purpose under this section, the
17 Secretary shall enter into an agreement with the eli-
18 gible entity governing the management and dissemi-
19 nation of such data and information. Such agree-
20 ment may contain such conditions or restrictions as
21 the Secretary considers appropriate.

22 “(4) DISCLOSURE.—

23 “(A) IN GENERAL.—Pursuant to section
24 552(b)(3)(B) of title 5, the Secretary may not
25 disclose to the public any data or information

1 received pursuant an agreement under this sub-
2 section.

3 “(B) EXCEPTION.—The Secretary may
4 disclose data or information under this section
5 that qualifies for an exemption under section
6 552(b)(4) of title 5, or is designated as con-
7 fidential by the person or head of the Federal
8 agency providing the data or information, only
9 if the Secretary decides that withholding the
10 data or information is contrary to the public or
11 national interest.

12 “(C) RULE OF CONSTRUCTION.—Nothing
13 in this paragraph shall be construed to prohibit
14 the Secretary from using or releasing such data
15 and information pursuant to the terms of an
16 agreement under this subsection.

17 “(d) SAFETY OF AIRSPACE AND AIRCRAFT.—

18 “(1) UNITED STATES AIRSPACE.—The Sec-
19 retary shall provide the service described under sub-
20 section (a)(5) to aircraft operating in United States
21 airspace or airspace assigned to the United States at
22 no charge.

23 “(2) FOREIGN AGREEMENTS.—The Secretary
24 may enter into an agreement with a foreign air navi-
25 gation service provider for the Secretary to provide

1 the services described in subsection (a)(5)(B) to the
2 foreign air navigation service provider, provided that
3 the foreign air navigation service provider—

4 “(A) remunerates the Secretary at a rate
5 that is reasonably related to the cost of pro-
6 viding such services, as determined by the Sec-
7 retary; and

8 “(B) agrees to indemnify and hold the
9 United States Government harmless from any
10 claim related to the provision of such services
11 and any related action or omission.

12 “(e) OTHER USES OF DATA AND INFORMATION;
13 OTHER SERVICES.—

14 “(1) AUTHORITY.—The Secretary, in coordina-
15 tion with appropriate entities within the Department
16 of Transportation and in consultation with the heads
17 of other relevant Federal agencies—

18 “(A) shall carry out a program to—

19 “(i) improve the collection, processing,
20 and dissemination of space situational
21 awareness data and information (including
22 information contained in the database es-
23 tablished under subsection (a)(2)); and

24 “(ii) provide services relating to such
25 data and information;

1 “(B) subject to paragraph (2), may pro-
2 vide such data, information, and services to an
3 eligible entity; and

4 “(C) may obtain such data, information,
5 and services from an eligible entity.

6 “(2) TYPE OF INFORMATION PROVIDED.—

7 “(A) IN GENERAL.—Data and information
8 provided to an eligible entity under paragraph
9 (1)(B) shall be safety-related and unclassified.

10 “(B) INTERESTS OF THE UNITED
11 STATES.—The Secretary, in consultation with
12 the head of a Federal agency with which the
13 Secretary has entered into an agreement under
14 subsection (c), shall develop a policy to deter-
15 mine the type of information that may be pro-
16 vided under paragraph (1) without compro-
17 mising the national security interests of the
18 United States.

19 “(3) PUBLIC SERVICES.—

20 “(A) IN GENERAL.—The Secretary shall
21 designate a basic level of data, information, and
22 services described in paragraph (1) to be pro-
23 vided at no charge, including—

1 “(i) a public catalog of objects that
2 are potential sources of covered airborne
3 debris and other tracked space objects;

4 “(ii) emergency conjunction notifica-
5 tions for objects described in clause (i);
6 and

7 “(iii) any other data, information, or
8 services (excluding services that may be
9 provided pursuant to an agreement under
10 subsection (d)(2)) that the Secretary con-
11 siders—

12 “(I) necessary for safety; or

13 “(II) appropriate.

14 “(B) LIMITATION.—The Secretary may
15 not provide data, information, or services under
16 subparagraph (A)(iii)(II) that compete with
17 products offered by United States commercial
18 entities.

19 “(4) ADVANCED SERVICES.—The Secretary
20 may undertake activities to promote the creation and
21 provision of more advanced levels of data, informa-
22 tion, and services described in paragraph (1) to fos-
23 ter the public and private enhancement of transpor-
24 tation safety.

1 “(5) PROCEDURES.—The Secretary shall estab-
2 lish procedures by which the authority under this
3 subsection shall be carried out.

4 “(6) IMMUNITY.—The United States, any agen-
5 cies and instrumentalities thereof, and any individ-
6 uals, firms, corporations, and other persons acting
7 for the United States, shall be immune from any
8 suit in any court for any cause of action arising
9 from the provision or receipt data, information, or
10 services described in paragraph (1) whether or not
11 provided in accordance with this section, or any re-
12 lated action or omission.

13 “(f) NON-DELEGATION.—Except as provided in sub-
14 section (e)(5), the authority under this section may only
15 be delegated by the Secretary to an officer or employee
16 of the Department of Transportation, including the Fed-
17 eral Aviation Administration.

18 “(g) FUNDING.—Out of amounts made available
19 under section 106(k)(2)(D), \$15,000,000 for each of fiscal
20 years 2024 through 2028 may be expended by the Sec-
21 retary to carry out this section.

22 “(h) DEFINITIONS.—In this section:

23 “(1) COVERED AIRBORNE DEBRIS.—The term
24 ‘covered airborne debris’ means any human-made
25 object that—

1 “(A) was previously in Earth orbit;

2 “(B) is in the atmosphere;

3 “(C) is uncontrolled; and

4 “(D) poses a potential risk to the safe
5 flight of civil aircraft in air commerce.

6 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means any non-Federal entity, including any of
8 the following:

9 “(A) A State.

10 “(B) A political subdivision of a State.

11 “(C) A United States commercial entity.

12 “(D) The government of a foreign country.

13 “(E) A foreign commercial entity.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
15 ter 447 of title 49, United States Code, is further amend-
16 ed by adding at the end the following:

“44746. Airborne debris collision avoidance.”.

17 **SEC. 683. INTERMODAL TRANSPORTATION INFRASTRUC-**
18 **TURE IMPROVEMENT PILOT PROGRAM.**

19 (a) IN GENERAL.—The Secretary shall establish a
20 pilot program to issue grants to operators of launch and
21 reentry sites for projects to construct, repair, maintain,
22 or improve transportation infrastructure and facilities at
23 such sites.

1 (b) PILOT PROGRAM QUALIFICATIONS.—The Sec-
2 retary may enter into agreements under this section to
3 issue a grant to an operator only if the operator—

4 (1) has submitted an application to the Sec-
5 retary in such form, at such time, and containing
6 such information as prescribed by the Secretary;

7 (2) demonstrates to the Secretary’s satisfaction
8 that the project for which the application has been
9 submitted is for an eligible purpose under subsection
10 (c); and

11 (3) agrees to maintain such records relating to
12 the grant as the Secretary may require and to make
13 such records available to the Secretary or the Comp-
14 troller General of the United States upon request.

15 (c) PERMITTED USE OF PILOT PROGRAM GRANTS.—
16 An operator may use a grant provided under this sub-
17 section for a project to construct, repair, maintain, or im-
18 prove infrastructure and facilities that—

19 (1) are located at, or adjacent to, a launch or
20 reentry site; and

21 (2) directly enable or support transportation
22 safety or covered transportation activities.

23 (d) PILOT PROGRAM GRANTS.—

24 (1) GRANT FORMULA.—At the beginning of
25 each fiscal year after fiscal year 2024, the Secretary

1 shall issue a grant to an operator that qualifies for
2 the pilot program under subsection (b) an amount
3 equal to the sum of—

4 (A) \$250,000 for each licensed launch or
5 reentry operation conducted from the applicable
6 launch or reentry site or at any adjacent Fed-
7 eral launch range in the previous fiscal year;
8 and

9 (B) \$100,000 for each launch or reentry
10 operation conducted under a permit from the
11 applicable launch or reentry site or at any adja-
12 cent Federal launch range in the previous fiscal
13 year.

14 (2) MAXIMUM GRANT.—Except as provided in
15 subsection (e)(5), a grant issued to an operator
16 under this subsection shall not exceed \$2,500,000
17 for a fiscal year.

18 (3) ADJACENCY.—

19 (A) IN GENERAL.—In issuing a grant to
20 an operator under paragraph (1), the Secretary
21 shall determine whether a launch or reentry site
22 is adjacent to a Federal launch range.

23 (B) LIMITATION.—Only 1 operator may
24 receive an amount under paragraph (1) for

1 each licensed or permitted launch or reentry op-
2 eration described in such subparagraph.

3 (C) MULTIPLE LAUNCH OR REENTRY
4 SITES OPERATED BY 1 OPERATOR.—If an oper-
5 ator holds a license to operate more than 1
6 launch site or more than 1 reentry site that are
7 adjacent to a Federal launch range, the Sec-
8 retary shall consider such launch or reentry
9 sites as 1 launch or reentry site for purposes of
10 subparagraph (A).

11 (e) SUPPLEMENTAL GRANTS IN SUPPORT OF STATE,
12 LOCAL, OR PRIVATE MATCHING.—

13 (1) IN GENERAL.—The Secretary may issue a
14 supplemental grant to an operator, subject to the re-
15 quirements of this paragraph.

16 (2) DOLLAR-FOR-DOLLAR MATCHING.—If a
17 qualified entity provides an operator an amount
18 equal to or greater than the amount of a grant pro-
19 vided in a fiscal year under subsection (d) (for the
20 explicit purpose of matching such grant), the Sec-
21 retary may issue a supplemental grant to the oper-
22 ator that is equal to 25 percent of such grant in the
23 following fiscal year.

24 (3) ADDITIONAL NON-FEDERAL MATCHING.—If
25 a qualified entity provides an operator an amount

1 equal to or greater than two times the amount of a
2 grant provided in a fiscal year to the operator under
3 subsection (d) (for the explicit purpose of matching
4 such grant), the Secretary may issue a supplemental
5 grant to the operator that is equal to 50 percent of
6 such grant in the following fiscal year.

7 (4) SUPPLEMENTAL GRANT LIMITATIONS.—

8 (A) MATCH TIMING.—The Secretary may
9 issue a supplemental grant under paragraph (2)
10 or (3) only if an amount provided by a qualified
11 entity is provided to the operator in the same
12 fiscal year as the grant issued under subsection
13 (d).

14 (B) NON-DUPLICATION OF MATCHING
15 GRANTS.—If the Secretary issues a supple-
16 mental grant to the operator of a launch site
17 under paragraph (3), the Secretary may not
18 issue a supplemental grant under paragraph (2)
19 to the same operator in the same fiscal year.

20 (5) NON-APPLICATION OF GRANT CEILING.—

21 The limitation on a grant amount under subsection
22 (d)(2) shall not apply to supplemental grants issued
23 under this subsection.

24 (f) FUNDING.—

1 (1) PILOT PROGRAM GRANT FUNDS.—The
2 grants issued under this section shall be issued from
3 funds made available out of amounts available under
4 section 106(k) of title 49, United States Code.

5 (2) MAXIMUM ANNUAL LIMIT ON PILOT PRO-
6 GRAM.—

7 (A) IN GENERAL.—The total amount of all
8 grants issued under this section shall not ex-
9 ceed \$20,000,000 in any fiscal year.

10 (B) GRANT REDUCTION.—In complying
11 with subparagraph (A), the Secretary—

12 (i) may proportionally reduce the
13 amount of, or decline to issue, a supple-
14 mental grant under subsection (e); and

15 (ii) if the reduction under clause (i) is
16 insufficient, shall proportionally reduce
17 grants issued under subsection (d).

18 (g) DEFINITIONS.—In this section:

19 (1) COVERED TRANSPORTATION ACTIVITY.—
20 The term “covered transportation activity” means
21 the movement of people or property to, from, or
22 within a launch site and the necessary or incidental
23 activities associated with such movement, including
24 through the use of—

25 (A) a vehicle;

1 (B) a vessel;

2 (C) a railroad (as defined in section 20102
3 of title 49, United States Code);

4 (D) an aircraft (as defined in section
5 40102 of title 49, United States Code);

6 (E) a pipeline facility (as defined in section
7 60101 of title 49, United States Code); or

8 (F) a launch vehicle or reentry vehicle.

9 (2) LAUNCH; LAUNCH SITE; LAUNCH VEHICLE;
10 REENTRY SITE; REENTRY VEHICLE.—The terms
11 “launch”, “launch site”, “launch vehicle”, “reentry
12 site”, and “reentry vehicle” have the meanings given
13 those terms in section 50902 of title 51, United
14 States Code.

15 (3) OPERATOR.—The term “operator” means a
16 person licensed by the Secretary to operate a launch
17 or reentry site.

18 (4) QUALIFIED ENTITY.—The term “qualified
19 entity” means a State, local, or tribal government or
20 private sector entity, or any combination thereof.

21 (h) PILOT PROGRAM SUNSET.—This section shall
22 cease to be effective on October 1, 2028.

23 **SEC. 684. AIRSPACE ACCESS FOR HIGH-SPEED AIRCRAFT.**

24 (a) HIGH-SPEED AIRCRAFT TESTING.—Not later
25 than 2 years after the date of enactment of this Act, the

1 Administrator of the Federal Aviation Administration, in
2 coordination with any other Federal agency the Adminis-
3 trator determines appropriate, shall ensure that there is
4 a process in which manufacturers and operators of high-
5 speed aircraft can engage in flight testing of such high-
6 speed aircraft, which may include the establishment of
7 high speed testing corridors in the national airspace sys-
8 tem.

9 (b) STUDY ON HIGH-SPEED AIRCRAFT OPER-
10 ATIONS.—

11 (1) IN GENERAL.—Not later than 3 years after
12 the date of enactment of this Act, the Administrator
13 of the Federal Aviation Administration shall, in co-
14 ordination with the Administrator of the National
15 Aeronautics and Space Administration and Sec-
16 retary of Defense and any other agencies the Admin-
17 istrator determines appropriate, initiate a study to
18 the potential for high-speed commercial transpor-
19 tation operations.

20 (2) CONTENTS.—In carrying out the study
21 under paragraph (1), the Administrator shall assess
22 various altitudes and operating conditions of high-
23 speed aircraft in Class E airspace above the upper
24 boundary of Class A airspace and the resulting air-
25 craft noise levels at the surface.

1 (3) RECOMMENDATIONS.—As part of the study
2 under paragraph (1), the Administrator shall issue
3 recommendations to update, if feasible, regulations
4 regarding high-speed aircraft operations without in-
5 creasing noise levels at the surface.

6 (c) DEFINITION.—In this section, the term “high-
7 speed aircraft” means an aircraft operating at speeds in
8 excess of Mach 1, which may include supersonic and
9 hypersonic aircraft.

10 **SEC. 685. ICAO ACTIVITIES ON NEW TECHNOLOGIES.**

11 (a) IN GENERAL.—The Administrator of the Federal
12 Aviation Administration shall prioritize engagement with
13 the International Civil Aviation Organization and con-
14 tribute to or lead the development of international stand-
15 ards and recommended practices to improve aviation safe-
16 ty and support the entry-into-service of new forms of avia-
17 tion.

18 (b) PARTICULAR ACTIVITIES.—In carrying out sub-
19 section (a), the Administrator shall contribute to or lead
20 International Civil Aviation Organization efforts with re-
21 spect to the development of landing and take-off noise
22 standards for supersonic aircraft.

1 **SEC. 686. AIP ELIGIBILITY FOR CERTAIN SPACEPORT IN-**
2 **FRASTRUCTURE.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, the Secretary of Transportation may make
5 a grant under subchapter I of chapter 471 of title 49,
6 United States Code, to an airport sponsor to reconstruct,
7 repave, or rehabilitate the full length and width of a run-
8 way existing on the date of enactment of this Act if—

9 (1) the runway is at an airport that is also a
10 launch site or reentry site operated by a person cer-
11 tified under section 50905 of title 51, United States
12 Code;

13 (2) the runway is greater than 12,000 feet long
14 and not less than 200 feet wide; and

15 (3) the airport sponsor certifies to the Secretary
16 that the full length and width of the runway is re-
17 quired to support activities at the launch site.

18 (b) SUNSET.—This section shall cease to be effective
19 on September 30, 2028.

20 **SEC. 687. COMMERCIAL SPACE TRANSPORTATION STATIS-**
21 **TICS.**

22 Section 329(b) of title 49, United States Code, is
23 amended—

24 (1) in paragraph (2) by striking “aeronautical”
25 and inserting “aerospace”;

1 (2) in paragraph (3) by striking “civil aero-
2 nautics” and inserting “civil aerospace”;

3 (3) by redesignating paragraphs (2) and (3) as
4 paragraphs (3) and (4), respectively; and

5 (4) by inserting after paragraph (1) the fol-
6 lowing:

7 “(2) collect and disseminate information on
8 commercial space transportation operations (other
9 than that collected and disseminated by the National
10 Transportation Safety Board under chapter 11) in-
11 cluding, at a minimum, information on the number
12 of launches or reentries licensed by the Secretary,
13 the number of space flight participants, the number
14 of payloads, and the mass of payloads, organized by
15 class of orbit;”.

16 **TITLE VII—PASSENGER**
17 **EXPERIENCE IMPROVEMENTS**
18 **Subtitle A—General Provisions**

19 **SEC. 701. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**
20 **SENGER AIR TRANSPORTATION.**

21 (a) **FULL FARE ADVERTISING.**—Section 41712 of
22 title 49, United States Code, is further amended by adding
23 at the end the following:

24 “(e) **FULL FARE ADVERTISING.**—

1 “(1) IN GENERAL.—It shall not be an unfair or
2 deceptive practice under subsection (a) for a covered
3 entity to state in an advertisement or solicitation for
4 passenger air transportation the base airfare for
5 such air transportation if the covered entity clearly
6 and separately discloses—

7 “(A) the government-imposed taxes and
8 fees associated with the air transportation; and

9 “(B) the total cost of the air transpor-
10 tation.

11 “(2) FORM OF DISCLOSURE.—

12 “(A) IN GENERAL.—For purposes of para-
13 graph (1), the information described in para-
14 graphs (1)(A) and (1)(B) shall be disclosed in
15 the advertisement or solicitation in a manner
16 that clearly presents the information to the con-
17 sumer.

18 “(B) INTERNET ADVERTISEMENTS AND
19 SOLICITATIONS.—For purposes of paragraph
20 (1), with respect to an advertisement or solicita-
21 tion for passenger air transportation that ap-
22 pears on a website, the information described in
23 paragraphs (1)(A) and (1)(B) may be disclosed
24 through a link or pop-up, as such terms may be

1 defined by the Secretary, in a manner that is
2 easily accessible and viewable by the consumer.

3 “(3) DEFINITIONS.—In this subsection:

4 “(A) BASE AIRFARE.—The term ‘base air-
5 fare’ means the cost of passenger air transpor-
6 tation, excluding government-imposed taxes and
7 fees.

8 “(B) COVERED ENTITY.—The term ‘cov-
9 ered entity’ means an air carrier, including an
10 indirect air carrier, foreign carrier, ticket agent,
11 or other person offering to sell tickets for pas-
12 senger air transportation or a tour, or tour
13 component, that must be purchased with air
14 transportation.”.

15 (b) LIMITATION ON STATUTORY CONSTRUCTION.—
16 Nothing in the amendment made by subsection (b) may
17 be construed to affect any obligation of a person that sells
18 passenger air transportation to disclose the total cost of
19 such air transportation, including government-imposed
20 taxes and fees, prior to purchase of such air transpor-
21 tation.

22 (c) REGULATIONS.—Not later than 1 year after the
23 date of enactment of this Act, the Secretary of Transpor-
24 tation shall issue final regulations to carry out the amend-
25 ment made by subsection (a).

1 (d) EFFECTIVE DATE.—This section, and the amend-
2 ment made by this section, shall take effect on the date
3 that is 180 days after the date of enactment of this Act.

4 **SEC. 702. MODERNIZATION OF CONSUMER COMPLAINT**
5 **SUBMISSIONS.**

6 Section 42302 of title 49, United States Code, is
7 amended to read as follows:

8 **“§ 42302. Consumer complaints**

9 “(a) IN GENERAL.—The Secretary of Transportation
10 shall—

11 “(1) maintain an accessible website through the
12 Office of Aviation Consumer Protection to accept the
13 submission of complaints from airline passengers re-
14 garding air travel service problems; and

15 “(2) take appropriate actions to notify the pub-
16 lic of such accessible website.

17 “(b) NOTICE TO PASSENGERS ON THE INTERNET.—
18 An air carrier or foreign air carrier providing scheduled
19 air transportation using any aircraft that as originally de-
20 signed has a passenger capacity of 30 or more passenger
21 seats shall include on the accessible website of the car-
22 rier—

23 “(1) the accessible website, e-mail address, or
24 telephone number of the air carrier for the submis-

1 sion of complaints by passengers about air travel
2 service problems; and

3 “(2) the accessible website maintained pursuant
4 to subsection (a).

5 “(c) USE OF ADDITIONAL OR ALTERNATIVE TECH-
6 NOLOGIES.—The Secretary shall periodically evaluate the
7 benefits of using mobile phone applications or other widely
8 used technologies to—

9 “(1) provide additional or alternative means for
10 air passengers to submit complaints; and

11 “(2) provide such additional or alternative
12 means as the Secretary determines appropriate.

13 “(d) AIR AMBULANCE PROVIDERS.—Each air ambu-
14 lance provider shall include the accessible website, or a
15 link to such accessible website, maintained pursuant to
16 subsection (a) and the contact information for the Avia-
17 tion Consumer Advocate established by section 424 of the
18 FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note)
19 on—

20 “(1) any invoice, bill, or other communication
21 provided to a passenger or customer of such pro-
22 vider; and

23 “(2) the accessible website and any related mo-
24 bile device application of such provider.”.

1 **SEC. 703. CODIFICATION OF CONSUMER PROTECTION PRO-**
2 **VISIONS.**

3 (a) PASSENGER RIGHTS.—Subchapter I of chapter
4 417 of title 49, United States Code, is amended by adding
5 at the end the following:

6 **“§ 41727. Passenger rights**

7 “(a) GUIDELINES.—The Secretary of Transportation
8 shall require each air carrier and foreign air carrier to
9 submit a summarized 1-page document that describes the
10 rights of passengers in air transportation, including guide-
11 lines for the following:

12 “(1) Compensation (regarding rebooking op-
13 tions, refunds, meals, and lodging) for flight delays
14 of various lengths.

15 “(2) Compensation (regarding rebooking op-
16 tions, refunds, meals, and lodging) for flight diver-
17 sions.

