

## Calendar No. 211

118TH CONGRESS  
1ST SESSION**H. R. 3935**

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IN THE SENATE OF THE UNITED STATES

JULY 25, 2023

Received

SEPTEMBER 20, 2023

Read the first time

SEPTEMBER 21, 2023

Read the second time and placed on the calendar

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**AN ACT**

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”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 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.

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Sec. 121. FAA leadership.

Sec. 122. FAA management board.

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Sec. 125. Review of FAA rulemaking processes.

Sec. 126. Office of Innovation.

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

Sec. 128. Technical Center for Advanced Aerospace.

Sec. 129. Office of NextGen sunset.

Sec. 130. FAA Ombudsman.

Sec. 131. Project dashboards and feedback portal.

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

Sec. 133. Civil Aeromedical Institute.

Sec. 134. Management advisory council.

Sec. 135. Aviation noise officer.

Sec. 136. Chief Operating Officer.

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

Sec. 138. Chief Technology Officer.

Sec. 139. Definition of air traffic control system.

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Sec. 141. Cybersecurity lead.

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

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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.
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#### 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.
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- Sec. 256. Modernization of special airworthiness certification rulemaking deadline.
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#### Subtitle D—Other Provisions

- Sec. 261. Required consultation with National Parks Overflights Advisory Group.
- Sec. 262. Supplemental oxygen regulatory reform.
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- Sec. 307. Bessie Coleman Women in Aviation Advisory Committee.
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- Sec. 313. Airman Certification System Working Group and timely publication of standards.
- Sec. 314. Air traffic control workforce staffing.
- Sec. 315. Aviation safety workforce assessment.
- Sec. 316. Military aviation maintenance.

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

- Sec. 321. Airman’s medical bill of rights.
- Sec. 322. Improved designee misconduct reporting process.
- Sec. 323. Report on safe uniform options for certain aviation employees.
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- Sec. 325. Promotion of civil aeronautics and safety of air commerce.
- Sec. 326. Educational and professional development.
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- 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 nonfederally sponsored property.
- Sec. 429. Motorcoach enplanement pilot program.
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- Sec. 431. Continued