18 “(3) Compensation (regarding rebooking op-
19 tions, refunds, meals, and lodging) for flight can-
20 cellations.

21 “(4) Compensation for mishandled baggage,
22 wheelchairs, mobility aids and other assistive de-
23 vices, including delayed, damaged, pilfered, or lost
24 baggage, wheelchairs, mobility aids and other assist-
25 ive devices.

1 contractors, and people with disabilities under section
2 41705.

3 “(b) CONTENT.—In developing the Airline Pas-
4 sengers with Disabilities Bill of Rights under subsection
5 (a), the Secretary shall include, at a minimum, plain lan-
6 guage descriptions of protections and responsibilities pro-
7 vided in law related to the following:

8 “(1) The right of passengers with disabilities to
9 be treated with dignity and respect.

10 “(2) The right of passengers with disabilities to
11 receive timely assistance, if requested, from properly
12 trained air carrier, foreign air carrier, and con-
13 tractor personnel.

14 “(3) The right of passengers with disabilities to
15 travel with wheelchairs, mobility aids, and other as-
16 sistive devices, including necessary medications and
17 medical supplies, including stowage of such wheel-
18 chairs, aids, and devices.

19 “(4) The right of passengers with disabilities to
20 receive seating accommodations, if requested, to ac-
21 commodate a disability.

22 “(5) The right of passengers with disabilities to
23 receive announcements in an accessible format.

24 “(6) The right of passengers with disabilities to
25 speak with a complaint resolution officer or to file

1 a complaint with an air carrier, a foreign air carrier,
2 or the Department of Transportation.

3 “(c) RULE OF CONSTRUCTION.—The development of
4 the Airline Passengers with Disabilities Bill of Rights
5 under subsections (a) and (b) shall not be construed as
6 expanding or restricting the rights available to passengers
7 with disabilities on the day before the date of the enact-
8 ment of the FAA Reauthorization Act of 2018 (Public
9 Law 115–254) pursuant to any statute or regulation.

10 “(d) CONSULTATIONS.—In developing the Airline
11 Passengers with Disabilities Bill of Rights under sub-
12 section (a), the Secretary shall consult with stakeholders,
13 including disability organizations and air carriers, foreign
14 air carriers, and their contractors.

15 “(e) DISPLAY.—Each air carrier and foreign air car-
16 rier shall include the Airline Passengers with Disabilities
17 Bill of Rights—

18 “(1) on a publicly available internet website of
19 the carrier; and

20 “(2) in any pre-flight notifications or commu-
21 nications provided to passengers who alert the car-
22 rier in advance of the need for accommodations re-
23 lating to a disability.

24 “(f) TRAINING.—

1 “(1) IN GENERAL.—Air carriers, foreign air
2 carriers, and contractors of such carriers shall sub-
3 mit to the Secretary plans that ensure that employ-
4 ees of such carriers and their contractors receive
5 training on the protections and responsibilities de-
6 scribed in the Airline Passengers with Disabilities
7 Bill of Rights.

8 “(2) REVIEW.—The Secretary shall review such
9 plans to ensure the plans address the matters de-
10 scribed in subsection (b).”.

11 (c) CONFORMING AMENDMENTS.—The analysis for
12 chapter 417 of title 49, United States Code, is amended
13 by inserting after the item relating to section 41726 the
14 following:

“41727. Passenger rights.

“41728. Airline passengers with disabilities bill of rights.”.

15 (d) CONFORMING REPEALS.—Sections 429 and 434
16 of the FAA Reauthorization Act of 2018 (49 U.S.C.
17 42301 note; 41705 note) and the item relating to such
18 sections in the table of contents in section 1(b) of such
19 Act are repealed.

20 **SEC. 704. EXTENSION OF AVIATION CONSUMER PROTEC-**
21 **TION ADVISORY COMMITTEE.**

22 Section 411 of the FAA Modernization and Reform
23 Act of 2012 (49 U.S.C. 42301 note) is amended—

24 (1) in subsection (b)—

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

3 (B) by inserting after paragraph (2) the
4 following:

5 “(3) ticket agents and travel management com-
6 panies;”; and

7 (2) in subsection (h) by striking “2023” and in-
8 serting “2028”.

9 **SEC. 705. REMOVAL OF OUTDATED REFERENCES TO PAS-**
10 **SENGERS WITH DISABILITIES.**

11 (a) SOVEREIGNTY AND USE OF AIRSPACE.—Section
12 40103(a)(2) of title 49, United States Code, is amended
13 by striking “handicapped individuals” and inserting “indi-
14 viduals with disabilities”.

15 (b) SPECIAL PRICES FOR FOREIGN AIR TRANSPOR-
16 TATION.—Section 41511(b)(4) of title 49, United States
17 Code, is amended by striking “handicap” and inserting
18 “disability”.

19 (c) DISCRIMINATION AGAINST INDIVIDUALS WITH
20 DISABILITIES.—Section 41705 of title 49, United States
21 Code, is amended in the heading by striking “**handi-**
22 **capped individuals**” and inserting “**individuals**
23 **with disabilities**”.

24 (d) CLERICAL AMENDMENT.—The analysis for chap-
25 ter 417 of title 49, United States Code, is amended by

1 striking the item relating to section 41705 and inserting
2 the following:

“41705. Discrimination against individuals with disabilities.”.

3 **SEC. 706. EXTENSION OF AVIATION CONSUMER ADVOCATE**
4 **REPORTING REQUIREMENT.**

5 Section 424(e) of the FAA Reauthorization Act of
6 2018 (49 U.S.C. 42302 note) is amended by striking
7 “2023” and inserting “2028”.

8 **SEC. 707. AIR CARRIER ACCESS ACT ADVISORY COM-**
9 **MITTEE.**

10 (a) IN GENERAL.—Section 439 of the FAA Reau-
11 thorization Act of 2018 (49 U.S.C. 41705 note) is amend-
12 ed—

13 (1) in the section heading by striking “**ADVI-**
14 **SORY COMMITTEE ON THE AIR TRAVEL NEEDS**
15 **OF PASSENGERS WITH DISABILITIES**” and in-
16 sserting “**AIR CARRIER ACCESS ACT ADVISORY**
17 **COMMITTEE**”;

18 (2) in subsection (c)(1) by striking subpara-
19 graph (G) and inserting the following:

20 “(G) Manufacturers of wheelchairs, includ-
21 ing powered wheelchairs, and other mobility
22 aids.”; and

23 (3) in subsection (g) by striking “2023” and in-
24 sserting “2028”.

1 (b) CONFORMING AMENDMENT.—Section 1(b) of the
2 FAA Reauthorization Act of 2018 (Public Law 115–254)
3 is amended by striking the item relating to section 439
4 and inserting the following:

“Sec. 439. Air Carrier Access Act advisory committee.”.

5 **SEC. 708. PASSENGER EXPERIENCE ADVISORY COMMITTEE.**

6 (a) IN GENERAL.—The Secretary of Transportation
7 shall establish an advisory committee to advise the Sec-
8 retary and the Administrator of the Federal Aviation Ad-
9 ministration in carrying out activities relating to the im-
10 provement of the passenger experience in air transpor-
11 tation customer service.

12 (b) MEMBERSHIP.—The Secretary shall appoint the
13 members of the advisory committee, which shall be com-
14 prised of at least 1 representative of each of—

- 15 (1) mainline air carriers;
- 16 (2) air carriers with a low-cost or ultra-low-cost
17 business model;
- 18 (3) regional air carriers;
- 19 (4) large hub airport sponsors and operators;
- 20 (5) medium hub airport sponsors and operators;
- 21 (6) small hub airport sponsors and operators;
- 22 (7) nonhub airport sponsors and operators;
- 23 (8) ticket agents;
- 24 (9) customer-facing employees of air carriers;

- 1 (10) representatives of intermodal transpor-
2 tation companies that operate at airports;
- 3 (11) airport concessionaires;
- 4 (12) nonprofit public interest groups with ex-
5 pertise in consumer protection matters;
- 6 (13) senior managers of the Administration’s
7 Air Traffic Organization;
- 8 (14) aircraft manufacturers;
- 9 (15) entities representing individuals with dis-
10 abilities;
- 11 (16) labor unions, including—
- 12 (A) collective bargaining representatives of
13 Federal Aviation Administration employees;
- 14 (B) collective bargaining representatives of
15 pilots; and
- 16 (C) collective bargaining representatives of
17 flight attendants;
- 18 (17) other organizations or industry segments
19 as determined by the Secretary; and
- 20 (18) other Federal agencies that directly inter-
21 face with passengers at airports.
- 22 (c) VACANCIES.—A vacancy in the advisory com-
23 mittee under this section shall be filled in a manner con-
24 sistent with subsection (b).

1 (d) TRAVEL EXPENSES.—Members of the advisory
2 committee under this section shall serve without pay but
3 shall receive travel expenses, including per diem in lieu
4 of subsistence, in accordance with subchapter I of chapter
5 57 of title 5, United States Code.

6 (e) CHAIR.—The Secretary shall designate an indi-
7 vidual among the individuals appointed under subsection
8 (b) to serve as Chair of the advisory committee.

9 (f) DUTIES.—The duties of the advisory committee
10 shall include—

11 (1) evaluating ways to improve the comprehen-
12 sive passenger experience, including—

13 (A) transportation between airport termi-
14 nals and facilities;

15 (B) baggage handling;

16 (C) wayfinding;

17 (D) the security screening process; and

18 (E) the communication of flight delays and
19 cancellations;

20 (2) evaluating ways to improve efficiency in the
21 national airspace system affecting passengers;

22 (3) evaluating ways to improve the cooperation
23 and coordination between the Department of Trans-
24 portation and other Federal agencies that directly
25 interface with aviation passengers at airports;

1 (4) responding to other taskings determined by
2 the Secretary; and

3 (5) providing recommendations to the Secretary
4 and the Administrator, if determined necessary dur-
5 ing the evaluations considered in paragraphs (1)
6 through (4).

7 (g) REPORT TO CONGRESS.—Not later than 1 year
8 after the date of enactment of this Act, and every 2 years
9 thereafter, the Secretary shall submit to Congress a report
10 containing—

11 (1) consensus recommendations made by the
12 advisory committee since such date of enactment or
13 the previous report, as appropriate; and

14 (2) an explanation of how the Secretary has im-
15 plemented such recommendations and, for such rec-
16 ommendations not implemented, the Secretary’s rea-
17 son for not implementing such recommendation.

18 (h) DEFINITION.—The definitions in section 40102
19 of title 49, United States Code, shall apply to this section.

20 (i) SUNSET.—This section shall cease to be effective
21 on October 1, 2028.

22 (j) TERMINATION OF DOT ACCESS ADVISORY COM-
23 MITTEE.—The ACCESS Advisory Committee of the De-
24 partment of Transportation shall terminate on the date
25 of enactment of this Act.

1 **SEC. 709. STREAMLINING OF OFFLINE TICKET DISCLO-**
2 **SURES.**

3 (a) IN GENERAL.—Not later than 18 months after
4 the date of enactment of this Act, the Secretary of Trans-
5 portation shall take such action as may be necessary to
6 update the process by which an air carrier or ticket agent
7 is required to fulfill disclosure obligations in ticketing
8 transactions for air transportation not completed through
9 a website.

10 (b) REQUIREMENTS.—The process updated under
11 subsection (a) shall—

12 (1) include means of referral to the applicable
13 air carrier website with respect to disclosures related
14 to air carrier optional fees and policies;

15 (2) include a means of referral to the website
16 of the Department of Transportation with respect to
17 any other required disclosures to air transportation
18 passengers;

19 (3) make no changes to air carrier or ticket
20 agent obligations with respect to—

21 (A) section 41712(c) of title 49, United
22 States Code; or

23 (B) subsections (a) and (b) of section
24 399.84 of title 14, Code of Federal Regulations
25 (or any successor regulations); and

1 the Federal Aviation Administration shall task the Avia-
2 tion Rulemaking Advisory Committee with—

3 (1) reviewing passenger information require-
4 ment regulations under section 121.317 of title 14,
5 Code of Federal Regulation, and such other related
6 regulations as the Administrator determines appro-
7 priate; and

8 (2) making recommendations to update and im-
9 prove such regulations.

10 (b) FINAL REGULATION.—Not later than 6 years
11 after the date of enactment of this Act, the Administrator
12 of the Federal Aviation Administration shall issue a final
13 regulation revising section 121.317 of title 14, Code of
14 Federal Regulations, and such other related regulations
15 as the Administrator determines appropriate, to—

16 (1) update such section and regulations to in-
17 corporate exemptions commonly issued by the Ad-
18 ministrator;

19 (2) reflect civil penalty inflation adjustments;
20 and

21 (3) incorporate such updates and improvements
22 recommended by the Aviation Rulemaking Advisory
23 Committee that the Administrator determines appro-
24 priate.

1 **SEC. 712. MOBILITY AIDS ON BOARD IMPROVE LIVES AND**
2 **EMPOWER ALL.**

3 (a) PUBLICATION OF CARGO HOLD DIMENSIONS.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of enactment of this Act, the Secretary of
6 Transportation shall require air carriers to publish
7 on a prominent and easily accessible place on the
8 public website of the air carrier, information describ-
9 ing the relevant dimensions and other characteristics
10 of the cargo holds of all aircraft types operated by
11 the air carrier, including the dimensions of the cargo
12 hold entry, that would limit the size, weight, and al-
13 lowable type of cargo available.

14 (2) PROPRIETARY INFORMATION.—The Sec-
15 retary shall allow an air carrier to protect the con-
16 fidentiality of any trade secret or proprietary infor-
17 mation submitted in accordance with paragraph (1),
18 as appropriate.

19 (b) REFUND REQUIRED FOR INDIVIDUAL TRAVELING
20 WITH WHEELCHAIR.—In the case of a qualified individual
21 with a disability traveling with a wheelchair who has pur-
22 chased a ticket for a flight from an air carrier, but who
23 cannot travel on the aircraft for such flight because the
24 wheelchair of such qualified individual cannot be phys-
25 ically accommodated in the cargo hold of the aircraft, the
26 Secretary shall require such air carrier to offer a refund

1 to such qualified individual of any previously paid fares,
2 fees, and taxes applicable to such flight.

3 (c) EVALUATION OF DATA REGARDING DAMAGED
4 WHEELCHAIRS.—Not later than 12 months after the date
5 of enactment of this Act, and annually thereafter, the Sec-
6 retary shall—

7 (1) evaluate data regarding the type and fre-
8 quency of incidents of the mishandling of wheel-
9 chairs on aircraft and delineate such data by—

10 (A) types of wheelchairs involved in such
11 incidents; and

12 (B) the ways in which wheelchairs are mis-
13 handled, including the type of damage to wheel-
14 chairs (such as broken drive wheels or casters,
15 bent or broken frames, damage to electrical
16 connectors or wires, control input devices,
17 joysticks, upholstery or other components, loss,
18 or delay of return);

19 (2) determine whether there are trends with re-
20 spect to the data evaluated under paragraph (1);
21 and

22 (3) make available on the public website of the
23 Department of Transportation, in an accessible
24 manner, a report containing the results of the eval-
25 uation of data and determination made under para-

1 graphs (1) and (2) and a description of how the Sec-
2 retary plans to address such results.

3 (d) FEASIBILITY OF IN-CABIN WHEELCHAIR RE-
4 STRAINT SYSTEMS.—

5 (1) STRATEGIC PLAN.—

6 (A) IN GENERAL.—The Secretary shall de-
7 velop a strategic plan that, at a minimum, de-
8 scribes how the Secretary, in consultation with
9 the United States Access Board, will—

10 (i) establish a program, in collabora-
11 tion with the Rehabilitation Engineering
12 and Assistive Technology Society of North
13 America, the assistive technology industry,
14 air carriers, aircraft manufacturers, na-
15 tional disability organizations, and other
16 relevant stakeholders, to test and evaluate
17 an appropriate selection of WC-19 compli-
18 ant wheelchairs in accordance with applica-
19 ble Federal Aviation Administration crash-
20 worthiness and safety performance stand-
21 ards; and

22 (ii) sponsor studies that assess—

23 (I) the likely demand for air trav-
24 el by individuals who are non-
25 ambulatory if such individuals could

1 remain seated in personal wheelchairs
2 during flight; and

3 (II) the feasibility of imple-
4 menting seating arrangements that
5 would accommodate passengers in
6 wheelchairs in the main cabin during
7 flight.

8 (B) NATIONAL ACADEMIES RECOMMENDA-
9 TIONS.—In developing the strategic plan de-
10 scribed in paragraph (1), the Secretary shall
11 consider the recommendations from the Na-
12 tional Academies of Science, Engineering, and
13 Mathematics Transportation Research Board
14 Special Report 341, titled “Technical Feasi-
15 bility of a Wheelchair Securement Concept for
16 Airline Travel”, and published in 2021.

17 (2) STUDY.—Not later than 180 days after en-
18 actment of this Act, the Secretary shall seek to enter
19 into an agreement with the Transportation Research
20 Board of the National Academies under which the
21 Transportation Research Board, in consultation with
22 the Rehabilitation Engineering and Assistive Tech-
23 nology Society of North America, the assistive tech-
24 nology industry, air carriers, aircraft manufacturers,
25 national disability organizations, and other relevant

1 stakeholders, shall conduct a study to assess the eco-
2 nomic and financial feasibility of requiring air car-
3 riers to implement seating arrangements that accom-
4 modate passengers with wheelchairs in the aircraft
5 cabin during flight, including an assessment of—

6 (A) the cost of such seating arrangements
7 and equipment and installation costs associated
8 with such seating arrangements;

9 (B) the demand for such seating arrange-
10 ments;

11 (C) the impact of such seating arrange-
12 ments on all aircraft types;

13 (D) the impact of such seating arrange-
14 ments on aircraft capacity and the cost of oper-
15 ations and airfare; and

16 (E) any other information determined ap-
17 propriate by the Transportation Research
18 Board.

19 (3) REPORT.—Not later than 1 year after the
20 initiation of the study in paragraph (2), the Sec-
21 retary shall submit to the Committee on Transpor-
22 tation and Infrastructure of the House of Represent-
23 atives and the Committee on Commerce, Science,
24 and Transportation of the Senate, and make publicly
25 available, the strategic plan developed under para-

1 graph (1), the results of the study conducted under
2 paragraph (2), and any recommendations the Trans-
3 portation Research Board determines appropriate.

4 (e) DEFINITIONS.—In this section:

5 (1) AIR CARRIER.—The term “air carrier” has
6 the meaning given such term in section 40102 of
7 title 49, United States Code.

8 (2) DISABILITY; QUALIFIED INDIVIDUAL WITH
9 A DISABILITY.—The terms “disability” and “quali-
10 fied individual with a disability” have the meanings
11 given such terms in section 382.3 of title 14, Code
12 of Federal Regulations (as in effect on date of en-
13 actment of this Act).

14 (3) WHEELCHAIR.—The term “wheelchair” has
15 the meaning given such term in section 37.3 of title
16 49, Code of Federal Regulations (as in effect on
17 date of enactment of this Act), including power
18 wheelchairs, manual wheelchairs, and scooters.

19 **SEC. 713. PRIORITIZING ACCOUNTABILITY AND ACCESSI-**
20 **BILITY FOR AVIATION CONSUMERS.**

21 (a) ANNUAL REPORT.—Not later than 1 year after
22 the date of enactment of this Act, and annually thereafter,
23 the Secretary of Transportation shall provide a report on
24 disability-related aviation consumer complaints filed with

1 the Department of Transportation as a part of the Air
2 Travel Consumer Report produced by the Department.

3 (b) SCOPE OF REPORT.—In each report required
4 under subsection (a), the Secretary shall include, at min-
5 imum, a description of the following:

6 (1) The number of disability-related aviation
7 consumer complaints filed with the Department of
8 Transportation during the calendar year preceding
9 the year in which such report is submitted.

10 (2) The nature of such complaints, such as re-
11 ported issues with—

12 (A) an air carrier;

13 (B) mishandling of passengers with a dis-
14 ability, including mishandling of a wheelchair,
15 mobility aid, or other accessibility equipment of
16 a passenger by an air carrier;

17 (C) the condition or availability of accessi-
18 bility equipment or materials operated by an air
19 carrier;

20 (D) the accessibility of in-flight services,
21 including accessing and utilizing onboard lava-
22 tories, for passengers with a disability;

23 (E) difficulties experienced by passengers
24 with a disability in communicating with an air
25 carrier employee;

1 (F) difficulties experienced by passengers
2 with a disability in being moved, handled, or
3 otherwise assisted;

4 (G) an air carrier changing the flight
5 itinerary of a passenger with a disability with-
6 out the consent of such passenger;

7 (H) difficulties experienced by passengers
8 with a disability traveling with a service animal;
9 and

10 (I) any other issues the Secretary of
11 Transportation determines appropriate.

12 (3) The review process for such complaints.

13 (4) The average amount of days before the De-
14 partment initiated a formal review of such com-
15 plaints.

16 (5) The average amount of days until such
17 complaints were resolved by the Department.

18 (6) The number of such complaints that re-
19 sulted in dismissal, a civil monetary penalty, or
20 other injunctive relief.

21 (7) Of the complaints that were found to violate
22 section 41705 of title 49, United States Code—

23 (A) the number of such complaints for
24 which a formal enforcement order was issued;
25 and

1 (B) the number of such complaints for
2 which a formal enforcement order was not
3 issued.

4 (8) The number of disability-related aviation
5 consumer complaints filed with the Department of
6 Transportation involving airport staff or other mat-
7 ters under the jurisdiction of the Federal Aviation
8 Administration that were referred to the Federal
9 Aviation Administration.

10 (9) The number of disability-related aviation
11 consumer complaints filed with the Department of
12 Transportation involving Transportation Security
13 Administration staff that were referred to the
14 Transportation Security Administration or the De-
15 partment of Homeland Security.

16 (c) REPORT TO CONGRESS.—The Secretary shall
17 submit annually to the Committee on Transportation and
18 Infrastructure of the House of Representatives and the
19 Committee on Commerce, Science, and Transportation of
20 the Senate the report required under subsection (a).

21 (d) DEFINITIONS.—In this section:

22 (1) IN GENERAL.—Except as otherwise pro-
23 vided, the terms used in this section have the mean-
24 ings given such terms in section 40102 of title 49,

1 United States Code, or section 382.3 of title 14,
2 Code of Federal Regulations, as applicable.

3 (2) AIR CARRIER.—The term “air carrier”
4 means an air carrier conducting passenger oper-
5 ations under part 121 of title 14, Code of Federal
6 Regulations.

7 (3) PASSENGER WITH A DISABILITY.—The term
8 “passenger with a disability” has the meaning given
9 the term “qualified individual with a disability” in
10 section 382.3 of title 14, Code of Federal Regula-
11 tions.

12 **SEC. 714. AIRCRAFT ACCESSIBILITY.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of enactment of this Act, the Secretary of Transpor-
15 tation shall initiate a program to study and evaluate im-
16 provements to transport category aircraft accessibility, in-
17 cluding—

18 (1) determining whether and, if so, how per-
19 sonal wheelchairs, including manual and powered
20 wheelchairs, can be safely secured in the passenger
21 seating areas of an aircraft certificated under part
22 25 of title 14, Code of Federal Regulations;

23 (2) considering the safe evacuation processes
24 for such aircraft, including individuals who use man-
25 ual and powered wheelchairs; and

1 (3) determining how various types or aircraft
2 described in paragraph (1) can safely and efficiently
3 be retrofit for accessible lavatories.

4 (b) REPORT AND RECOMMENDATIONS.—Not later
5 than 2 years after the date of enactment of this Act, the
6 Secretary shall provide to the Committee on Transpor-
7 tation and Infrastructure of the House of Representatives
8 and the Committee on Commerce, Science, and Transpor-
9 tation of the Senate a report on the findings of the study
10 and evaluation described in subsection (a) and rec-
11 ommendations to address the findings of such study and
12 evaluation.

13 **SEC. 715. ACCESSIBILITY OF WEBSITES, SOFTWARE APPLI-**
14 **CATIONS, AND KIOSKS FOR INDIVIDUALS**
15 **WITH DISABILITIES.**

16 Not later than 2 years after the date of enactment
17 of this Act, the Secretary of Transportation shall, in direct
18 consultation with the United States Architectural and
19 Transportation Barriers Compliance Board, prescribe reg-
20 ulations setting forth minimum standards to ensure that
21 individuals with disabilities are able to access kiosks, soft-
22 ware applications, and websites in a manner that is equal-
23 ly as effective as individuals without disabilities, with a
24 substantially equivalent ease of use. Such standards shall
25 be consistent with the standards set forth in the Web Con-

1 tent Accessibility Guidelines 2.1 Level AA of the Web Ac-
2 cessibility Initiative of the World Wide Web Consortium
3 or any subsequent version.

4 **SEC. 716. REVIEW OF METHODS TO REPORT FLIGHT DELAY**
5 **AND CANCELLATION STATISTICS.**

6 (a) IN GENERAL.—No later than 1 year after the
7 date of enactment of this Act, the Secretary of Transpor-
8 tation, in consultation with the Administrator of the Fed-
9 eral Aviation Administration, shall conduct a review of the
10 means of reporting flight delay and cancellation statistics
11 to the Secretary and the accuracy of such data.

12 (b) COORDINATION REQUIREMENT.—In conducting
13 the review required in paragraph (1), the Secretary shall
14 coordinate and collaborate with air carriers (as such term
15 is defined in section 40102 of title 49, United States
16 Code) to assist in conducting the review and providing rec-
17 ommendations on improving the means of reporting flight
18 delay and cancellation statistics to the Secretary and the
19 accuracy of such data.

20 **SEC. 717. REIMBURSEMENT FOR INCURRED COSTS.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this Act, the Secretary of Transpor-
23 tation shall direct all air carriers providing scheduled pas-
24 senger interstate or intrastate air transportation to estab-
25 lish policies regarding reimbursement for lodging, trans-

1 portation between such lodging and the airport, and meal
2 costs incurred due to a flight cancellation or significant
3 delay directly attributable to the air carrier.

4 (b) DEFINITION OF SIGNIFICANTLY DELAYED.—In
5 this section, the term “significantly delayed” means, with
6 respect to air transportation, the departure or arrival at
7 the originally ticketed destination associated with such
8 transportation has changed—

9 (1) in the case of air transportation within the
10 United States, by 3 or more hours; or

11 (2) in the case of air transportation to or from
12 a location outside the United States, by 6 or more
13 hours.

14 **SEC. 718. AIRLINE OPERATIONAL RESILIENCY PLANS.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Secretary of Transpor-
17 tation shall require a covered carrier to develop and regu-
18 larly update an operational resiliency strategy to prevent
19 or limit the impact of future flight disruptions on pas-
20 sengers.

21 (b) OPERATIONAL RESILIENCY STRATEGY.—In each
22 operational resiliency strategy developed under subsection
23 (a), a covered carrier shall include a description of—

24 (1) the potential impact of severe weather and
25 other reasonably anticipated disruptive events on the

1 operations of the carrier and how the carrier seeks
2 to prevent or limit the impact of such events on pas-
3 sengers;

4 (2) the potential impact of severe weather
5 events and other reasonably anticipated disruptive
6 events on—

7 (A) staffing models and the preparedness
8 of the current workforce of the carrier to ad-
9 dress such conditions; and

10 (B) the current information and technology
11 systems of the carrier, including crew sched-
12 uling systems, and the preparedness of such
13 systems to continue operations after such an
14 event or disruption;

15 (3) the preparedness of the carrier to maintain
16 operations and limit or prevent the impact of other
17 potential disruptive events identified by the carrier;

18 (4) the extent to which the carrier addresses
19 known cybersecurity risks to prevent potential flight
20 disruptions; and

21 (5) any other issues the Secretary determines
22 appropriate to protect consumers and maintain the
23 operational stability of the airline industry.

24 (c) PROPRIETARY INFORMATION.—The Secretary
25 shall develop a method to protect the confidentiality of any

1 trade secret or proprietary information submitted in an
2 operational resiliency strategy under subsection (b).

3 (d) EVALUATION.—

4 (1) AUDIT.—Not later than 3 years after the
5 date of enactment of this Act, the Comptroller Gen-
6 eral of the United States shall initiate an audit to
7 evaluate the effectiveness of the operational resil-
8 iency strategies developed under this section by cov-
9 ered air carriers.

10 (2) REPORT.—Not later than 1 year after com-
11 pletion of the audit conducted under paragraph (1),
12 the Comptroller General shall submit to the Com-
13 mittee on Transportation and Infrastructure of the
14 House of Representatives and the Committee on
15 Commerce, Science, and Transportation of the Sen-
16 ate a report on the findings of the audit.

17 (e) COVERED CARRIER.—In this section, the term
18 “covered carrier” has the meaning given such term in sec-
19 tion 259.3 of title 14, Code of Federal Regulations (or
20 successor regulations).

21 **SEC. 719. FAMILY SEATING.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act, the Secretary of Transpor-
24 tation shall issue a notice of proposed rulemaking to estab-
25 lish a policy directing air carriers that assign seats, or

1 allow individuals to select seats in advance of the date of
2 departure of a flight, to sit each young child adjacent to
3 an accompanying adult, to the greatest extent practicable,
4 if adjacent seat assignments are available at any time
5 after the ticket is issued for each young child and before
6 the first passenger boards the flight.

7 (b) PROHIBITION ON FEES.—The notice of proposed
8 rulemaking described in subsection (a) shall include a pro-
9 vision that prohibits an air carrier from charging a fee,
10 or imposing an additional cost beyond the ticket price of
11 the additional seat, to seat each young child adjacent to
12 an accompanying adult within the same class of service.

13 (c) RULE OF CONSTRUCTION.—Notwithstanding the
14 requirement in subsection (a), nothing in this section may
15 be construed to allow the Secretary to impose a change
16 in the overall seating or boarding policy of an air carrier
17 that has an open or flexible seating policy in place that
18 generally allows adjacent family seating as described
19 under this section.

20 (d) YOUNG CHILD.—In this section, the term “young
21 child” means an individual who has not attained 14 years
22 of age.

Subtitle B—Air Traffic

1 **SEC. 741. TRANSFERS OF AIR TRAFFIC SYSTEMS ACQUIRED** 2 3 **WITH AIP.**

4 Section 44502(e) of title 49, United States Code, is
5 amended—

6 (1) in paragraph (1) by inserting “in a non-
7 contiguous State” after “An airport”;

8 (2) in paragraph (3)—

9 (A) in subparagraph (B) by striking “or”
10 at the end;

11 (B) in subparagraph (C) by striking the
12 period at the end and inserting “; or”; and

13 (C) by adding at the end the following:

14 “(D) a Medium Intensity Approach Light-
15 ing System with Runway Alignment Indicator
16 Lights.”; and

17 (3) by adding at the end the following:

18 “(4) EXCEPTION.—The requirement under
19 paragraph (1) that an eligible air traffic system or
20 equipment be purchased in part using a Government
21 airport aid program, airport development aid pro-
22 gram, or airport improvement project grant shall not
23 apply if the system or equipment is installed at an
24 airport that is categorized as a basic or local general
25 aviation airport under the most recently published

1 national plan of integrated airport systems under
2 section 47103.”.

3 **SEC. 742. NEXTGEN PROGRAMS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, and periodically thereafter
6 as the Administrator of the Federal Aviation Administra-
7 tion determines appropriate, the Administrator shall con-
8 vene Administration officials to evaluate and expedite the
9 implementation of NextGen programs and capabilities.

10 (b) NEXTGEN PROGRAM PRIORITIZATION.—In allo-
11 cating amounts appropriated pursuant to section 48101(a)
12 of title 49, United States Code, the Secretary of Transpor-
13 tation shall give priority to the following activities:

14 (1) Performance-based navigation.

15 (2) Data communications.

16 (3) Terminal flight data manager.

17 (4) Aeronautical information management.

18 (c) PERFORMANCE-BASED NAVIGATION.—

19 (1) IN GENERAL.—Not later than 3 years after
20 the date of enactment of this Act, the Administrator
21 shall fully implement performance-based navigation
22 procedures for all terminal and enroute routes, in-
23 cluding approach and departure procedures for cov-
24 ered airports.

1 (2) SPECIFIC PROCEDURES.—Pursuant to para-
2 graph (1), the Administrator shall prioritize the fol-
3 lowing performance-based navigation procedures:

4 (A) Trajectory-based operations.

5 (B) Optimized profile descents.

6 (C) Multiple airport route separation.

7 (D) Established on required navigation
8 performance.

9 (E) Converging runway display aids.

10 (3) PERFORMANCE-BASED NAVIGATION BASE-
11 LINE EQUIPAGE REQUIREMENTS.—In carrying out
12 paragraph (1), the Administrator shall issue such
13 regulations as may be required, and publish applica-
14 ble advisory circulars, to establish the equipage base-
15 line appropriate for aircraft to safely use perform-
16 ance-based navigation procedures.

17 (d) DATA COMMUNICATIONS.—

18 (1) IN GENERAL.—Not later than 2 years after
19 the date of enactment of this Act, the Administrator
20 shall fully implement the use of data communica-
21 tions.

22 (2) SPECIFIC CAPABILITIES.—In carrying out
23 subsection (a) and this subsection, the Administrator
24 shall prioritize the following data communications
25 capabilities:

1 (A) Ground-to-ground message exchange
2 for surface aircraft operations and runway safe-
3 ty at airports.

4 (B) Automated message generation and re-
5 ceipt.

6 (C) Message routing and transmission.

7 (D) Direct communications with aircraft
8 avionics.

9 (E) Implementation of data communica-
10 tions at all Air Route Traffic Control Centers.

11 (F) The Future Air Navigation System.

12 (e) TERMINAL FLIGHT DATA MANAGER.—

13 (1) IN GENERAL.—Not later than 4 years after
14 the date of enactment of this Act, the Administrator
15 shall replace the traffic flow management system
16 with the flow data management system at covered
17 airports.

18 (2) ELECTRONIC FLIGHT STRIPS.—In carrying
19 out paragraph (1), the Administrator shall imple-
20 ment electronic flight strips, at a minimum, at the
21 air traffic control towers of covered airports and all
22 terminal radar approach control and air route traffic
23 control centers.

24 (f) AERONAUTICAL INFORMATION MANAGEMENT
25 SYSTEMS.—

1 (1) IN GENERAL.—Not later than 3 years after
2 the date of enactment of this Act, the Administrator
3 shall fully modernize the aeronautical information
4 management systems of the Federal Aviation Ad-
5 ministration to improve the functionality, useability,
6 durability, and reliability of such systems used in the
7 national airspace system.

8 (2) REQUIREMENTS.—In carrying out para-
9 graph (1), the Administrator shall—

10 (A) improve the distribution of critical
11 safety information to pilots, air traffic control,
12 and other relevant aviation stakeholders;

13 (B) fully develop and implement the Enter-
14 prise Information Display System; and

15 (C) notwithstanding a centralized aero-
16 nautical information management system, re-
17 structure the back-up systems of aeronautical
18 information management systems to be inde-
19 pendent and self-sufficient from one another.

20 (g) EFFECT OF FAILURE TO MEET DEADLINE.—

21 (1) NOTIFICATION OF CONGRESS.—If the Ad-
22 ministrator determines that the Administration has
23 not or will not meet a deadline established under
24 subsection (a), (c), (d), or (e), the Administrator
25 shall, not later than 30 days after such determina-

1 tion, notify the Committee on Transportation and
2 Infrastructure of the House of Representatives and
3 the Committee on Commerce, Science, and Trans-
4 portation of the Senate about the failure to meet the
5 target deadlines.

6 (2) CONTENTS OF NOTIFICATION.—A notifica-
7 tion under paragraph (1) shall be accompanied by
8 the following:

9 (A) An explanation as to why the agency
10 will not or did not meet the target deadlines de-
11 scribed in such paragraph.

12 (B) A description of the actions the Ad-
13 ministration plans to take to meet the target
14 deadlines described in such paragraph.

15 (3) BRIEFING.—If the Administrator is re-
16 quired to provide notice under paragraph (1), the
17 Administrator shall provide the Committee on
18 Transportation and Infrastructure of the House of
19 Representatives and the Committee on Commerce,
20 Science, and Transportation of the Senate bi-
21 monthly, in-person briefings as to the progress made
22 by the Administration regarding implementation
23 under the respective subsection for which the target
24 deadline will not or was not met until such time as

1 the Administrator has completed the required work
2 under such subsection.

3 (h) NEXTGEN ADVISORY COMMITTEE CONSULTA-
4 TION.—

5 (1) IN GENERAL.—The Administrator shall con-
6 sult and task the NextGen Advisory Committee with
7 providing recommendations on ways to expedite,
8 prioritize, and fully implement NextGen programs to
9 realize the operational benefits of such programs.

10 (2) CONSIDERATIONS.—In providing rec-
11 ommendations under paragraph (1), the NextGen
12 Advisory Committee shall consider—

13 (A) air traffic throughput of the national
14 airspace system;

15 (B) daily operational performance, includ-
16 ing delays and cancellations; and

17 (C) the potential need for performance-
18 based operational metrics related to NextGen
19 programs.

20 (i) SUNSET OF NEXTGEN BRAND.—

21 (1) IN GENERAL.— Not later than 3 years after
22 the date of enactment of this Act, the Administrator
23 shall terminate the use of the term “Next Genera-
24 tion Air Transportation System” or “NextGen” to

1 describe any air traffic control modernization pro-
2 gram of the Administration.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 subsection shall be construed to—

5 (A) terminate any program of the Admin-
6 istration, including a program that has pre-
7 viously been represented as being a component
8 of the Next Generation Air Transportation Sys-
9 tem or NextGen in budgetary submission or
10 document of the Administration; or

11 (B) prohibit the Administrator from main-
12 taining materials that relate to or reference
13 programs that have previously been represented
14 as being a component of the Next Generation
15 Air Transportation System or NextGen.

16 (j) COVERED AIRPORTS DEFINED.—In this section,
17 the term “covered airports” means the 40 airports in the
18 United States with the highest number of annual aircraft
19 operations, as of the date of enactment of this Act.

20 **SEC. 743. AIRSPACE ACCESS.**

21 (a) COALESCING AIRSPACE.—

22 (1) REVIEW OF NATIONAL AIRSPACE SYSTEM.—
23 Not later than 3 years after the date of enactment
24 of this Act, the Administrator of the Federal Avia-
25 tion Administration, in coordination with the Sec-

1 retary of Defense, shall conduct a comprehensive re-
2 view of the airspace of the national airspace system,
3 including special use airspace.

4 (2) STREAMLINING AND EXPEDITING ACCESS.—

5 In carrying out paragraph (1), the Administrator
6 shall identify methods to streamline, expedite, and
7 provide greater flexibility of access to certain cat-
8 egories of airspace for users of the national airspace
9 system who may not regularly have access to such
10 airspace.

11 (b) REPORT.—

12 (1) IN GENERAL.—Not later than 3 months
13 after the completion of review the under subsection
14 (a), the Administrator shall submit to the Com-
15 mittee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on
17 Commerce, Science, and Transportation of the Sen-
18 ate a report describing the findings of such review
19 and any recommendations and proposed actions to
20 improve access to airspace of the national airspace
21 system for the users of such system.

22 (2) CONTENTS.—In the report submitted under
23 paragraph (1), the Administrator shall include, at a
24 minimum, the following:

1 (A) An identification of current challenges
2 and barriers faced by airspace users in access-
3 ing certain categories of airspace, including spe-
4 cial use airspace.

5 (B) An evaluation of existing procedures,
6 regulations, and requirements that may impede
7 or delay access to certain categories of airspace
8 for certain users of the national airspace sys-
9 tem.

10 (C) Recommendations for streamlining and
11 expediting the airspace access process, including
12 potential regulatory changes, technological ad-
13 vancements, and enhanced coordination among
14 relevant stakeholders and Federal agencies.

15 (D) A proposal for implementing a flexible
16 framework that allows for temporary access to
17 certain categories of airspace, including special
18 use airspace, by users of the national airspace
19 system who do not have regular access to such
20 airspace.

21 (E) An assessment of the impact airspace
22 access improvements may have on safety, effi-
23 ciency, and economic opportunities for airspace
24 users, including—

25 (i) military operators;

1 (ii) commercial operators; and

2 (iii) general aviation operators.

3 (3) IMPLEMENTATION AND FOLLOW-UP.—

4 (A) ACTION PLAN.—Based on the findings,
5 recommendations, and proposals submitted in
6 the report under this subsection, the Adminis-
7 trator shall develop an action plan for imple-
8 menting any recommendations and proposals
9 necessary to improve airspace access.

10 (B) COORDINATION AND COLLABORA-
11 TION.—In developing the action plan under
12 subparagraph (A), the Administrator shall co-
13 ordinate with relevant stakeholders, including
14 airspace users and the Secretary of Defense, to
15 ensure—

16 (i) effective implementation of the ac-
17 tion plan; and

18 (ii) ongoing collaboration in address-
19 ing airspace access challenges.

20 (C) PROGRESS REPORTS.—The Adminis-
21 trator shall provide to the Committee on Trans-
22 portation and Infrastructure of the House of
23 Representatives and the Committee on Com-
24 merce, Science, and Transportation of the Sen-
25 ate periodic progress reports in the form of

1 briefings on the implementation of the action
2 plan developed under this paragraph, including
3 updates on the adoption of streamlined proce-
4 dures, technological enhancements, and any
5 regulatory changes necessary to improve air-
6 space access and flexibility.

7 **SEC. 744. STUDY ON NATIONAL AIRSPACE RESOURCES.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Administrator of the
10 Federal Aviation Administration shall initiate a study
11 on—

12 (1) the expected range of average annual re-
13 sources required through fiscal year 2033 to cost-ef-
14 fectively maintain the safety, sustainability, and
15 other characteristics of national airspace system op-
16 erations consistent with the operating mission of the
17 Federal Aviation Administration;

18 (2) an estimate of agency resource requirements
19 broken down by user group through fiscal year
20 2033, including expectations regarding the growth of
21 new entrants and potential new users entering the
22 national airspace system by fiscal year 2033; and

23 (3) viable options to ensure that each user of
24 the national airspace system contributes appro-
25 priately to the resources needed to manage such

1 users of the national airspace system through fiscal
2 year 2033.

3 (b) CONSULTATION.—In carrying out the study
4 under subsection (a), the Administrator may consult with
5 aerospace industry stakeholders, including representatives
6 from the following groups:

7 (1) Air carriers.

8 (2) General aviation.

9 (3) Commercially operated unmanned aircraft
10 systems.

11 (4) Recreationally operated unmanned aircraft
12 systems.

13 (5) Experimental aircraft operators.

14 (6) Powered-lift aircraft operators.

15 (7) The commercial space transportation indus-
16 try.

17 (8) Any other representatives the Administrator
18 determines necessary.

19 (c) REPORT.—Not later than 2 years after the date
20 of enactment of this Act, the Administrator shall submit
21 to the Committee on Transportation and Infrastructure
22 of the House of Representatives and the Committee on
23 Commerce, Science, and Transportation of the Senate a
24 report detailing the results of the study required under
25 subsection (a).

1 **SEC. 745. AIRSPACE TRANSITION COMPLETION.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Administrator of the
4 Federal Aviation Administration shall ensure that respon-
5 sibility for the Newark, New Jersey radar sector is moved
6 to the Philadelphia terminal radar approach control facil-
7 ity.

8 (b) STAFFING.—In carrying out subsection (a), the
9 Administrator may not—

10 (1) require the temporary or permanent move-
11 ment of any personnel from the New York terminal
12 radar approach control facility to the Philadelphia
13 terminal radar approach control facility, but may so-
14 licit such personnel to volunteer to temporarily or
15 permanently facilitate the move required under sub-
16 section (a); or

17 (2) reduce the target staffing level of the New
18 York terminal radar approach control facility.

19 (c) CONGRESSIONAL BRIEFINGS.—Not later than
20 180 days after the date of enactment of this Act and every
21 60 days thereafter, the Administrator and the head of the
22 collective bargaining unit representing air traffic control-
23 lers shall brief the Committee on Transportation and In-
24 frastructure of the House of Representatives and the Com-
25 mittee on Commerce, Science, and Transportation of the
26 Senate on the status of the move required under sub-

1 section (a) until such time as the Newark, New Jersey
2 radar sector is under the full responsibility of the Philadel-
3 phia terminal radar approach control facility.

4 **SEC. 746. FAA CONTRACT TOWERS.**

5 (a) OPERATIONAL READINESS INSPECTIONS.—Not
6 later than 180 days after the date of enactment of this
7 Act, the Administrator of the Federal Aviation Adminis-
8 tration shall update applicable regulations, standards, and
9 guidance on operational readiness inspections related to
10 the Federal Aviation Administration Contract Tower pro-
11 gram to provide airport sponsors acting in good faith with
12 7 years to complete such inspections after receiving a ben-
13 efit-to-cost ratio of air traffic control services for an air-
14 port.

15 (b) FCT CONTROLLER AIRSPACE AWARENESS.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this Act, the Administrator
18 shall authorize the use of advanced technology at
19 Federal Aviation Administration contract towers to
20 enhance air traffic controller situational awareness.

21 (2) EQUIPMENT STANDARDS.—In carrying out
22 paragraph (1), the Administrator shall establish
23 standards and criteria identical to such standards
24 and criteria applicable to Federal Aviation Adminis-

1 tration air traffic controllers for the use of advanced
2 technology in air traffic control towers.

3 (3) RECURRENCE TRAINING.—In carrying out
4 this subsection, the Administrator, in coordination
5 with Federal Aviation Administration contract tower
6 contractors, shall establish an appropriate training
7 program to periodically train air traffic controllers
8 employed by such contractors to ensure proper inte-
9 gration and use of advanced technologies at Federal
10 Aviation Administration contract towers.

11 (c) LIABILITY INSURANCE.—Not later than 2 years
12 after the date of enactment of this Act, the Secretary of
13 Transportation, in consultation with industry experts in-
14 cluding Federal Aviation Administration contract tower
15 contractors and aviation insurance providers, shall—

16 (1) assess existing liability limits for contract
17 tower contractors established by the Secretary; and

18 (2) determine whether such limits should be up-
19 dated.

20 **SEC. 747. FAA CONTRACT TOWER WORKFORCE AUDIT.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of enactment of this Act, the inspector general of the
23 Department of Transportation shall initiate an audit of
24 the workforce needs of the Federal Aviation Administra-
25 tion Contract Tower Program.

1 (b) CONTENTS.—In conducting the audit required
2 under subsection (a), the inspector general shall, at a min-
3 imum—

4 (1) review the assumptions and methodologies
5 used in assessing the source of Federal Aviation Ad-
6 ministration contract towers staffing to determine
7 the adequacy of staffing levels at such towers;

8 (2) determine whether there is a need to estab-
9 lish an air traffic controller training program to
10 allow Federal Aviation Administration contract
11 tower contractors to conduct—

12 (A) initial training of air traffic controllers
13 employed by such contractors; or

14 (B) on-the-job training of such controllers;
15 and

16 (3) assess whether establishing pathways to
17 allow Federal Aviation Administration contract
18 tower contractors to use the air traffic technical
19 training academy of the Federal Aviation Adminis-
20 tration, or other means such as higher educational
21 institutions, to provide initial technical training for
22 air traffic controllers employed by such contractors
23 could help address the workforce needs of the FAA
24 contract tower program.

1 (c) REPORT.—Not later than 90 days after the com-
2 pletion of the audit under subsection (a), the inspector
3 general shall submit to the Committee on Transportation
4 and Infrastructure of the House of Representatives and
5 the Committee on Commerce, Science, and Transportation
6 of the Senate a report on the findings of such audit and
7 any recommendations as a result of such audit.

8 **SEC. 748. AVIATION INFRASTRUCTURE SUSTAINMENT.**

9 (a) IN GENERAL.—Not later than 2 years after the
10 date of enactment of this Act, the Administrator of the
11 Federal Aviation Administration shall develop perform-
12 ance metrics with which the Administrator can assess the
13 operation of safety-critical communication, navigation,
14 and surveillance aviation infrastructure within the na-
15 tional airspace system.

16 (b) PERFORMANCE METRICS NECESSARY TO RE-
17 MAIN IN SERVICE.—

18 (1) IN GENERAL.—After developing the per-
19 formance metrics under subsection (a), the Adminis-
20 trator shall carry out an assessment to determine
21 which applicable aviation infrastructure are to re-
22 main in operational service.

23 (2) CONSIDERATIONS.—In making an assess-
24 ment under paragraph (1), the Administrator shall
25 take into consideration the following:

1 (A) The expected lifespan of such aviation
2 infrastructure.

3 (B) The number and type of mechanical
4 failures of such aviation infrastructure.

5 (C) The average annual costs of maintain-
6 ing such aviation infrastructure over a 5-year
7 timespan and whether such costs exceed the
8 amount to replace such aviation infrastructure.

9 (D) The availability of replacement parts
10 or labor capable of maintaining such aviation
11 infrastructure.

12 (E) Any other factors the Administrator
13 determines are necessary.

14 (c) PUBLICATION.—The Administrator shall make
15 the performance metrics established under subsection (b)
16 available to the public through the website of the Adminis-
17 tration, or other appropriate methods of publication, and
18 shall ensure that any information made available to the
19 public under this subsection is made available in a manner
20 that—

21 (1) does not provide identifying information re-
22 garding an individual or entity;

23 (2) prevents inappropriate disclosure of propri-
24 etary information; and

1 (3) does not disclose information that may pose
2 a cybersecurity risk.

3 **SEC. 749. AIR TRAFFIC CONTROL TOWER SAFETY.**

4 In designing, adopting a design, or constructing an
5 air traffic control tower based on a previously adopted de-
6 sign, the Administrator of the Federal Aviation Adminis-
7 tration shall ensure that the safety of the national airspace
8 system, the safety of employees of the Administration, the
9 operational reliability of air traffic control towers, and the
10 costs of such towers are the primary consideration in such
11 design, adoption, or construction.

12 **SEC. 750. INSPECTOR GENERAL REVIEW OF SPACE-BASED**
13 **ADS-B.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of enactment of this Act, the inspector general of the
16 Department of Transportation shall initiate a review of
17 any Federal Aviation Administration investment decisions,
18 including cost-benefit analyses, relating to space-based
19 automatic dependent surveillance-broadcast technology.

20 (b) CONSIDERATIONS.—In carrying out subsection
21 (a), the inspector general shall review, at a minimum—

22 (1) the efficacy of space-based automatic de-
23 pendent surveillance-broadcast technology, including
24 for the purpose of—

1 (A) positive air traffic control, including
2 separation of aircraft;

3 (B) air traffic flow management;

4 (C) tracking oceanic flights;

5 (D) accident investigation; and

6 (E) data analytics; and

7 (2) any additional safety benefits provided
8 through the use of such technology.

9 (c) REPORT.—Not later than 90 days after the com-
10 pletion of the review under subsection (a), the inspector
11 general shall submit to the Committee on Transportation
12 and Infrastructure of the House of Representatives and
13 the Committee on Commerce, Science, and Transportation
14 of the Senate a report describing the results of the review.

15 **SEC. 751. AIR TRAFFIC SERVICES DATA REPORTS.**

16 Section 45303(g) of title 49, United States Code, is
17 amended—

18 (1) in paragraph (2)(A) by striking “8 years”
19 and inserting “14 years”; and

20 (2) in paragraph (3)(A) by adding at the end
21 the following:

22 “(xvi) Operators of commercial space
23 transportation launch and reentry vehi-
24 cles.”.

1 **SEC. 752. CONSIDERATION OF SMALL HUB CONTROL TOW-**
2 **ERS.**

3 In selecting projects for the replacement of federally
4 owned air traffic control towers from funds made available
5 pursuant to title VIII of division J of the Infrastructure
6 Investment and Jobs Act (Public Law 117–58) under the
7 heading “Federal Aviation Administration—Facilities and
8 Equipment”, the Administrator of the Federal Aviation
9 Administration shall consider selecting projects at small
10 hub commercial service airports with control towers that
11 are at least 50 years old.

12 **SEC. 753. AIR TRAFFIC CONTROL TOWER REPLACEMENT**
13 **PROCESS REPORT.**

14 (a) **REPORT REQUIRED.**—Not later than 120 days
15 after the date of enactment of this Act, the Administrator
16 of the Federal Aviation Administration shall submit to
17 Congress a report on the process by which air traffic con-
18 trol tower facilities are chosen for replacement.

19 (b) **CONTENTS.**—The report required under sub-
20 section (a) shall contain—

21 (1) the process by which air traffic control
22 tower facilities are chosen for replacement, including
23 which divisions of the Administration control or are
24 involved in the replacement decision making process;

1 (2) the criteria the Administrator uses to deter-
2 mine which air traffic control tower facilities to re-
3 place, including—

4 (A) the relative importance of each such
5 criteria;

6 (B) why the Administrator uses each such
7 criteria; and

8 (C) the reasons for the relative importance
9 of each such criteria;

10 (3) what types of investigation the Adminis-
11 trator carries out to determine if an air traffic con-
12 trol tower facility should be replaced;

13 (4) a timeline of the replacement process for an
14 individual air traffic control tower facility replace-
15 ment;

16 (5) the list of facilities established under sub-
17 section (c), including the reason for selecting each
18 such facility; and

19 (6) any other information the Administrator
20 considers relevant.

21 (c) LIST OF REPLACED AIR TRAFFIC CONTROL
22 TOWER FACILITIES.—The Administrator shall establish,
23 maintain, and publish on the website of the Federal Avia-
24 tion Administration a list of the following:

1 (1) All air traffic control tower facilities re-
2 placed within the previous 10-year period.

3 (2) Any such facilities in the process of being
4 replaced.

5 (3) Any such facilities under consideration for
6 replacement.

7 **Subtitle C—Small Community Air** 8 **Service**

9 **SEC. 771. ESSENTIAL AIR SERVICE REFORMS.**

10 (a) REDUCTION IN SUBSIDY CAP.—Section
11 41731(a)(1)(C) of title 49, United States Code, is amend-
12 ed to read as follows:

13 “(C) had an average subsidy per pas-
14 senger—

15 “(i) of less than \$1,000 during the
16 most recent fiscal year beginning before
17 October 1, 2026, as determined in sub-
18 paragraph (D) by the Secretary; or

19 “(ii) of \$500 or less during the most
20 recent fiscal year beginning on or after Oc-
21 tober 1, 2026; and”.

22 (b) RESTRICTION ON LENGTH OF ROUTES.—

23 (1) IN GENERAL.—Section 41732(a)(1) of title
24 49, United States Code, is amended by inserting
25 “less than 650 miles from an eligible place (unless

1 such airport or eligible place are located in a non-
2 contiguous State)” after “hub airport”.

3 (2) EXCEPTION.—The amendment made by
4 paragraph (1) shall not apply to any contract or re-
5 newal of such contract with an air carrier for essen-
6 tial air service compensation under subchapter II of
7 chapter 417 of title 49, that was—

8 (A) entered into before the date of enact-
9 ment of this Act; and

10 (B) still in effect on the date of enactment
11 of this Act.

12 (3) SUNSET.—Paragraph (2) shall cease to
13 have effect after September 30, 2028.

14 (c) APPLICANT SELECTION CONSIDERATIONS.—Sec-
15 tion 41733(c)(1) of title 49, United States Code, is
16 amended—

17 (1) by striking “giving substantial weight to”
18 and inserting “including”;

19 (2) in subparagraph (E) by striking “and” at
20 the end;

21 (3) in subparagraph (F) by striking the period
22 at the end and inserting “; and”; and

23 (4) by adding at the end the following:

1 “(G) the total compensation proposed by the air
2 carrier for providing scheduled air service under this
3 section.”.

4 (d) COST SHARE.—

5 (1) SECTION 41737.—Section 41737(a)(1) of
6 title 49, United States Code, is amended—

7 (A) in subparagraph (D) by striking “and”
8 at the end;

9 (B) in subparagraph (E) by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(F) require that, for a contract to provide
13 air service that is entered into or renewed
14 under this subchapter after September 30,
15 2026, the Government’s share of the compensa-
16 tion is not greater than 95 percent.”.

17 (2) SECTION 41731.—Section 41731(c) of title
18 49, United States Code, is amended by inserting
19 “and section 41737(a)(1)(F)” after “subsection
20 (a)(1)”.

21 **SEC. 772. ESSENTIAL AIR SERVICE AUTHORIZATION.**

22 Section 41742(a)(2) of title 49, United States Code,
23 is amended by striking “\$155,000,000 for fiscal year
24 2018” an all that follows through “\$172,000,000 for fiscal
25 year 2023” and inserting “\$332,000,000 for fiscal year

1 2024, \$312,000,000 for fiscal year 2025, \$300,000,000
2 for fiscal year 2026, \$265,000,000 for fiscal year 2027,
3 and \$252,000,000 for fiscal year 2028”.

4 **SEC. 773. SMALL COMMUNITY AIR SERVICE DEVELOPMENT**
5 **PROGRAM REFORM AND AUTHORIZATION.**

6 (a) **SAME PROJECTS LIMIT.**—Section 41743(c)(4)(B)
7 of title 49, United States Code, is amended by striking
8 “10-year” and inserting “6-year”.

9 (b) **PRIORITIES.**—Section 41743(c)(5) of title 49,
10 United States Code, is amended—

11 (1) by redesignating subparagraphs (B)
12 through (G) as subparagraphs (C) through (H), re-
13 spectively; and

14 (2) by adding after subparagraph (A) the fol-
15 lowing—

16 “(B) the community has demonstrated
17 support from at least 1 air carrier to provide
18 service;”.

19 (c) **AUTHORIZATION.**—Section 41743(e)(2) of title
20 49, United States Code, is amended by striking “2023”
21 and inserting “2028”.

1 **SEC. 774. GAO STUDY ON ALTERNATIVE MODES OF TRANS-**
2 **PORTATION FOR ESSENTIAL AIR SERVICE**
3 **PROGRAM.**

4 (a) STUDY.—The Comptroller General of the United
5 States shall conduct a study on the feasibility, potential
6 benefits, costs, and other impacts of authorizing alter-
7 native modes of transportation to serve communities under
8 the essential air service program under sections 41731
9 through 41742 of title 49, United States Code.

10 (b) SCOPE.—In conducting the study required under
11 subsection (a), the Comptroller General shall consider
12 such alternative modes of transportation to include—

13 (1) motorcoaches;

14 (2) rail;

15 (3) other forms of ground-based transportation;

16 and

17 (4) potential innovations in air transportation
18 after the date of enactment of this Act.

19 (c) CONTENTS.—In conducting the study required
20 under subsection (a), the Comptroller General shall as-
21 sess—

22 (1) the feasibility of alternative modes of trans-
23 portation available as of the date of enactment of
24 this Act to operate with the essential air service pro-
25 gram requirements as of the date of enactment of

1 this Act under section 41732 of title 49, United
2 States Code;

3 (2) the cost of providing service to essential air
4 service communities using air carriers;

5 (3) the cost of providing service to essential air
6 service communities using alternative modes of
7 transportation;

8 (4) the use of, or potential need for, codeshare
9 or interline agreements between air carriers and
10 companies providing alternative modes of transpor-
11 tation to essential air service communities;

12 (5) the effect that authorizing alternative modes
13 of transportation may have on airport improvement
14 program funding under section 47107 of title 49,
15 United States Code, for an airport in the essential
16 air service program under sections 41731 through
17 41742 of title 49, United States Code; and

18 (6) other impacts of authorizing alternative
19 modes of transportation for essential air service pro-
20 gram under sections 41731 through 41742 of title
21 49, United States Code, that the Comptroller Gen-
22 eral determines appropriate.

23 (d) REPORT TO CONGRESS.—Not later than 18
24 months after the date of enactment of this Act, the Comp-
25 troller General shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Representa-
2 tives and the Committee on Commerce, Science, and
3 Transportation of the Senate a report on the results of
4 the study required under subsection (a).

5 **SEC. 775. GAO STUDY ON INCREASED COSTS OF ESSENTIAL**
6 **AIR SERVICE.**

7 (a) STUDY.—The Comptroller General of the United
8 States shall conduct a study of the change in costs of the
9 essential air service program under sections 41731
10 through 41742 of title 49, United States Code.

11 (b) CONTENTS.—In conducting the study required
12 under subsection (a), the Comptroller General shall—

13 (1) assess trends in costs of the essential air
14 service program under sections 41731 through
15 41742 of title 49, United States Code, over the 10-
16 year period ending on the date of enactment of this
17 Act;

18 (2) review potential causes for the increased
19 cost of the essential air service program, including—

20 (A) labor costs;

21 (B) fuel costs;

22 (C) aging aircraft costs;

23 (D) air carrier opportunity costs; and

24 (E) airport costs; and

1 (3) assess the effects of the COVID–19 pan-
2 demic on the costs of the essential air service pro-
3 gram under sections 41731 through 41742 of title
4 49, United States Code.

5 (c) REPORT.—Not later than 18 months after the
6 date of enactment of this Act, the Comptroller General
7 shall submit to the Committee on Transportation and In-
8 frastructure of the House of Representatives and to the
9 Committee on Commerce, Science, and Transportation of
10 the Senate a report on the results of the study conducted
11 under subsection (a).

12 **TITLE VIII—MISCELLANEOUS**

13 **SEC. 801. DIGITALIZATION OF FAA PROCESSES.**

14 (a) IDENTIFICATION.—Not later than 2 years after
15 the date of enactment of this Act, the Administrator of
16 the Federal Aviation Administration shall identify and
17 catalog programs, activities, or processes that require
18 paper-based information exchange between—

- 19 (1) external entities and the Administration; or
20 (2) offices within the Administration.

21 (b) DIGITALIZATION.—On an ongoing basis, and as
22 appropriate, the Administrator shall transition the paper-
23 based processes identified under subsection (a) to pro-
24 cesses that support secure digital information submission,
25 exchange, collaboration, and approval.

1 (c) BRIEFING.—Not later than 60 days after com-
2 pleting the required identification and catalog in sub-
3 section (a), the Administrator shall brief the Committee
4 on Transportation and Infrastructure of the House of
5 Representatives and the Committee on Commerce,
6 Science, and Transportation of the Senate on the pro-
7 grams, activities, and processes identified under sub-
8 section (a) and such programs, activities, and processes
9 that have been identified for transition under subsection
10 (b).

11 **SEC. 802. FAA TELEWORK.**

12 (a) IN GENERAL.—The Administrator of the Federal
13 Aviation Administration—

14 (1) may establish telework policies for employ-
15 ees that allow for the Administration to reduce the
16 office footprint and associated expenses of the Ad-
17 ministration, increase workforce retention, and pro-
18 vide flexibilities that the Administrator believes in-
19 creases efficiency and effectiveness of the Adminis-
20 tration, while requiring that any such policy—

21 (A) does not adversely impact the mission
22 of the Administration;

23 (B) does not reduce the safety and effi-
24 ciency of the national airspace system;

1 (C) for any employee that is designated as
2 an officer or executive in the Federal Aviation
3 Administration Executive System or a political
4 appointee (as such term is defined in section
5 106 of title 49, United States Code)—

6 (i) maximizes time at a duty station
7 for such employee, excluding official travel;
8 and

9 (ii) may include telework provisions as
10 determined appropriate by the Adminis-
11 trator, commensurate with official duties
12 for such employee;

13 (D) provides for on-the-job training oppor-
14 tunities for Administration personnel that are
15 not less than such opportunities available in
16 2019;

17 (E) reflects the appropriate work status of
18 employees based on the job functions of such
19 employee;

20 (F) optimizes the work status of inspec-
21 tors, investigators, and other personnel per-
22 forming safety-related functions to ensure time-
23 ly completion of safety oversight activities;

24 (G) provides for personnel, including such
25 personnel performing work related to aircraft

1 certification and flight standards, who are re-
2 sponsible for actively working with regulated
3 entities, external stakeholders, or other mem-
4 bers of the public to be—

5 (i) routinely available on a predictable
6 basis for in-person and virtual communica-
7 tions with external persons; and

8 (ii) not hindered from meeting with,
9 visiting, auditing, or inspecting facilities or
10 projects of regulated persons due to any
11 telework policy; and

12 (H) provides offices of the Administration
13 opportunities for in-person dialogue, collabora-
14 tion, and ideation for all employees;

15 (2) ensures that locality pay for an employee of
16 the Administrator accurately reflects the telework
17 status and duty station of such employee;

18 (3) may not establish a telework policy for an
19 employee of the Administration unless such em-
20 ployee will be provided with secure network capacity,
21 communications tools, necessary and secure access
22 to appropriate agency data assets and Federal
23 records, and equipment sufficient to enable such em-
24 ployee to be fully productive; and

1 (4) not later than 2 years after the date of en-
2 actment of this Act, shall evaluate and address any
3 telework policies in effect on the day before such
4 date of enactment to ensure that such policies meet
5 the requirements of paragraph (1).

6 (b) CONGRESSIONAL UPDATE.—Not later than 1
7 year after the date of enactment of this Act, and 1 year
8 thereafter, the Administrator shall brief the Committee on
9 Transportation and Infrastructure of the House of Rep-
10 resentatives and the Committee on Commerce, Science,
11 and Transportation of the Senate on any telework policies
12 currently in place, the implementation of such policies,
13 and the benefits of such policies.

14 (c) CONSULTATION.—If the Administrator deter-
15 mines that telework agreements must be updated to imple-
16 ment the requirements of subsection (a), the Adminis-
17 trator shall, prior to updating such agreements, consult
18 with—

19 (1) exclusive bargaining representatives of air
20 traffic controllers certified under section 7111 of
21 title 5, United States Code; and

22 (2) labor organizations certified under such sec-
23 tion as the exclusive bargaining representative of
24 airway transportation systems specialists and avia-

1 tion safety inspectors of the Federal Aviation Ad-
2 ministration.

3 **SEC. 803. REVIEW OF OFFICE SPACE.**

4 (a) FAA REVIEW.—

5 (1) INITIATION OF REVIEW.—Not later than 30
6 months after the date of enactment of this Act, the
7 Secretary of Transportation shall initiate an inven-
8 tory review of the domestic office footprint of the
9 Department of Transportation.

10 (2) COMPLETION OF REVIEW.—Not later than
11 40 months after the date of enactment of this Act,
12 the Secretary shall complete the inventory review re-
13 quired under paragraph (1).

14 (b) CONTENTS OF REVIEW.—In completing the re-
15 view under subsection (a), the Secretary shall—

16 (1) delineate the domestic office footprint into
17 units of property, as determined appropriate by the
18 Secretary;

19 (2) determine unit adequacy related to—

20 (A) the Architectural Barriers Act of 1968
21 (42 U.S.C. 4151 et seq.) and the corresponding
22 accessibility guidelines established under part
23 1191 of title 36, Code of Federal Regulations;
24 and

1 (B) the Americans with Disabilities Act of
2 1990 (42 U.S.C. 12101 et seq.);

3 (3) determine the feasible occupancy of each
4 such unit, and provide the methodology used to
5 make the determination;

6 (4) determine the number of individuals who
7 are full-time equivalent employees, other employees,
8 or contractors that have each such unit as a duty
9 station and determine how telework policies will im-
10 pact the usage of each such unit;

11 (5) calculate the amount of available, unused,
12 or underutilized space in each such unit;

13 (6) consider any lease terms for leased units
14 contained in the domestic office footprint, including
15 cost and effective dates for each such leased unit;
16 and

17 (7) based on the findings in paragraphs (2)
18 through (6), and any other metrics the Secretary de-
19 termines relevant, provide recommendations for opti-
20 mizing the use of units of property across the De-
21 partment in consultation with appropriate employee
22 labor representatives.

23 (c) REPORT.—Not later than 2 months after com-
24 pleting the review under subsection (a), the Secretary shall
25 submit to the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate a final report that proposes opportunities to opti-
4 mize the domestic office footprint of the Administration
5 (and associated costs). In compiling such final report, the
6 Secretary shall describe opportunities for—

7 (1) consolidation of offices within a reasonable
8 distance from one another;

9 (2) the collocation of regional or satellite offices
10 of separate modes of the Department, including the
11 cost benefits of shared amenities; and

12 (3) the use of coworking spaces instead of per-
13 manent offices.

14 (d) DEFINITION OF DOMESTIC OFFICE FOOT-
15 PRINT.—In this section, the term “domestic office foot-
16 print” means buildings, offices, facilities, and other real
17 property rented, owned, or occupied by the Administration
18 or Department—

19 (1) in which employees report for permanent or
20 temporary duty that are not being used for active
21 operations of the air traffic control system; and

22 (2) which are located within the United States.

23 **SEC. 804. AIRCRAFT WEIGHT REDUCTION TASK FORCE.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall establish a task
2 force to identify ways to safely reduce covered aircraft
3 weight for purposes of reducing fuel burn.

4 (b) COMPOSITION.—The task force established under
5 subsection (a) shall consist of not more than 20 individ-
6 uals and shall include representatives of—

7 (1) the Federal Aviation Administration;

8 (2) other Federal agencies as the Administrator
9 determines appropriate;

10 (3) air carriers;

11 (4) appropriate labor representatives;

12 (5) air carrier flight attendants;

13 (6) aircraft mechanics and repairmen; and

14 (7) aerospace manufacturers.

15 (c) REVIEW.—The task force established under sub-
16 section (a) shall review and evaluate—

17 (1) regulations, requirements, advisory circu-
18 lars, orders, or other such directives of the Adminis-
19 tration related to covered aircraft or covered aircraft
20 operations that may inhibit certification of new ma-
21 terials, manufacturing processes, components, or
22 technologies that could reduce aircraft weight or in-
23 crease fuel efficiency without decreasing safety;

24 (2) aspects of covered aircraft design that are
25 outdated or underutilized on the date of enactment

1 of this Act that may unnecessarily increase covered
2 aircraft weight or reduce aircraft fuel efficiency that
3 are not necessary for the safe operation of such air-
4 craft;

5 (3) novel technologies and manufacturing proc-
6 esses, including the use of advanced materials, that
7 can safely be used in the construction or modifica-
8 tion of covered aircraft, including a component or
9 the interior of such aircraft, to reduce weight or im-
10 prove fuel efficiency; and

11 (4) nonproprietary methods that air carriers
12 have used to safely decrease covered aircraft weight
13 or improve fuel efficiency.

14 (d) REPORT.—

15 (1) TASK FORCE REPORT.—

16 (A) IN GENERAL.—Not later than 3 years
17 after the establishment of the task force under
18 subsection (a), the task force shall submit a re-
19 port on the findings and results of the review
20 and evaluation conducted under subsection (c)
21 to the Administrator.

22 (B) RECOMMENDATIONS.—In submitting
23 the report required under subparagraph (A),
24 the task force shall include recommendations—

1 (i) on actions the Administrator may
2 take to updated regulations, processes, ad-
3 visory circulars, orders, or other such di-
4 rections of the Administration to enable
5 the certification of new materials, compo-
6 nents, manufacturing processes, or tech-
7 nologies that may allow for the safe reduc-
8 tion of covered aircraft weight or the im-
9 provement of fuel efficiency; and

10 (ii) on best practices for air carriers
11 and aerospace manufacturers to certify
12 such materials, components, manufac-
13 turing processes, or technologies.

14 (C) APPROXIMATION OF BENEFITS.—For
15 each recommendation made under subpara-
16 graph (B), the task force shall approximate the
17 fuel savings that could be expected if such rec-
18 ommendation was adopted.

19 (D) SUBMISSION TO CONGRESS.—Not later
20 than 3 days after receipt of the report required
21 under subparagraph (A), the Administrator
22 shall submit to the Committee on Transpor-
23 tation and Infrastructure of the House of Rep-
24 resentatives and the Committee on Commerce,

1 Science, and Transportation of the Senate the
2 report and recommendations.

3 (2) FAA REPORT.—Not later than 120 days
4 after submission of the report under paragraph (1),
5 the Administrator shall submit to the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a re-
9 port—

10 (A) describing the recommendations of the
11 task force with which the Administrator fully
12 concurs, partially concurs, or does not concur;

13 (B) detailing, for the recommendations
14 with which the Administrator fully or partially
15 concurs—

16 (i) a timeline for implementing such
17 recommendations; and

18 (ii) possible benefits of using new ma-
19 terials, manufacturing processes, compo-
20 nents, or technologies, including fuel sav-
21 ings, increased capacity, or other benefits
22 as determined reasonable by the task force;
23 and

24 (C) explaining, for the recommendations
25 with which the Administrator does not concur,

1 the reason for which the Administrator will not
2 implement such recommendations.

3 (e) SUNSET.—

4 (1) IN GENERAL.—The task force established
5 under subsection (a) shall terminate upon submis-
6 sion of the report required under subsection
7 (d)(1)(A).

8 (2) EXCEPTION.—The Administrator may
9 choose to extend such task force after the submis-
10 sion of the report required under subsection
11 (d)(1)(A), if the Administrator determines that such
12 an extension would be in the public interest.

13 (f) DEFINITION.—In this section:

14 (1) AIR CARRIER.—The term “air carrier”
15 means an air carrier (as such term is defined in sec-
16 tion 40102 of title 49, United States Code) that
17 holds a certificate issued under part 121 of title 14,
18 Code of Federal Regulations.

19 (2) AIRCRAFT WEIGHT.—The term “aircraft
20 weight” means the gross weight of a covered aircraft
21 in operation.

22 (3) COVERED AIRCRAFT.—The term “covered
23 aircraft” means an aircraft that is operated by an
24 air carrier that is operating pursuant to a certificate

1 issued under part 121 of title 14, Code of Federal
2 Regulations.

3 **SEC. 805. AUDIT OF TECHNICAL WRITING RESOURCES AND**
4 **CAPABILITIES.**

5 (a) **AUDIT BY INSPECTOR GENERAL.**—Not later than
6 90 days after the date of enactment of this Act, the inspec-
7 tor general of the Department of Transportation shall ini-
8 tiate an audit of the technical writing resources and capa-
9 bilities of the Federal Aviation Administration as such re-
10 sources and capabilities relate to producing rulemaking,
11 policy, and guidance, to—

12 (1) determine if such resources and capabilities
13 are adequate; and

14 (2) make recommendations for improvement of
15 such resources and capabilities.

16 (b) **REVIEW.**—In conducting the review required
17 under subsection (a), the inspector general shall evaluate
18 the technical writing resources and capabilities of the Ad-
19 ministration in each line of business of the Administration,
20 the Office of Policy, International Affairs, and Environ-
21 ment, and the Office of the Chief Counsel, including by
22 reviewing—

23 (1) the process and resources required to
24 produce initial drafts of rulemaking, policy, and
25 guidance documents;

1 (2) the quality of such initial drafts;

2 (3) the amount of edits that are required
3 throughout the production of rulemaking, policy, and
4 guidance documents;

5 (4) writing support and education tools pro-
6 vided to engineers, managers, and other technical
7 staff of the Administration involved in writing or ed-
8 iting such documents; and

9 (5) whether—

10 (A) the Administration has and adheres to
11 best practices for the drafting of rulemaking,
12 policy, and guidance documents; and

13 (B) such best practices are—

14 (i) easily accessible and understand-
15 able by employees of the Administration;
16 and

17 (ii) reflect modern writing conven-
18 tions.

19 (c) RECOMMENDATIONS.—In making the rec-
20 ommendations required under subsection (a)(2), the in-
21 spector general shall make recommendations to the Ad-
22 ministrator of the Federal Aviation Administration on how
23 to improve the quality of written rulemaking, policy, and
24 guidance documents and the speed at which such docu-
25 ments can be produced, internally reviewed, and approved.

1 (d) DECONFLICTING SCOPE.—The inspector general
2 shall ensure that the audit required under subsection (a)
3 does not duplicate the evaluation required under section
4 125, except to the extent that duplication is necessary to
5 fully evaluate the technical writing resources and capabili-
6 ties of the Administration.

7 (e) REPORT.—Not later than 1 year after the inspec-
8 tor general initiates the audit under subsection (a), the
9 inspector general shall submit to the Committee on Trans-
10 portation and Infrastructure of the House of Representa-
11 tives and the Committee on Commerce, Science, and
12 Transportation of the Senate a report on the results of
13 the audit, including findings and recommendations.

14 **SEC. 806. FAA PARTICIPATION IN INDUSTRY STANDARDS**
15 **ORGANIZATIONS.**

16 (a) IN GENERAL.—The Administrator of the Federal
17 Aviation Administration shall ensure the participation of
18 employees of the Administration in the activities of recog-
19 nized industry standards organizations to advance the
20 adoption, reference, and acceptance rate of standards and
21 means of compliance developed by such organizations by
22 the Administrator.

23 (b) PARTICIPATION.—An employee directed by the
24 Administrator to participate in a working group, task

1 group, committee, or similar body of a recognized industry
2 standards organization shall—

3 (1) actively participate in the discussions and
4 work of such organization;

5 (2) accurately represent the position of the Ad-
6 ministration on the subject matter of such discus-
7 sions and work;

8 (3) contribute to the development of work prod-
9 ucts of such organization, unless determined to be
10 inappropriate by such organization;

11 (4) make reasonable efforts to identify and
12 make any concerns of the Administration relating to
13 such work products known to such organization, in-
14 cluding through providing formal comments, as may
15 be allowed for under the procedures of such organi-
16 zation;

17 (5) provide regular updates to other Adminis-
18 tration employees and management on the progress
19 of such work products; and

20 (6) seek advice and input from other Adminis-
21 tration employees and management, as needed.

22 (c) INVITATIONS.—

23 (1) IN GENERAL.—The Administrator may ac-
24 cept an invitation to participate in and contribute to

1 the work of a recognized industry standards organi-
2 zation as described in subsection (b).

3 (2) DECLINATION OF INVITATION.—If the Ad-
4 ministrator declines an invitation described in para-
5 graph (1), the Administrator shall provide—

6 (A) the recognized industry standards or-
7 ganization a written response to the invitation
8 that articulates the reasons for declining the in-
9 vitation; and

10 (B) a copy of such written response to the
11 Committee on Transportation and Infrastruc-
12 ture of the House of Representatives and the
13 Committee on Commerce, Science, and Trans-
14 portation of the Senate not later than 5 days
15 after providing the response to such organiza-
16 tion under subparagraph (A).

17 (d) RECOGNIZED INDUSTRY STANDARDS ORGANIZA-
18 TION DEFINED.—In this section, the term “recognized in-
19 dustry standards organization” means a domestic or inter-
20 national organization that—

21 (1) uses agreed upon procedures to develop
22 aerospace-related industry standards or means of
23 compliance, particularly standards or means of com-
24 pliance that satisfy Administration requirements or
25 guidance;

1 (2) is comprised of members of the public, in-
 2 cluding subject matter experts, industry representa-
 3 tives, academics and researchers, and government
 4 employees; and

5 (3) has had at least one standard or means of
 6 compliance accepted by the Administrator or ref-
 7 erenced in guidance material or a regulation issued
 8 by the Federal Aviation Administration after the
 9 date of enactment of the Vision 100—Century of
 10 Aviation Reauthorization Act (Public Law 108–176).

11 **SEC. 807. SENSE OF CONGRESS ON USE OF VOLUNTARY**
 12 **CONSENSUS STANDARDS.**

13 It is the sense of Congress that the Administrator
 14 of the Federal Aviation Administration should make every
 15 effort to abide by the policies set forth in the Office of
 16 Management and Budget Circular A–119, titled “Federal
 17 Participation in the Development and Use of Voluntary
 18 Consensus Standards and Conformity Assessment Activi-
 19 ties”.

20 **SEC. 808. REQUIRED DESIGNATION.**

21 The Administrator of the Federal Aviation Adminis-
 22 tration shall designate any aviation rulemaking committee
 23 convened under this Act pursuant to section 106(p)(5) of
 24 title 49, United States Code.

1 **SEC. 809. SENSITIVE SECURITY INFORMATION.**

2 (a) IN GENERAL.—Chapter 401 of title 49, United
3 States Code, is amended by inserting after section 40118
4 the following:

5 **“§ 40119. Sensitive security information**

6 “(a) IN GENERAL.—Notwithstanding section 552 of
7 title 5, the Secretary of Transportation shall issue regula-
8 tions prohibiting the disclosure of information obtained or
9 developed in the process of ensuring security under this
10 title if the Secretary determines that disclosing the infor-
11 mation would—

12 “(1) be an unwarranted invasion of personal
13 privacy;

14 “(2) reveal a trade secret or privileged or con-
15 fidential commercial or financial information; or

16 “(3) be detrimental to transportation safety.

17 “(b) WITHHELD INFORMATION.—In carrying out
18 subsection (a), the Secretary shall ensure that the prohibi-
19 tions described in such subsection do not apply to any in-
20 formation provided to a committee of Congress authorized
21 to have such information, including the Committee on
22 Transportation and Infrastructure of the House of Rep-
23 resentatives and the Committee on Commerce, Science,
24 and Transportation of the Senate.

25 “(c) RULE OF CONSTRUCTION.—Nothing in sub-
26 section (a) shall be construed to authorize the designation

1 of information as sensitive security information (as de-
2 fined in section 15.5 of title 49, Code of Federal Regula-
3 tions) to—

4 “(1) conceal—

5 “(A) a violation of law;

6 “(B) inefficiency; or

7 “(C) an administrative error;

8 “(2) prevent embarrassment to a person, orga-
9 nization, or governmental agency;

10 “(3) restrain competition; or

11 “(4) prevent or delay the release of information
12 that does not require protection in the interest of
13 transportation security, including basic scientific re-
14 search information not clearly related to transpor-
15 tation security.

16 “(d) NONDISCLOSURE.—Section 552a of title 5 shall
17 not apply to disclosures that the Administrator of the Fed-
18 eral Aviation Administration may make from the systems
19 of records of the Administration to any Federal law en-
20 forcement, intelligence, protective service, immigration, or
21 national security official in order to assist the official re-
22 ceiving the information in the performance of official du-
23 ties.”.

24 (b) CLERICAL AMENDMENT.—The analysis for chap-
25 ter 401 of title 49, United States Code, is amended by

1 striking the item related to section 40119 and inserting
2 the following:

“40119. Sensitive security information.”.

3 **SEC. 810. PRESERVING OPEN SKIES WHILE ENSURING FAIR**
4 **SKIES.**

5 (a) ADDITION OF LABOR STANDARDS.—Section
6 40101 of title 49, United States Code, is amended—

7 (1) in subsection (a) by adding at the end the
8 following:

9 “(17) preventing the undermining of labor
10 standards.”; and

11 (2) in subsection (e) by adding at the end the
12 following:

13 “(11) preventing the undermining of labor
14 standards.”.

15 (b) UPDATE TO FOREIGN AIR CARRIER PERMITS.—
16 Section 41302(2)(B) of title 49, United States Code, is
17 amended by striking “the foreign air transportation” and
18 inserting “after considering the totality of the cir-
19 cumstances, including the matters described in section
20 40101(a), the foreign air transportation”.

21 (c) SAVINGS CLAUSE.—Nothing in this section, or
22 the amendments made by this section, shall be construed
23 to affect the validity of a foreign air carrier permit held,
24 or air transport agreement in place, on the date of enact-
25 ment of this Act.

1 **SEC. 811. COMMERCIAL PREFERENCE.**

2 Section 40110(d) of title 49, United States Code, is
3 amended—

4 (1) in paragraph (1) by striking “and imple-
5 ment” and inserting “, implement, and periodically
6 update”;

7 (2) in paragraph (2) by striking “the new ac-
8 quisition management system developed and imple-
9 mented” and inserting “the acquisition management
10 system developed, implemented, and periodically up-
11 dated” each place it appears;

12 (3) in paragraph (3)—

13 (A) in the matter preceding subparagraph

14 (A)—

15 (i) by striking “new”; and

16 (ii) by striking “and implemented”
17 and inserting “, implemented, and periodi-
18 cally updated”; and

19 (B) in subparagraph (B) by striking
20 “Within” and all that follows through “the Ad-
21 ministrator” and inserting “The Adminis-
22 trator”;

23 (4) by redesignating paragraphs (4) and (5) as
24 paragraphs (5) and (6), respectively; and

25 (5) by inserting after paragraph (3) the fol-
26 lowing:

1 “(4) COMMERCIAL PRODUCTS AND SERVICES.—
2 In implementing and updating the acquisition man-
3 agement system pursuant to paragraph (1), the Ad-
4 ministrators shall, to the maximum extent prac-
5 ticable—

6 “(A) describe the requirements with re-
7 spect to a solicitation for the procurement of
8 supplies or services in terms of—

9 “(i) functions to be performed;

10 “(ii) performance required; or

11 “(iii) essential physical and system
12 characteristics;

13 “(B) ensure that commercial services or
14 commercial products may be procured to fulfill
15 such solicitation, or to the extent that commer-
16 cial products suitable to meet the needs of the
17 Administration are not available, ensure that
18 nondevelopmental items other than commercial
19 products may be procured to fulfill such solici-
20 tation;

21 “(C) provide offerors of commercial serv-
22 ices, commercial products, and nondevelop-
23 mental items other than commercial products
24 an opportunity to compete in any solicitation
25 for the procurement of supplies or services;

1 “(D) revise the procurement policies, prac-
2 tices, and procedures of the Administration to
3 reduce any impediments to the acquisition of
4 commercial products and commercial services;
5 and

6 “(E) ensure that procurement officials—

7 “(i) acquire commercial services, com-
8 mercial products, or nondevelopmental
9 items other than commercial products to
10 meet the needs of the Administration;

11 “(ii) in a solicitation for the procure-
12 ment of supplies or services, state the spec-
13 ifications for such supplies or services in
14 terms that enable and encourage bidders
15 and offerors to supply commercial services
16 or commercial products, or to the extent
17 that commercial products suitable to meet
18 the needs of the Administration are not
19 available, to supply nondevelopmental
20 items other than commercial products;

21 “(iii) require that prime contractors
22 and subcontractors at all levels under con-
23 tracts with the Administration incorporate
24 commercial services, commercial products,
25 or nondevelopmental items other than com-

1 commercial products as components of items
2 supplied to the Administration;

3 “(iv) modify procurement require-
4 ments in appropriate circumstances to en-
5 sure that such requirements can be met by
6 commercial services or commercial prod-
7 ucts, or to the extent that commercial
8 products suitable to meet the needs of the
9 Administration are not available, non-
10 developmental items other than commercial
11 products; and

12 “(v) require training of appropriate
13 personnel in the acquisition of commercial
14 products and commercial services.”.

15 **SEC. 812. CONSIDERATION OF THIRD-PARTY SERVICES.**

16 (a) PLANS AND POLICY.—Section 44501 of title 49,
17 United States Code, is amended—

18 (1) in subsection (a) by striking “development
19 and location of air navigation facilities” and insert-
20 ing “development of air navigation facilities and
21 services”; and

22 (2) in subsection (b)—

23 (A) by striking “and development” and in-
24 serting “procurement, and development” each
25 place it appears;

1 (B) by striking “facilities and equipment”
2 and inserting “facilities, services, and equip-
3 ment”;

4 (C) by striking “first and 2d years” and
5 inserting “first and second years”;

6 (D) by striking “subclauses (A) and (B) of
7 this clause” and inserting “subparagraphs (A)
8 and (B)”;

9 (E) by striking “the 3d, 4th, and 5th” and
10 inserting “the third, fourth, and fifth”;

11 (F) by striking “systems and facilities”
12 and inserting “systems, services, and facilities”;
13 and

14 (G) by striking “growth of aviation” and
15 inserting “growth of the aerospace industry”.

16 (b) SYSTEMS, PROCEDURES, FACILITIES, AND DE-
17 VICES.—Section 44505 of title 49, United States Code,
18 is amended—

19 (1) in subsection (a)—

20 (A) by striking “develop, alter” and insert-
21 ing “develop when necessary, alter”; and

22 (B) by striking “and devices” and insert-
23 ing “services, and devices” each place it ap-
24 pears; and

1 (2) in subsection (b) by striking “develop dy-
2 namic simulation models” and inserting “develop or
3 procure dynamic simulation models and tools” each
4 place it appears.

5 **SEC. 813. CERTIFICATES OF AUTHORIZATION OR WAIVER.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of law, the Secretary of Transportation, acting
8 through the Administrator of the Federal Aviation Admin-
9 istration, may issue a certificate of authorization or waiver
10 to a person to operate an aircraft within an area covered
11 by a temporary flight restriction under such conditions as
12 the Administrator may prescribe.

13 (b) SPECIAL CONSIDERATIONS.—If a temporary
14 flight restriction is issued pursuant to section 352 of the
15 Consolidated Appropriations Resolution, 2003 (Public
16 Law 108–7), the conditions prescribed by the Adminis-
17 trator under subsection (a) shall include the following:

18 (1) A minimum distance from the center of the
19 temporary flight restriction, which shall not be
20 greater than 0.75 nautical miles, unless the Admin-
21 istrator determines, on a case by case basis, that
22 such mileage is insufficient to maintain public safe-
23 ty.

24 (2) The person may not operate an aircraft (ex-
25 cept for a purpose described under section 352(a)(3)

1 of the Consolidated Appropriations Resolution, 2003
2 (Public Law 108–7)) for a purpose that the Sec-
3 retary determines is directly related to the event for
4 which the temporary flight restriction is active.

5 (c) EXCEPTION.—Subsection (b)(1) shall not apply to
6 aircraft operations associated with an aviation event or
7 airshow for which the Administrator has granted a certifi-
8 cate of authorization or waiver.

9 (d) BRIEFING.—Not later than 18 months after the
10 date of enactment of this Act, the Secretary shall brief
11 the Committee on Transportation and Infrastructure of
12 the House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate on the
14 implementation of this section, including the number and
15 nature of certificates of authorization or waiver that have
16 been issued under subsection (a) subject to restrictions
17 under subsection (b).

18 (e) SUNSET.—Subsection (b) shall cease to have ef-
19 fect on October 1, 2028.

20 **SEC. 814. WING-IN-GROUND-EFFECT CRAFT.**

21 (a) MEMORANDUM OF UNDERSTANDING.—

22 (1) IN GENERAL.—Not later than 24 months
23 after the date of enactment of this Act, the Adminis-
24 trator of the Federal Aviation Administration and
25 the Commandant of the Coast Guard shall execute

1 a memorandum of understanding governing the spe-
2 cific roles, delineations of responsibilities, resources,
3 and commitments of the Federal Aviation Adminis-
4 tration and the Coast Guard, respectively, pertaining
5 to wing-in-ground-effect craft that are—

6 (A) only capable of operating either in
7 water or in ground effect over water; and

8 (B) operated exclusively over waters sub-
9 ject to the jurisdiction of the United States.

10 (2) CONTENTS.—The memorandum of under-
11 standing described in paragraph (1) shall—

12 (A) cover the processes the Federal Avia-
13 tion Administration and the United States
14 Coast Guard will follow to promote communica-
15 tions, efficiency, and nonduplication of effort in
16 carrying out such memorandum of under-
17 standing;

18 (B) account for the special rule in accord-
19 ance with subsection (b); and

20 (C) provide procedures for, at a minimum,
21 the following:

22 (i) Approval of wing-in-ground-effect
23 craft designs.

24 (ii) Operations of wing-in-ground-ef-
25 fect craft.

1 (iii) Pilotage of wing-in-ground-effect
2 craft.

3 (iv) Inspections of wing-in-ground-ef-
4 fect craft.

5 (v) Maintenance of wing-in-ground-ef-
6 fect craft.

7 (b) SPECIAL RULE PROHIBITING SECRETARY FROM
8 REGULATING CERTAIN WIG CRAFT OPERATORS AS AIR
9 CARRIERS.—Notwithstanding any other provision of law
10 or regulation, the Secretary of Transportation may not
11 regulate an operator of a wing-in-ground-effect craft as
12 an air carrier (as such term is defined in section 40102(a)
13 of title 49, United States Code).

14 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed to—

16 (1) limit the authority of the Secretary or the
17 Administrator to regulate aircraft that are not wing-
18 in-ground-effect craft, including aircraft that are—

19 (A) capable of the operations described in
20 subsection (b); and

21 (B) capable of sustained flight out of
22 ground effect;

23 (2) confer upon the Commandant the authority
24 to determine the impact of any civil aircraft oper-

1 ation on the safety or efficiency of the National Air-
2 space System; or

3 (3) confer upon the Administrator the authority
4 to issue a certificate of documentation, with or with-
5 out a registry, fishery or coastwise endorsement, for,
6 or inspect any vessel as that term is defined in sec-
7 tion 115 of title 46, United States Code.

8 (d) WING-IN-GROUND-EFFECT CRAFT DEFINED.—

9 In this section, the term “wing-in-ground-effect craft”
10 means a craft that is capable of operating completely
11 above the surface of the water on a dynamic air cushion
12 created by aerodynamic lift due to the ground effect be-
13 tween the craft and the surface of the water.

14 **SEC. 815. QUASQUICENTENNIAL OF AVIATION.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) December 17, 2028, is the 125th anniver-
17 sary of the first successful manned, free, controlled,
18 and sustained flight by an aircraft.

19 (2) The first flight by Orville and Wilbur
20 Wright in Kitty Hawk, North Carolina, is a defining
21 moment in the history of the United States and the
22 world.

23 (3) The Wright brothers’ achievement is a tes-
24 tament to their ingenuity, perseverance, and commit-

1 ment to innovation, which has inspired generations
2 of aviators and scientists alike.

3 (4) The advent of aviation and the air transpor-
4 tation industry has fundamentally transformed the
5 United States and the world for the better.

6 (5) The 125th anniversary of the Wright broth-
7 ers' first flight is worthy of recognition and celebra-
8 tion to honor their legacy and to inspire a new gen-
9 eration of Americans as aviation reaches an inflec-
10 tion point of innovation and change.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the Secretary of Transportation, the Adminis-
13 trator of the Federal Aviation Administration, and the
14 heads of other appropriate Federal agencies should facili-
15 tate and participate in local, national, and international
16 observances and activities that commemorate and cele-
17 brate the 125th anniversary of powered flight.

18 **SEC. 816. FEDERAL CONTRACT TOWER WAGE DETERMINA-**
19 **TIONS AND POSITIONS.**

20 The Secretary of Transportation shall request that
21 the Secretary of Labor—

22 (1) review and update, as necessary, including
23 to account for cost-of-living adjustments, the basis
24 for the wage determination for air traffic controllers
25 who are employed at air traffic control towers oper-

1 ated under the Contract Tower Program established
2 under section 47124 of title 49, United States Code;

3 (2) create a new wage determination category
4 or occupation code for managers of air traffic con-
5 trollers who are employed at air traffic control tow-
6 ers in the Contract Tower Program; and

7 (3) consult with the Administrator of the Fed-
8 eral Aviation Administration in carrying out the re-
9 quirements of paragraphs (1) and (2).

10 **SEC. 817. INTERNAL PROCESS IMPROVEMENTS REVIEW.**

11 (a) **IN GENERAL.**—Not later than 180 days after the
12 date of enactment of this Act, the inspector general of the
13 Department of Transportation shall review the coordina-
14 tion and approval processes of non-regulatory materials
15 produced by the Federal Aviation Administration to im-
16 prove the timeliness, transparency, development, and
17 issuance of such materials.

18 (b) **CONTENTS OF REVIEW.**—In conducting the re-
19 view under subsection (a), the inspector general shall—

20 (1) provide recommendations for improving
21 processes and eliminating nonvalue-added reviews of
22 non-regulatory materials within the Federal Aviation
23 Administration and Department of Transportation,
24 in consideration of the authority of the Adminis-

1 trator under section 106 of title 49, United States
2 Code, and other applicable laws;

3 (2) consider, with respect to each office within
4 the Federal Aviation Administration and the Depart-
5 ment of Transportation that reviews non-regulatory
6 materials—

7 (A) the timeline assigned to each such of-
8 fice to complete the review of such materials;

9 (B) the actual time spent for such review;

10 and

11 (C) opportunities to reduce the actual time
12 spent for such review;

13 (3) describe any organizational changes and ad-
14 ditional resources that the Administration needs, if
15 necessary, to reduce delays in the development and
16 publication of proposed non-regulatory materials;

17 (4) consider to what extent reporting mecha-
18 nisms and templates could be used to provide the
19 public with more consistent information on the de-
20 velopment status of non-regulatory materials;

21 (5) consider changes to the application of rules
22 governing ex parte communications by the Adminis-
23 trator to provide flexibility for employees of the Ad-
24 ministration to discuss non-regulatory materials with

1 aviation stakeholders and foreign aviation authorities
2 to promote United States aviation leadership;

3 (6) recommend methods by which the Adminis-
4 tration can incorporate standards set by recognized
5 industry standards organizations, as such term is
6 defined in section 806, into non-regulatory materials
7 to keep pace with rapid changes in aerospace tech-
8 nology and processes; and

9 (7) evaluate the processes and best practices
10 other civil aviation authorities and other Federal de-
11 partments and agencies use to produce non-regu-
12 latory materials, particularly the processes of enti-
13 ties that produce such materials in an expedited
14 fashion to respond to safety risks, incidents, or new
15 technology adoption.

16 (c) CONSULTATION.—In conducting the review under
17 subsection (a), the inspector general may, as appropriate,
18 consult with industry stakeholders, academia, and other
19 individuals with relevant background or expertise in im-
20 proving the efficiency of Federal non-regulatory material
21 production.

22 (d) REPORT.—Not later than 1 year after the inspec-
23 tor general initiates the review under subsection (a), the
24 inspector general shall submit to the Administrator a re-
25 port on such review.

1 (e) ACTION PLAN.—

2 (1) IN GENERAL.—The Administrator shall de-
3 velop an action plan to implement the recommenda-
4 tions contained in the report submitted under sub-
5 section (d).

6 (2) BRIEFING.—Not later than 90 days after
7 receiving the report under subsection (d), the Ad-
8 ministrator shall brief the Committee on Transpor-
9 tation and Infrastructure of the House of Represent-
10 atives and the Committee on Commerce, Science,
11 and Transportation of the Senate on such plan.

12 (f) NON-REGULATORY MATERIALS DEFINED.—In
13 this section, the term “non-regulatory materials” means
14 orders, advisory circulars, statements of policy, guidance,
15 technical standards, and other materials related to avia-
16 tion safety, training, and operation of aeronautical prod-
17 ucts.

18 **SEC. 818. ACCEPTANCE OF DIGITAL DRIVER’S LICENSE AND**
19 **IDENTIFICATION CARDS.**

20 The Administrator of the Federal Aviation Adminis-
21 tration shall take such actions as may be necessary to ac-
22 cept, in any instance where an individual is required to
23 submit government-issued identification to the Adminis-
24 trator, a digital or mobile driver’s license or identification
25 card issued to such individual by a State.

1 **SEC. 819. BUCKEYE 940 RELEASE OF DEED RESTRICTIONS.**

2 (a) PURPOSE.—The purpose of this section is to au-
3 thorize the Secretary to issue a Deed of Release from all
4 terms, conditions, reservations, restrictions, and obliga-
5 tions contained in the Quitclaim Deed and permit the
6 State of Arizona to deposit all proceeds of the disposition
7 of Buckeye 940 in the appropriate fund for the benefit
8 of the beneficiaries of the Arizona State Land Trust.

9 (b) DEFINITIONS.—In this section:

10 (1) BUCKEYE 940.—The term “Buckeye 940”
11 means all of section 12, T.1 N., R.3 W. and all of
12 adjoining fractional section 7, T.1 N., R.2 W., Gila
13 and Salt River Meridian, Arizona, which property
14 was the subject of the Quitclaim Deed between the
15 United States and the State of Arizona, dated July
16 11, 1949, and which is currently owned by the State
17 of Arizona and held in trust for the beneficiaries of
18 the Arizona State Land Trust.

19 (2) QUITCLAIM DEED.—The term “Quitclaim
20 Deed” means the Quitclaim Deed between the
21 United States and the State of Arizona, dated July
22 11, 1949.

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of Transportation.

25 (c) RELEASE OF ANY AND ALL INTEREST IN BUCK-
26 EYE 940.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, the United States, acting through
3 the Secretary, shall issue to the State of Arizona a
4 Deed of Release to release all terms, conditions, res-
5 ervations, restrictions, and obligations contained in
6 the Quitclaim Deed, including any and all rever-
7 sionary interest of the United States in Buckeye
8 940.

9 (2) TERMS AND CONDITIONS.—The Deed of
10 Release described in paragraph (1) shall be subject
11 to such additional terms and conditions, consistent
12 with such paragraph, as the Secretary considers ap-
13 propriate to protect the interests of the United
14 States.

15 (3) NO RESTRICTION ON USE OF PROCEEDS.—
16 Notwithstanding any other provision of law, the
17 State of Arizona may dispose of Buckeye 940 and
18 any proceeds thereof, including proceeds already col-
19 lected by the State and held in a suspense account,
20 without regard to any restriction imposed by the
21 Quitclaim Deed or by section 155.7 of title 14, Code
22 of Federal Regulations.

23 (4) MINERAL RESERVATION.—The Deed of Re-
24 lease described in paragraph (1) shall include the re-
25 lease of all interests of the United States to the min-

1 eral rights on Buckeye 940 included in the Quit-
2 claim Deed.

3 **SEC. 820. FEDERAL AVIATION ADMINISTRATION INFORMA-**
4 **TION TECHNOLOGY SYSTEM INTEGRITY.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Administrator of the
7 Federal Aviation Administration shall initiate a review to
8 identify and address aging information technology systems
9 within the Administration.

10 (b) CONTENTS.—The review required under sub-
11 section (a) shall—

12 (1) identify and inventory critical software and
13 hardware systems of the Administration;

14 (2) assess the vulnerabilities of such systems to
15 degradation, errors (including human errors), and
16 malicious attacks (including cyber attacks); and

17 (3) identify upgrades to, or replacements for,
18 such systems that are necessary to mitigate such
19 vulnerabilities.

20 (c) MITIGATION.—The Administrator shall take such
21 action as may be necessary to mitigate the vulnerabilities
22 identified under the review conducted under subsection
23 (a).

1 (d) LEVERAGING EXTERNAL EXPERTISE.—To the
2 maximum extent practicable, the actions carried out pur-
3 suant to this section shall—

4 (1) be consistent with the acquisition manage-
5 ment system established and updated pursuant to
6 section 40110(d) of title 49, United States Code;

7 (2) incorporate input from industry, academia,
8 or other external experts on information technology;
9 and

10 (3) identify technologies in existence or in de-
11 velopment that, with or without adaptation, are ex-
12 pected to be suitable to meet the technical informa-
13 tion technology needs of the Administration.

14 (e) REPORT.—Not later than 2 years after the date
15 of enactment of this Act, the Administrator shall submit
16 to the Committee on Transportation and Infrastructure
17 of the House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Senate a
19 report detailing the results of the review required under
20 subsection (a).

21 (f) INSPECTOR GENERAL REVIEW.—

22 (1) IN GENERAL.—After the Administrator
23 completes the review under subsection (a), the in-
24 spector general of the Department of Transportation
25 shall conduct an audit of the integrity of the infor-

1 mation technology systems of the Administration
2 and assess the efforts of the Administration to ad-
3 dress the Administration’s aging information tech-
4 nology systems.

5 (2) REPORT.—The inspector general shall sub-
6 mit to the Committee on Transportation and Infra-
7 structure of the House of Representatives and the
8 Committee on Commerce, Science, and Transpor-
9 tation of the Senate a report on the results of the
10 audit carried out under this subsection.

11 **SEC. 821. BRIEFING ON RADIO COMMUNICATIONS COV-**
12 **ERAGE AROUND MOUNTAINOUS TERRAIN.**

13 (a) BRIEFING REQUIREMENT.—Not later than 180
14 days after the date of enactment of this Act, the Adminis-
15 trator of the Federal Aviation Administration shall provide
16 to the Committee on Transportation and Infrastructure
17 of the House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Senate a
19 briefing on the radio communications coverage within the
20 airspace surrounding the Mena Intermountain Municipal
21 Airport in Mena, Arkansas.

22 (b) BRIEFING CONTENTS.—The briefing required
23 under subsection (a) shall include the following:

24 (1) The radio communications coverage within
25 the airspace surrounding the Mena Intermountain

1 Municipal Airport with the applicable Air Route
2 Traffic Control Center.

3 (2) The altitudes at which radio communica-
4 tions capabilities are lost within such airspace.

5 (3) Recommendations on changes that may in-
6 crease radio communications coverage below 4,000
7 feet above ground level within such airspace.

8 **SEC. 822. STUDY ON CONGESTED AIRSPACE.**

9 (a) STUDY.—Not later than 180 days after the date
10 of enactment of this Act, the Comptroller General of the
11 United States shall initiate a study on the efficiency and
12 efficacy of scheduled commercial air service transiting con-
13 gested airspace.

14 (b) CONTENTS.—In carrying out the study required
15 under subsection (a), the Comptroller General shall exam-
16 ine—

17 (1) various regions of congested airspace and
18 the differing factors of such regions;

19 (2) commercial air service;

20 (3) military flight activity;

21 (4) emergency response activity;

22 (5) commercial space transportation activities;

23 (6) weather; and

24 (7) air traffic controller staffing.

1 (c) REPORT.—Not later than 18 months after the
2 date of enactment of this Act, the Comptroller General
3 shall submit to the Committee on Transportation and In-
4 frastructure of the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transportation of the
6 Senate a report on the results of the study and rec-
7 ommendations to reduce the impacts to scheduled air serv-
8 ice transiting congested airspace.

9 **SEC. 823. ADMINISTRATIVE SERVICES FRANCHISE FUND.**

10 Title I of the Department of Transportation and Re-
11 lated Agencies Appropriations Act, 1997 (49 U.S.C.
12 40113 note) is amended under the heading “Administra-
13 tive Services Franchise Fund” by striking “shall be paid
14 in advance” and inserting “may be reimbursed after per-
15 formance or paid in advance”.

16 **SEC. 824. USE OF BIOGRAPHICAL ASSESSMENTS.**

17 Section 44506(f)(2)(A) of title 49, United States
18 Code, is amended by striking “paragraph (1)(B)(ii)” and
19 inserting “paragraph (1)(B)”.

20 **SEC. 825. WHISTLEBLOWER PROTECTION ENFORCEMENT.**

21 Section 42121(b)(5) of title 49, United States Code,
22 is amended to read as follows:

23 “(5) ENFORCEMENT OF ORDER.—Whenever
24 any person has failed to comply with an order issued
25 under paragraph (3), the Secretary of Labor and the

1 Administrator of the Federal Aviation Administra-
2 tion shall consult with each other to determine the
3 most appropriate action to be taken, in which—

4 “(A) the Secretary of Labor may file a
5 civil action in the United States district court
6 for the district in which the violation was found
7 to occur to enforce such order, for which, in ac-
8 tions brought under this paragraph, the district
9 courts shall have jurisdiction to grant all appro-
10 priate relief including, injunctive relief and com-
11 pensatory damages; or

12 “(B) the Administrator of the Federal
13 Aviation Administration may assess a civil pen-
14 alty pursuant to section 46301 to enforce such
15 order.”.

16 **SEC. 826. FINAL RULEMAKING ON CERTAIN MANUFAC-**
17 **TURING STANDARDS.**

18 Not later than December 16, 2023, the Administrator
19 of the Federal Aviation Administration shall issue a final
20 rule for the notice of proposed rulemaking titled “Airplane
21 Fuel Efficiency Certification” and published June 15,
22 2022 (RIN 2120–AL54).

23 **SEC. 827. REMOTE DISPATCH.**

24 (a) IN GENERAL.—Section 44711(a) of title 49,
25 United States Code, is amended—

1 (1) in paragraph (9) by striking “or” at the
2 end;

3 (2) in paragraph (10) by striking the period
4 and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(11) work as an aircraft dispatcher outside of
7 a physical location designated as a dispatching cen-
8 ter or flight following center of an air carrier, except
9 as provided under section 44747.”.

10 (b) AIRCRAFT DISPATCHING.—Chapter 447 of title
11 49, United States Code, is further amended by adding at
12 the end the following:

13 “**§ 44747. Aircraft dispatching**

14 “(a) AIRCRAFT DISPATCHING CERTIFICATE.—No
15 person may serve as an aircraft dispatcher for an air car-
16 rier unless that person holds the appropriate aircraft dis-
17 patcher certificate issued by the Administrator of the Fed-
18 eral Aviation Administration.

19 “(b) PROOF OF CERTIFICATE.—Upon the request of
20 the Administrator or an authorized representative of the
21 National Transportation Safety Board, or other appro-
22 priate Federal agency, a person who holds such a certifi-
23 cate, and is performing dispatching shall present the cer-
24 tificate for inspection.

1 “(c) DISPATCH CENTERS AND FLIGHT FOLLOWING
2 CENTERS.—

3 “(1) ESTABLISHMENT.—Air carriers shall es-
4 tablish and maintain sufficient dispatch centers and
5 flight following centers necessary to maintain oper-
6 ational control of each flight at all times.

7 “(2) REQUIREMENTS.—Air carrier dispatch
8 centers and flight following centers shall—

9 “(A) have a sufficient number of aircraft
10 dispatchers at dispatch centers and flight fol-
11 lowing centers to ensure proper operational con-
12 trol of each flight at all times;

13 “(B) have the equipment necessary and in
14 good repair to maintain proper operational con-
15 trol of each flight at all times; and

16 “(C) include appropriate physical and cy-
17 bersecurity protections, as determined by the
18 Administrator.

19 “(3) LOCATION LIMITATION.—No air carrier
20 may dispatch aircraft from any location other than
21 the designated dispatch centers or flight following
22 centers of such air carrier.

23 “(d) EMERGENCY AUTHORITY FOR REMOTE DIS-
24 PATCHING.—Notwithstanding subsection (c), an air car-
25 rier may dispatch aircraft from locations other than from

1 designated dispatch centers or flight following centers for
2 a limited period of time in the event of an emergency or
3 other event that renders a center inoperable. An air carrier
4 may not dispatch aircraft under the emergency authority
5 under this subsection for longer than 30 consecutive days
6 without the approval of the Administrator.”.

7 (c) CLERICAL AMENDMENT.—The analysis for chap-
8 ter 447 of title 49, United States Code, is further amend-
9 ed by adding at the end the following:

“44747. Aircraft dispatching.”.

10 **SEC. 828. EMPLOYEE ASSAULT PREVENTION AND RE-**
11 **SPONSE PLANS AMENDMENT.**

12 Section 551 of the FAA Reauthorization Act of 2018
13 (49 U.S.C. 44903 note) is amended—

14 (1) in subsection (a)—

15 (A) by striking “Not later than 90 days
16 after the date of enactment of this Act,” and
17 inserting “The Administrator shall require”;
18 and

19 (B) by striking “shall submit to the Ad-
20 ministrator” and inserting “to submit”; and

21 (2) in subsection (c) by striking “A part 121
22 air carrier shall” and inserting “The Administrator
23 shall require a part 121 air carrier to”.

1 **SEC. 829. CREW MEMBER SELF-DEFENSE TRAINING.**

2 Section 44918(b) of title 49, United States Code, is
3 amended—

4 (1) in paragraph (4) by striking “Neither” and
5 inserting “Except as provided in paragraph (8), nei-
6 ther”; and

7 (2) by adding at the end the following:

8 “(8) AIR CARRIER ACCOMMODATION.—An air
9 carrier with a crew member participating in the
10 training program under this subsection shall provide
11 a process through which each such crew member
12 may obtain reasonable accommodations.”.

13 **SEC. 830. FORMAL SEXUAL ASSAULT AND HARASSMENT**
14 **POLICIES ON AIR CARRIERS AND FOREIGN**
15 **AIR CARRIERS.**

16 (a) IN GENERAL.—Chapter 417 of title 49, United
17 States Code, is further amended by adding at the end the
18 following:

19 **“§ 41728. Formal sexual assault and harassment poli-**
20 **cies**

21 “(a) REQUIREMENT.—Not later than 180 days after
22 the date of enactment of this section, each air carrier and
23 foreign air carrier transporting passengers for compensa-
24 tion shall issue, in consultation with labor unions rep-
25 resenting personnel of the air carrier or foreign air carrier,

1 a formal policy with respect to transportation sexual as-
2 sault or harassment incidents.

3 “(b) CONTENTS.—The policy required under sub-
4 section (a) shall include—

5 “(1) a statement indicating that no transpor-
6 tation sexual assault or harassment incident is ac-
7 ceptable under any circumstance;

8 “(2) procedures that facilitate the reporting of
9 a transportation sexual assault or harassment inci-
10 dent, including—

11 “(A) appropriate public outreach activities;
12 and

13 “(B) confidential phone and internet-based
14 opportunities for reporting;

15 “(3) procedures that personnel should follow
16 upon the reporting of a transportation sexual assault
17 or harassment incident, including actions to protect
18 affected individuals from continued sexual assault or
19 harassment and to notify law enforcement when ap-
20 propriate;

21 “(4) procedures that may limit or prohibit, to
22 the extent practicable, future travel with the air car-
23 rier or foreign air carrier by any passenger who
24 causes a transportation sexual assault or harassment
25 incident; and

1 “(5) training that is required for all appropriate
2 personnel with respect to the policy required under
3 subsection (a), including—

4 “(A) specific training for personnel who
5 may receive reports of transportation sexual as-
6 sault or harassment incidents; and

7 “(B) recognizing and responding to poten-
8 tial human trafficking victims, in the same
9 manner as required under section 44734(a)(4).

10 “(c) PASSENGER INFORMATION.—An air carrier or
11 foreign air carrier described in subsection (a) shall promi-
12 nently display, on the internet website of the air carrier
13 or foreign air carrier and through the use of appropriate
14 signage, a written statement that informs passengers and
15 personnel of the procedure for reporting a transportation
16 sexual assault or harassment incident.

17 “(d) STANDARD OF CARE.—Compliance with the re-
18 quirements of this section, and any policy issued there-
19 under, shall not determine whether the air carrier or for-
20 eign air carrier described in subsection (a) has acted with
21 any requisite standard of care.

22 “(e) DEFINITIONS.—In this section:

23 “(1) PERSONNEL.—The term ‘personnel’ means
24 an employee or contractor of an air carrier or for-
25 eign air carrier.

1 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
2 sault’ means the occurrence of an act that con-
3 stitutes any nonconsensual sexual act proscribed by
4 Federal, tribal, or State law, including when the vic-
5 tim lacks capacity to consent.

6 “(3) TRANSPORTATION SEXUAL ASSAULT OR
7 HARASSMENT INCIDENT.—The term ‘transportation
8 sexual assault or harassment incident’ means the oc-
9 currence, or reasonably suspected occurrence, of an
10 act that—

11 “(A) constitutes sexual assault or sexual
12 harassment; and

13 “(B) is committed—

14 “(i) by a passenger or member of per-
15 sonnel of an air carrier or foreign air car-
16 rier against another passenger or member
17 of personnel of an air carrier or foreign air
18 carrier; and

19 “(ii) within an aircraft or in an area
20 in which passengers are entering or exiting
21 an aircraft.”.

22 (b) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 417 of title 49, United States Code, is further amend-
24 ed by adding at the end the following:

“41728. Formal sexual assault and harassment policies.”.

1 **SEC. 831. INTERFERENCE WITH SECURITY SCREENING**
2 **PERSONNEL.**

3 Section 46503 of title 49, United States Code, is
4 amended—

5 (1) by striking “An individual” and inserting
6 the following:

7 “(a) IN GENERAL.—An individual”; and

8 (2) by adding at the end the following:

9 “(b) AIRPORT AND AIR CARRIER EMPLOYEES.—For
10 purposes of this section, an airport or air carrier employee
11 who has security duties within the airport includes an air-
12 port or air carrier employee performing ticketing, check-
13 in, baggage claim, or boarding functions.”.

14 **SEC. 832. MECHANISMS TO REDUCE HELICOPTER NOISE.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Comptroller General
17 of the United States shall initiate a study to examine ways
18 in which a State, territorial, or local government may miti-
19 gate the negative impacts of commercial helicopter noise.

20 (b) CONSIDERATIONS.—In conducting the study
21 under subsection (a), the Comptroller General shall con-
22 sider—

23 (1) the varying degree of commercial helicopter
24 operations in different communities; and

25 (2) actions that State, and local governments
26 have taken, and authorities such governments have

1 used, to reduce the impact of commercial helicopter
2 noise and the success of such actions.

3 (c) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, the Comptroller General shall
5 provide to the Administrator of the Federal Aviation Ad-
6 ministration, the Committee on Transportation and Infra-
7 structure of the House of Representatives, and the Com-
8 mittee on Commerce, Science, and Transportation of the
9 Senate a report on the findings of the study conducted
10 under subsection (a).

11 **SEC. 833. TECHNICAL CORRECTIONS.**

12 (a) TITLE 49 ANALYSIS.—The analysis for title 49,
13 United States Code, is amended by striking the item relat-
14 ing to subtitle IX and inserting the following:

“IX. MULTIMODAL FREIGHT TRANSPORTATION..... 70101”.

15 (b) SUBTITLE I ANALYSIS.—The analysis for subtitle
16 I of title 49, United States Code, is amended by striking
17 the item relating to chapter 7.

18 (c) SUBTITLE VII ANALYSIS.—The analysis for sub-
19 title VII of title 49, United States Code, is amended by
20 striking the item relating to chapter 448 and inserting the
21 following:

“448. Unmanned Aircraft Systems..... 44801”.

22 (d) AUTHORITY TO EXEMPT.—Section 40109(b) of
23 title 49, United States Code, is amended by striking “sec-

1 tions 40103(b)(1) and (2) of this title” and inserting
2 “paragraphs (1) and (2) of section 40103(b)”.

3 (e) GENERAL PROCUREMENT AUTHORITY.—Section
4 40110(d)(3) of title 49, United States Code, is further
5 amended—

6 (1) in subparagraph (B) by inserting “, as in
7 effect on October 9, 1996” after “Policy Act”;

8 (2) in subparagraph (C) by striking “the Office
9 of Federal Procurement Policy Act” and inserting
10 “division B of subtitle I of title 41”; and

11 (3) in subparagraph (D) by striking “section
12 27(e)(3)(A)(iv) of the Office of Federal Procurement
13 Policy Act” and inserting “section 2105(c)(1)(D) of
14 title 41”.

15 (f) GOVERNMENT-FINANCED AIR TRANSPORTATION.—Section 40118(g)(1) of title 49, United States
16 Code, is amended by striking “detection and reporting of
17 potential human trafficking (as described in paragraphs
18 (9) and (10))” and inserting “detection and reporting of
19 potential severe forms of trafficking in persons and sex
20 trafficking (as such terms are defined in paragraphs (11)
21 and (12))”.

22 (g) FAA AUTHORITY TO CONDUCT CRIMINAL HISTORY
23 RECORD CHECKS.—Section 40130(a)(1)(A) of title
24

1 49, United States Code, is amended by striking “(42
2 U.S.C. 14616)” and inserting “(34 U.S.C. 40316)”.

3 (h) SUBMISSIONS OF PLANS.—Section 41313(c)(16)
4 of title 49, United States Code, is amended by striking
5 “will consult” and inserting “the foreign air carrier shall
6 consult”.

7 (i) PLANS AND POLICY.—Section 44501 of title 49,
8 United States Code, is further amended—

9 (1) in subsection (c)(2)(B)(i), by striking
10 “40119,”; and

11 (2) in subsection (c)(3)—

12 (A) by striking “section 40119(b) of this
13 title” and inserting “section 44912(d)(2)”;

14 (B) by striking “under section 40119(b),”
15 and inserting “pursuant to section
16 44912(d)(2),”.

17 (j) USE AND LIMITATION OF AMOUNTS.—Section
18 44508 of title 49, United States Code, is amended by
19 striking “40119,” each place it appears.

20 (k) STRUCTURES INTERFERING WITH AIR COM-
21 MERCE OR NATIONAL SECURITY.—Section 44718(h) of
22 title 49, United States Code, is amended to read as fol-
23 lows:

24 “(h) DEFINITIONS.—In this section, the terms ‘ad-
25 verse impact on military operations and readiness’ and

1 ‘unacceptable risk to the national security of the United
2 States’ have the meaning given those terms in section
3 183a(h) of title 10.”.

4 (l) METEOROLOGICAL SERVICES.—Section
5 44720(b)(2) of title 49, United States Code, is amended—

6 (1) by striking “the Administrator to persons”
7 and inserting “the Administrator, to persons”; and

8 (2) by striking “the Administrator and to” and
9 inserting “the Administrator, and to”.

10 (m) AERONAUTICAL CHARTS.—Section 44721(e)(1)
11 of title 49, United States Code, is amended by striking
12 “1947,” and inserting “1947”.

13 (n) FLIGHT ATTENDANT CERTIFICATION.—Section
14 44728(c) of title 49, United States Code, is amended by
15 striking “Regulation,” and inserting “Regulations,”.

16 (o) MANUAL SURCHARGE.—The analysis for chapter
17 453 of title 49, United States Code, is amended by adding
18 at the end the following:

“45306. Manual surcharge.”.

19 (p) SCHEDULE OF FEES.—Section 45301(a) of title
20 49, United States Code, is amended by striking “The Ad-
21 ministrator shall establish” and inserting “The Adminis-
22 trator of the Federal Aviation Administration shall estab-
23 lish”.

24 (q) JUDICIAL REVIEW.—Section 46110(a) of title 49,
25 United States Code, is amended by striking “subsection

1 (l) or (s) of section 114” and inserting “subsection (l) or
2 (r) of section 114”.

3 (r) CIVIL PENALTIES.—Section 46301(a) of title 49,
4 United States Code, is amended—

5 (1) in the heading for paragraph (6), by strik-
6 ing “FAILURE TO COLLECT AIRPORT SECURITY
7 BADGES” and inserting “FAILURE TO COLLECT AIR-
8 PORT SECURITY BADGES”; and

9 (2) in paragraph (7), by striking “PENALTIES
10 RELATING TO HARM TO PASSENGERS WITH DISABIL-
11 ITIES” in the paragraph heading and inserting
12 “PENALTIES RELATING TO HARM TO PASSENGERS
13 WITH DISABILITIES”.

14 (s) PAYMENTS UNDER PROJECT GRANT AGREE-
15 MENTS.—Section 47111(e) of title 49, United States
16 Code, is amended by striking “fee” and inserting
17 “charge”.

18 (t) AGREEMENTS FOR STATE AND LOCAL OPER-
19 ATION OF AIRPORT FACILITIES.—Section
20 47124(b)(1)(B)(ii) of title 49, United States Code, is
21 amended by striking the second period at the end.

22 (u) USE OF FUNDS FOR REPAIRS FOR RUNWAY
23 SAFETY REPAIRS.—Section 47144(b)(4) of title 49,
24 United States Code, is amended by striking “(42 U.S.C.
25 4121 et seq.)” and inserting “(42 U.S.C. 5121 et seq.)”.

1 (v) METROPOLITAN WASHINGTON AIRPORTS AU-
2 THORITY.—Section 49106 of title 49, United States Code,
3 is amended—

4 (1) in subsection (a)(1)(B) by striking “and
5 section 49108 of this title”; and

6 (2) in subsection (c)(6)(C) by inserting “the”
7 before “jurisdiction”.

8 (w) SEPARABILITY AND EFFECT OF JUDICIAL
9 ORDER.—Section 49112(b) of title 49, United States
10 Code, is amended—

11 (1) by striking paragraph (1); and

12 (2) by striking “(2) Any action” and inserting
13 “Any action”.

14 **TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD**
15 **AMENDMENTS ACT OF 2023**

17 **SEC. 901. SHORT TITLE.**

18 This title may be cited as the “National Transport-
19 tation Safety Board Amendments Act of 2023”.

20 **SEC. 902. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 1118(a) of title 49, United States Code, is
22 amended to read as follows:

23 “(a) IN GENERAL.—There are authorized to be ap-
24 propriated for the purposes of this chapter \$137,000,000
25 for fiscal year 2024, \$142,000,000 for fiscal year 2025,

1 \$147,000,000 for fiscal year 2026, \$152,000,000 for fis-
2 cal year 2027, and \$158,000,000 for fiscal year 2028.
3 Such sums shall remain available until expended.”.

4 **SEC. 903. CLARIFICATION OF TREATMENT OF TERRI-**
5 **TORIES.**

6 Section 1101 of title 49, United States Code, is
7 amended to read as follows:

8 **“§ 1101. Definitions**

9 “(a) IN GENERAL.—In this chapter:

10 “(1) ACCIDENT.—The term ‘accident’ includes
11 damage to or destruction of vehicles in surface or air
12 transportation or pipelines, regardless of whether the
13 initiating event is accidental or otherwise.

14 “(2) STATE.—The term ‘State’ means a State
15 of the United States, the District of Columbia, Puer-
16 to Rico, the Virgin Islands, American Samoa, the
17 Northern Mariana Islands, and Guam.

18 “(b) APPLICABILITY OF OTHER DEFINITIONS.—Sec-
19 tion 2101(23) of title 46 and section 40102(a) shall apply
20 to this chapter.”.

21 **SEC. 904. ADDITIONAL WORKFORCE TRAINING.**

22 (a) TRAINING ON EMERGING TRANSPORTATION
23 TECHNOLOGIES.—Section 1113(b)(1) of title 49, United
24 States Code, is amended—

1 (1) in subparagraph (I) by striking “; and” and
2 inserting a semicolon;

3 (2) in subparagraph (J) by striking the period
4 and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(K) notwithstanding section 3301 of title
7 41, acquire training on emerging transportation
8 technologies.”.

9 (b) **ADDITIONAL TRAINING NEEDS.**—Section
10 1115(d) of title 49, United States Code, is amended by
11 inserting “and in those subjects furthering the personnel
12 and workforce development needs set forth in the strategic
13 workforce plan of the Board as required under section
14 1113(h)” after “of accident investigation”.

15 **SEC. 905. ACQUIRING MISSION-ESSENTIAL KNOWLEDGE**
16 **AND SKILLS.**

17 Section 1113(b) of title 49, United States Code, is
18 amended by adding at the end the following:

19 “(3) **DIRECT HIRE AUTHORITY.**—

20 “(A) **IN GENERAL.**—Notwithstanding section
21 3304 and sections 3309 through 3318 of title 5, the
22 Chairman may, on a determination that there is a
23 severe shortage of candidates or a critical hiring
24 need for particular positions, recruit and directly ap-
25 point into the competitive service highly qualified

1 personnel with specialized knowledge important to
2 the function of the Board.

3 “(B) LIMITATION.—The authority granted
4 under subparagraph (A) shall terminate on the date
5 that is 5 years after the date of the enactment of
6 this paragraph.

7 “(C) EXCEPTION.—The authority granted
8 under subparagraph (A) shall not apply to positions
9 in the excepted service or the Senior Executive Serv-
10 ice.

11 “(D) REQUIREMENTS.—In exercising the au-
12 thority granted under subparagraph (A), the Board
13 shall ensure that any action taken by the Board—

14 “(i) is consistent with the merit principles
15 of section 2301 of title 5; and

16 “(ii) complies with the public notice re-
17 quirements of section 3327 of title 5.”.

18 **SEC. 906. OVERTIME ANNUAL REPORT TERMINATION.**

19 Section 1113(g)(5) of title 49, United States Code,
20 is repealed.

21 **SEC. 907. STRATEGIC WORKFORCE PLAN.**

22 Section 1113 of title 49, United States Code, is
23 amended by adding at the end the following:

24 “(h) STRATEGIC WORKFORCE PLAN.—

1 “(1) IN GENERAL.—The Board shall develop a
2 strategic workforce plan that addresses the imme-
3 diate and long-term workforce needs of the Board
4 with respect to carrying out the authorities and du-
5 ties of the Board under this chapter.

6 “(2) ALIGNING THE WORKFORCE TO STRATEGIC
7 GOALS.—In developing the strategic workforce plan
8 under paragraph (1), the Board shall take into con-
9 sideration—

10 “(A) the current state and capabilities of
11 the Board, including a high-level review of mis-
12 sion requirements, structure, workforce, and
13 performance of the Board;

14 “(B) the significant workforce trends,
15 needs, issues, and challenges with respect to the
16 Board and the transportation industry;

17 “(C) the workforce policies, strategies, per-
18 formance measures, and interventions to miti-
19 gate succession risks that guide the workforce
20 investment decisions of the Board;

21 “(D) a workforce planning strategy that
22 identifies workforce needs, including the knowl-
23 edge, skills, and abilities needed to recruit and
24 retain skilled employees at the Board;

1 “(E) a workforce management strategy
2 that is aligned with the mission, goals, and or-
3 ganizational objectives of the Board;

4 “(F) an implementation system for work-
5 force goals focused on addressing continuity of
6 leadership and knowledge sharing across the
7 Board;

8 “(G) an implementation system that ad-
9 dresses workforce competency gaps, particularly
10 in mission-critical occupations; and

11 “(H) a system for analyzing and evalu-
12 ating the performance of the Board’s workforce
13 management policies, programs, and activities.

14 “(3) PLANNING PERIOD.—The strategic work-
15 force plan developed under paragraph (1) shall ad-
16 dress a 5-year forecast period, but may include plan-
17 ning for longer periods based on information about
18 trends in the transportation sector.

19 “(4) PLAN UPDATES.—The Board shall update
20 the strategic workforce plan developed under para-
21 graph (1) not less than once every 5 years.

22 “(5) RELATIONSHIP TO STRATEGIC PLAN.—The
23 strategic workforce plan developed under paragraph
24 (1) may be developed separately from, or incor-

1 porated into, the strategic plan required under sec-
2 tion 306 of title 5.

3 “(6) AVAILABILITY.—The strategic workforce
4 plan under paragraph (1) and the strategic plan re-
5 quired under section 306 of title 5 shall be—

6 “(A) submitted to the Committee on
7 Transportation and Infrastructure of the House
8 of Representatives and the Committee on Com-
9 merce, Science, and Transportation of the Sen-
10 ate; and

11 “(B) made available to the public on a
12 website of the Board.”.

13 **SEC. 908. TRAVEL BUDGETS.**

14 (a) IN GENERAL.—Section 1113 of title 49, United
15 States Code, is further amended by adding at the end the
16 following:

17 “(i) NONACCIDENT RELATED TRAVEL BUDGET.—

18 “(1) IN GENERAL.—The Board shall establish
19 annual fiscal year budgets for non accident-related
20 travel expenditures for each Board member which
21 shall be incorporated into the annual budget request
22 of the Board.

23 “(2) NOTIFICATION.—The Board shall notify
24 the Committee on Transportation and Infrastructure
25 of the House of Representatives and the Committee

1 on Commerce, Science, and Transportation of the
2 Senate of any non accident-related travel budget
3 overrun for any Board member not later than 30
4 days of such overrun becoming known to the
5 Board.”.

6 (b) CONFORMING AMENDMENT.—Section 9 of the
7 National Transportation Safety Board Amendments Act
8 of 2000 (49 U.S.C. 1113 note) is repealed.

9 **SEC. 909. RETENTION OF RECORDS.**

10 Section 1113 of title 49, United States Code, is fur-
11 ther amended by adding at the end the following:

12 “(j) RETENTION OF RECORDS.—Notwithstanding
13 chapters 21, 29, 31, and 33 of title 44, the Board may
14 retain investigative records for such periods as determined
15 by the Board.”.

16 **SEC. 910. NONDISCLOSURE OF INTERVIEW RECORDINGS.**

17 (a) IN GENERAL.—Section 1114 of title 49, United
18 States Code, is amended—

19 (1) in subsection (b)—

20 (A) in the subsection heading by striking
21 “TRADE SECRETS” and inserting “CERTAIN
22 CONFIDENTIAL INFORMATION”; and

23 (B) in paragraph (1)—

24 (i) by striking “The Board” and in-
25 serting “IN GENERAL.—The Board”; and

1 (ii) by striking “information related to
2 a trade secret referred to in section 1905
3 of title 18” and inserting “confidential in-
4 formation described in section 1905 of title
5 18, including trade secrets,”; and

6 (2) by adding at the end the following:

7 “(h) INTERVIEW RECORDINGS.—

8 “(1) IN GENERAL.—The Board may not pub-
9 licly disclose any part of any audio or video record-
10 ing of an interview of participants in, or witnesses
11 to, an accident or incident investigated by the
12 Board.

13 “(2) SAVINGS PROVISION.—Paragraph (1) shall
14 not be construed to apply to transcripts or sum-
15 maries of such interviews.”.

16 (b) AVIATION ENFORCEMENT.—Section 1151 of title
17 49, United States Code, is amended by adding at the end
18 the following:

19 “(d) NOTIFICATION TO CONGRESS.—If the Board or
20 Attorney General carry out such civil actions described in
21 subsection (a) or (b) of this section against an airman em-
22 ployed at the time of the accident or incident by an air
23 carrier operating under part 121 of title 14, Code of Fed-
24 eral Regulations, the Board shall immediately notify the
25 Committee on Transportation and Infrastructure of the

1 House of Representatives and the Committee on Com-
2 merce, Science, and Transportation of the Senate of such
3 civil actions, including—

4 “(1) the labor union representing the airman
5 involved, if applicable;

6 “(2) the air carrier at which the airman is em-
7 ployed;

8 “(3) the docket information of the incident or
9 accident in which the airman was involved;

10 “(4) the date of such civil actions taken by the
11 Board or Attorney General; and

12 “(5) a description of why such civil actions were
13 taken by the Board or Attorney General.

14 “(e) **SUBSEQUENT NOTIFICATION TO CONGRESS.**—
15 Not later than 15 days after the notification described in
16 subsection (d), the Board shall submit a report to or brief
17 the Committee on Transportation and Infrastructure of
18 the House of Representatives and the Committee on Com-
19 merce, Science, and Transportation of the Senate describ-
20 ing the status of compliance with the civil actions taken.”.

21 **SEC. 911. CLOSED UNACCEPTABLE RECOMMENDATIONS.**

22 Section 1116(c) of title 49, United States Code, is
23 amended—

24 (1) by redesignating paragraphs (3) through
25 (6) as paragraphs (4) through (7), respectively; and

1 (2) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) a list of each recommendation made by the
4 Board to the Secretary of Transportation or the
5 Commandant of the Coast Guard that was closed in
6 an unacceptable status in the preceding 12
7 months;”.

8 **SEC. 912. ESTABLISHMENT OF OFFICE OF OVERSIGHT, AC-**
9 **COUNTABILITY, AND QUALITY ASSURANCE.**

10 (a) IN GENERAL.—Subchapter II of chapter 11 of
11 title 49, United States Code, is amended by adding at the
12 end the following:

13 **“§ 1120. Office of Oversight, Accountability, and Qual-**
14 **ity Assurance**

15 “(a) ESTABLISHMENT.—Not later than 1 year after
16 the date of enactment of this section, the Board shall es-
17 tablish in the National Transportation Safety Board an
18 Office of Oversight, Accountability, and Quality Assurance
19 to provide oversight of the duties and responsibilities of
20 the Board.

21 “(b) DIRECTOR.—

22 “(1) APPOINTMENT.—The head of the Office of
23 Oversight, Accountability, and Quality Assurance
24 shall be the Director, who shall be appointed by the

1 Chairman of the Board and shall be approved by the
2 Board.

3 “(2) QUALIFICATIONS.—The Director shall
4 have demonstrated ability in investigations.

5 “(3) TERM.—The Director shall be appointed
6 for a term of 5 years.

7 “(4) VACANCIES.—Any individual approved to
8 fill a vacancy in the position of the Director occur-
9 ring before the expiration of the term for which the
10 predecessor of the individual was approved shall be
11 approved for the remainder of the term or for a new
12 term.

13 “(c) DUTIES.—The Director shall—

14 “(1) establish and ensure policies that promote
15 integrity, efficiency, and effectiveness;

16 “(2) prevent and detect waste, fraud, and abuse
17 in programs and operations;

18 “(3) provide policy direction related to the con-
19 duct, supervision, and coordination of audits and in-
20 vestigations relating to the activities of the Board;

21 “(4) identify trends and systemic issues within
22 the agency and create strategies and recommenda-
23 tions to address such issues;

1 “(5) conduct impartial information gathering
2 about complaints or concerns, and ensure the Board
3 is meeting any quality and timeliness standards; and

4 “(6) not conduct any of the duties under this
5 subsection in a manner that interferes with an ongo-
6 ing safety investigation of the Board.

7 “(d) REPORTING CRIMINAL VIOLATIONS TO DEPART-
8 MENT OF JUSTICE.—If the Director has reasonable
9 grounds to believe that there has been a violation of Fed-
10 eral criminal law, the Director shall refer the matter to
11 the Department of Justice.

12 “(e) SAVINGS CLAUSE.—Nothing in this section shall
13 be construed to interfere or give the Office jurisdiction
14 over any active investigation by the Board or the content
15 of products approved by a vote of the Board.

16 “(f) ANNUAL REPORT.—

17 “(1) IN GENERAL.—The Director shall submit
18 to the Board, the Committee on Transportation and
19 Infrastructure of the House of Representatives and
20 the Committee on Commerce, Science, and Trans-
21 portation of the Senate an annual report on the ac-
22 tivities, investigations, findings, and recommenda-
23 tions of the Director.

24 “(2) SUNSET.—This subsection shall cease to
25 have effect on October 1, 2028.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 11 of title 49, United States Code, is amended by add-
3 ing after the item relating to section 1119 the following:

“1120. Office of Oversight, Accountability, and Quality Assurance.”.

4 (c) PEER REVIEW.—Not earlier than 3 years after
5 the date of enactment of this Act and not later than 5
6 years after the date of enactment of this Act, the Director
7 of the Office of Oversight, Accountability, and Quality As-
8 surance of the National Transportation Safety Board shall
9 enter into the necessary arrangements with an inspector
10 general, or similar Federal entity, to perform a peer review
11 of the Office.

12 **SEC. 913. MISCELLANEOUS INVESTIGATIVE AUTHORITIES.**

13 (a) HIGHWAY INVESTIGATIONS.—Section
14 1131(a)(1)(B) of title 49, United States Code, is amended
15 by striking “selects in cooperation with a State” and in-
16 serting “selects, concurrent with any State investigation”.

17 (b) RAIL INVESTIGATIONS.—Section 1131(a)(1)(C)
18 of title 49, United States Code, is amended by striking
19 “accident in which there is a fatality or substantial prop-
20 erty damage, or that involves a passenger train” and in-
21 serting “accident, including a railroad grade crossing or
22 trespasser accident that the Board selects, or in which
23 there is otherwise a fatality or substantial property dam-
24 age, or that involves a passenger train”.

1 **SEC. 914. COMMERCIAL SPACE TRANSPORTATION ACCI-**
2 **DENT INVESTIGATIONS.**

3 (a) **IN GENERAL.**—Section 1131(a)(1) of title 49,
4 United States Code, is amended—

5 (1) in subparagraph (E) by striking “and” at
6 the end;

7 (2) by redesignating subparagraph (F) as sub-
8 paragraph (G); and

9 (3) by inserting after subparagraph (E) the fol-
10 lowing:

11 “(F) a commercial space transportation acci-
12 dent in which there is—

13 “(i) a fatality or significant injury of any
14 individual, regardless of whether the individual
15 was on board the commercial launch vehicle at
16 the time of the accident; or

17 “(ii) substantial damage to property that is
18 not associated with commercial space launch ac-
19 tivities and that is not located at the launch
20 site; and”.

21 (b) **OTHER INVESTIGATIVE AGENCIES.**—Section
22 1131(a)(2) of title 49, United States Code, is amended
23 by adding at the end the following:

24 “(D) The Board shall seek to enter into a memo-
25 randum of agreement with a Government agency with the
26 authority to certify a commercial space transportation op-

1 eration or investigate a commercial space transportation
2 accident. Such memorandum shall delineate the conditions
3 under, and manner in which—

4 “(i) a commercial space transportation accident
5 that may be investigated by the Board under sub-
6 paragraph (F) or (G) of paragraph (1) will instead
7 be investigated by such Government agency; and

8 “(ii) the Board will participate in such Govern-
9 ment agency’s investigation.

10 “(E) For an occurrence in commercial space trans-
11 portation other than an accident described in paragraph
12 (1)(F), the Board may only investigate such occurrence—

13 “(i) in accordance with the terms of a memo-
14 randum of agreement with another Government
15 agency described in subparagraph (D); or

16 “(ii) with the agreement of the Government
17 agency responsible for investigating such occur-
18 rence.”.

19 (c) TECHNICAL CORRECTION.—Section
20 1131(a)(2)(A) of title 49, United States Code, is amended
21 by striking “or (F)” and inserting “, (F), or (G)”.

22 (d) RULE OF CONSTRUCTION.—None of the amend-
23 ments made by subsection (a) or (b) shall be construed
24 to limit the authority of the National Transportation Safe-
25 ty Board to investigate any other commercial space trans-

1 portation accident that, in the judgment of the Board,
2 falls under the authority of the Board under section
3 1131(a)(1)(G) (as redesignated by subsection (a)).

4 **SEC. 915. PUBLIC AVAILABILITY OF ACCIDENT REPORTS.**

5 Section 1131(e) of title 49, United States Code, is
6 amended by striking “public at reasonable cost.” and in-
7 serting the following: “public—

8 “(1) in printed form at reasonable cost; and

9 “(2) in electronic form at no cost in a publicly
10 accessible database on a website of the Board.”.

11 **SEC. 916. ENSURING ACCOUNTABILITY FOR TIMELINESS OF**
12 **REPORTS.**

13 Section 1131 of title 49, United States Code, is
14 amended by adding at the end the following:

15 “(f) **TIMELINESS OF REPORTS.**—If any accident re-
16 port under subsection (e) is not completed within 2 years
17 from the date of the accident, the Board shall submit to
18 the Committee on Transportation and Infrastructure of
19 the House of Representatives and the Committee on Com-
20 merce, Science, and Transportation of the Senate a report
21 identifying such accident report and the reasons for which
22 such report has not been completed. The Board shall re-
23 port progress toward completion of the accident report to
24 each such Committees every 90 days thereafter, until such
25 time as the accident report is completed.”.

1 **SEC. 917. ENSURING ACCESS TO DATA.**

2 Section 1134 of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(g) RECORDERS AND DATA.—In investigating an
5 accident under this chapter, the Board may—

6 “(1) obtain any recorder or recorded informa-
7 tion pertinent to the accident;

8 “(2) require a manufacturer or the vendors,
9 suppliers, or affiliates of such manufacturer, to pro-
10 vide to the Board, without delay, information the
11 Board determines necessary to enable the Board to
12 read and interpret any recording device or recorded
13 information pertinent to the accident; and

14 “(3) require a manufacturer or the vendors,
15 suppliers, or affiliates of such manufacturer, to pro-
16 vide to the Board, without delay, data and other in-
17 tellectual property the Board determines necessary
18 to enable the Board to perform independent physics-
19 based simulations and analyses of the accident situa-
20 tion.”.

21 **SEC. 918. PUBLIC AVAILABILITY OF SAFETY RECOMMENDA-**
22 **TIONS.**

23 Section 1135(c) of title 49, United States Code, is
24 amended by striking “public at reasonable cost.” and in-
25 serting the following: “public—

26 “(1) in printed form at reasonable cost; and

1 “(2) in electronic form in a publicly accessible
2 database on a website of the Board at no cost.”.

3 **SEC. 919. IMPROVING DELIVERY OF FAMILY ASSISTANCE.**

4 (a) AIRCRAFT ACCIDENTS.—Section 1136 of title 49,
5 United States Code, is amended—

6 (1) in the heading by striking “**to families of**
7 **passengers involved in aircraft acci-**
8 **dents**” and inserting “**to passengers involved**
9 **in aircraft accidents and families of such**
10 **passengers**”;

11 (2) in subsection (a)—

12 (A) by inserting “within United States air-
13 space or airspace delegated to the United
14 States” after “aircraft accident”;

15 (B) by striking “National Transportation
16 Safety Board shall” and inserting “Board
17 shall”; and

18 (C) in paragraph (2)—

19 (i) by striking “emotional care and
20 support” and inserting “emotional, psycho-
21 logical, and spiritual care and support
22 services”; and

23 (ii) by striking “the families of pas-
24 sengers involved in the accident” and in-

1 serting “passengers involved in the acci-
2 dent and the families of such passengers”;

3 (3) in subsection (c)—

4 (A) in the matter preceding paragraph (1),
5 by striking “the families of passengers involved
6 in the accident” and inserting “passengers in-
7 volved in the accident and the families of such
8 passengers”;

9 (B) in paragraph (1) by striking “mental
10 health and counseling services” and inserting
11 “emotional, psychological, and spiritual care
12 and support services”;

13 (C) in paragraph (3)—

14 (i) by striking “the families who have
15 traveled to the location of the accident”
16 and inserting “passengers involved in the
17 accident and the families of such pas-
18 sengers who have traveled to the location
19 of the accident”; and

20 (ii) by inserting “passengers and” be-
21 fore “affected families”; and

22 (D) in paragraph (4), by inserting “pas-
23 sengers and” before “families”;

24 (4) by amending subsection (d) to read as fol-
25 lows:

1 “(d) PASSENGER LISTS.—

2 “(1) REQUESTS FOR PASSENGER LISTS BY THE
3 DIRECTOR OF FAMILY SERVICES.—

4 “(A) REQUESTS BY DIRECTOR OF FAMILY
5 SUPPORT SERVICES.—It shall be the responsi-
6 bility of the director of family support services
7 designated for an accident under subsection
8 (a)(1) to request, as soon as practicable, from
9 the air carrier or foreign air carrier involved in
10 the accident a passenger list, which is based on
11 the best available information at the time of the
12 request.

13 “(B) USE OF INFORMATION.—The director
14 of family support services may not release to
15 any person information on a list obtained under
16 subparagraph (A), except that the director may,
17 to the extent the director considers appropriate,
18 provide information on the list about a pas-
19 senger to—

20 “(i) the family of the passenger; or

21 “(ii) a local, State, or Federal agency
22 responsible for determining the where-
23 abouts or welfare of a passenger.

24 “(2) REQUESTS FOR PASSENGER LISTS BY DES-
25 IGNATED ORGANIZATION.—

1 “(A) REQUESTS BY DESIGNATED ORGANI-
2 ZATION.—The organization designated for an
3 accident under subsection (a)(2) may request
4 from the air carrier or foreign air carrier in-
5 volved in the accident a passenger list.

6 “(B) USE OF INFORMATION.—The des-
7 ignated organization may not release to any
8 person information on a passenger list but may
9 provide information on the list about a pas-
10 senger to the family of the passenger to the ex-
11 tent the organization considers appropriate.”;

12 (5) in subsection (g)(1) by striking “the fami-
13 lies of passengers involved in the accident” and in-
14 serting “passengers involved in the accident and the
15 families of such passengers”;

16 (6) in subsection (g)(3)—

17 (A) in the paragraph heading by striking
18 “PREVENT MENTAL HEALTH AND COUNSELING”
19 and inserting “PREVENT CERTAIN CARE AND
20 SUPPORT”;

21 (B) by striking “providing mental health
22 and counseling services” and inserting “pro-
23 viding emotional, psychological, and spiritual
24 care and support”; and

1 (C) by inserting “passengers and” before
2 “families”;

3 (7) in subsection (h)—

4 (A) by striking “National Transportation
5 Safety”; and

6 (B) by adding at the end the following:

7 “(3) PASSENGER LIST.—The term ‘passenger
8 list’ means a list based on the best available infor-
9 mation at the time of a request, of the name of each
10 passenger aboard the aircraft involved in the acci-
11 dent.”; and

12 (8) in subsection (i) by striking “the families of
13 passengers involved in an aircraft accident” and in-
14 serting “passengers involved in the aircraft accident
15 and the families of such passengers”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
17 ter 11 of title 49, United States Code, is further amended
18 by striking the item relating to section 1136 and inserting
19 the following:

“1136. Assistance to passengers involved in aircraft accidents and families of
such passengers.”.

20 (c) RAIL ACCIDENTS.—Section 1139 of title 49,
21 United States Code, is amended—

22 (1) in the heading by striking “**to families of**
23 **passengers involved in rail passenger ac-**
24 **cidents**” and inserting “**to passengers in-**

1 **involved in rail passenger accidents and**
2 **families of such passengers”;**

3 (2) in subsection (a) by striking “National
4 Transportation Safety Board shall” and inserting
5 “Board shall”;

6 (3) in subsection (a)(2)—

7 (A) by striking “emotional care and sup-
8 port” and inserting “emotional, psychological
9 and spiritual care and support services”; and

10 (B) by striking “the families of passengers
11 involved in the accident” and inserting “pas-
12 sengers involved in the accident and the fami-
13 lies of such passengers”;

14 (4) in subsection (c)—

15 (A) in the matter preceding paragraph (1)
16 by striking “the families of passengers involved
17 in the accident” and inserting “passengers in-
18 volved in the accident and the families of such
19 passengers”;

20 (B) in paragraph (1) by striking “mental
21 health and counseling services” and inserting
22 “emotional, psychological, and spiritual care
23 and support services”;

24 (C) in paragraph (3)—

1 (i) by striking “the families who have
2 traveled to the location of the accident”
3 and inserting “passengers involved in the
4 accident and the families of such pas-
5 sengers who have traveled to the location
6 of the accident”; and

7 (ii) by inserting “passengers and” be-
8 fore “affected families”; and

9 (D) in paragraph (4), by inserting “pas-
10 sengers and” before “families”;

11 (5) by amending subsection (d) to read as fol-
12 lows:

13 “(d) PASSENGER LISTS.—

14 “(1) REQUESTS FOR PASSENGER LISTS BY THE
15 DIRECTOR OF FAMILY SERVICES.—

16 “(A) REQUESTS BY DIRECTOR OF FAMILY
17 SUPPORT SERVICES.—It shall be the responsi-
18 bility of the director of family support services
19 designated for an accident under subsection
20 (a)(1) to request, as soon as practicable, from
21 the rail passenger carrier involved in the acci-
22 dent a passenger list, which is based on the best
23 available information at the time of the request.

24 “(B) USE OF INFORMATION.—The director
25 of family support services may not release to

1 any person information on a list obtained under
2 subparagraph (A), except that the director may,
3 to the extent the director considers appropriate,
4 provide information on the list about a pas-
5 senger to—

6 “(i) the family of the passenger; or

7 “(ii) a local, State, or Federal agency
8 responsible for determining the where-
9 abouts or welfare of a passenger.

10 “(2) REQUESTS FOR PASSENGER LISTS BY DES-
11 IGNATED ORGANIZATION.—

12 “(A) REQUESTS BY DESIGNATED ORGANI-
13 ZATION.—The organization designated for an
14 accident under subsection (a)(2) may request
15 from the rail passenger carrier involved in the
16 accident a passenger list.

17 “(B) USE OF INFORMATION.—The des-
18 ignated organization may not release to any
19 person information on a passenger list but may
20 provide information on the list about a pas-
21 senger to the family of the passenger to the ex-
22 tent the organization considers appropriate.”;

23 (6) in subsection (g)(1), by striking “the fami-
24 lies of passengers involved in the accident” and in-

1 serting “passengers involved in the accident and the
2 families of such passengers”;

3 (7) in subsection (g)(3)—

4 (A) in the paragraph heading, by striking
5 “PREVENT MENTAL HEALTH AND COUNSELING”
6 and inserting “PREVENT CERTAIN CARE AND
7 SUPPORT”;

8 (B) by striking “providing mental health
9 and counseling services” and inserting “pro-
10 viding emotional, psychological, and spiritual
11 care and support”; and

12 (C) by inserting “passengers and” before
13 “families”; and

14 (8) in subsection (h)—

15 (A) by striking “National Transportation
16 Safety”; and

17 (B) by adding at the end the following:

18 “(4) PASSENGER LIST.—The term ‘passenger
19 list’ means a list based on the best available infor-
20 mation at the time of the request, of the name of
21 each passenger aboard the rail passenger carrier’s
22 train involved in the accident. A rail passenger car-
23 rier shall use reasonable efforts, with respect to its
24 unreserved trains, and passengers not holding res-
25 ervations on its other trains, to ascertain the names

1 of passengers aboard a train involved in an acci-
2 dent.”.

3 (d) PLANS TO ADDRESS NEEDS OF FAMILIES OF
4 PASSENGERS INVOLVED IN RAIL PASSENGER ACCI-
5 DENTS.—Section 24316(a) of title 49, United States
6 Code, is amended by striking “a major” and inserting
7 “any”.

8 (e) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 11 of title 49, United States Code, is further amended
10 by striking the item relating to section 1139 and inserting
11 the following:

“1139. Assistance to passengers involved in rail passenger accidents and families
of such passengers.”.

12 **SEC. 920. UPDATING CIVIL PENALTY AUTHORITY.**

13 Section 1155 of title 49, United States Code, is
14 amended—

15 (1) in the heading, by striking “**Aviation**
16 **penalties**” and inserting “**Penalties**”; and

17 (2) in subsection (a), by striking “or section
18 1136(g) (related to an aircraft accident)” and in-
19 serting “section 1136(g), or 1139(g)”.

20 **SEC. 921. ELECTRONIC AVAILABILITY OF PUBLIC DOCKET**
21 **RECORDS.**

22 (a) IN GENERAL.—Not later than 24 months after
23 the date of enactment of this Act, the National Transpor-
24 tation Safety Board shall make all records included in the

1 public docket of an accident or incident investigation con-
2 ducted by the Board (or the public docket of a study, re-
3 port, or other product issued by the Board) electronically
4 available in a publicly accessible database on a website of
5 the Board, regardless of the date on which such public
6 docket or record was created.

7 (b) DATABASE.—In carrying out subsection (a), the
8 Board may utilize the multimodal accident database man-
9 agement system established pursuant to section 1108 of
10 the FAA Reauthorization Act of 2018 (49 U.S.C. 1119
11 note) or such other publicly available database as the
12 Board determines appropriate.

13 (c) BRIEFINGS.—The Board shall provide the Com-
14 mittee on Transportation and Infrastructure of the House
15 of Representatives and the Committee on Commerce,
16 Science, and Transportation of the Senate an annual
17 briefing on the implementation of this section until re-
18 quirements of subsection (a) are fulfilled. Such briefings
19 shall include—

20 (1) the number of public dockets that have been
21 made electronically available pursuant to this sec-
22 tion; and

23 (2) the number of public dockets that were un-
24 able to be made electronically available, including all
25 reasons for such inability.

1 (d) DEFINITIONS.—In this section, the terms “public
2 docket” and “record” have the same meanings given such
3 terms in section 801.3 of title 49, Code of Federal Regula-
4 tions, as in effect on the date of enactment of this Act.

5 **SEC. 922. DRUG-FREE WORKPLACE.**

6 Not later than 12 months after the date of enactment
7 of this Act, the National Transportation Safety Board
8 shall implement a drug testing program applicable to
9 Board employees, including employees in safety or security
10 sensitive positions, in accordance with Executive Order
11 12564 (51 Fed. Reg. 32889).

12 **SEC. 923. ACCESSIBILITY IN WORKPLACE.**

13 (a) IN GENERAL.—Not later than 12 months after
14 the date of enactment of this Act, the National Transpor-
15 tation Safety Board shall conduct an assessment of the
16 headquarters and regional offices of the Board to deter-
17 mine barriers to accessibility to facilities.

18 (b) CONTENTS.—In conducting the assessment under
19 subsection (a), the Board shall consider—

20 (1) compliance with—

21 (A) the Architectural Barriers Act of 1968
22 (42 U.S.C. 4151 et seq.) and the corresponding
23 accessibility guidelines established under part
24 1191 of title 36, Code of Federal Regulations;
25 and

1 (B) the Americans with Disabilities Act of
2 1990 (42 U.S.C. 12101 et seq.); and

3 (2) the best accessibility practices that exceed
4 the requirements and recommendations of the Acts
5 and guidelines described in paragraph (1).

6 **SEC. 924. MOST WANTED LIST.**

7 (a) **TERMINATION OF PUBLICATION.**—Not later than
8 90 days after the date of enactment of this Act, the Chair-
9 man of the National Transportation Safety Board shall
10 terminate publication of the Most Wanted List and any
11 activities associated with production of any future Most
12 Wanted List.

13 (b) **RULES OF CONSTRUCTION.**—Nothing in this sec-
14 tion shall be construed to prohibit the Board from—

15 (1) conducting advocacy activities unrelated to
16 the Most Wanted List that the Board had the au-
17 thority to conduct prior to the date of enactment of
18 this Act; and

19 (2) maintaining materials related to previously
20 issued Most Wanted Lists.

21 (c) **MOST WANTED LIST DEFINED.**—In this section,
22 the term “Most Wanted List” has the meaning given such
23 term in section 1102 of the FAA Reauthorization Act of
24 2018 (49 U.S.C. 1101 note).

1 **SEC. 925. TECHNICAL CORRECTIONS.**

2 (a) GENERAL AUTHORITY.—Section 1131(a)(1)(E)
3 of title 49, United States Code, is further amended by
4 striking “section 2101(46)” and inserting “section 116”.

5 (b) EVALUATION AND AUDIT OF NATIONAL TRANS-
6 PORTATION SAFETY BOARD.—Section 1138(a) of title 49,
7 United States Code, is amended by striking “expenditures
8 of the National Transportation Safety” and inserting “ex-
9 penditures of the”.

10 (c) ORGANIZATION AND ADMINISTRATIVE.—The
11 analysis for chapter 11 of title 49, United States Code,
12 is further amended—

13 (1) by striking the items relating to sections
14 117 and 1117; and

15 (2) by inserting after the item relating to sec-
16 tion 1116 the following:

“1117. Methodology.”.

17 (d) SURFACE TRANSPORTATION BOARD.—The anal-
18 ysis for subtitle II of title 49, United States Code, is
19 amended by inserting after the item relating to chapter
20 11 the following:

“13. Surface Transportation Board.”.

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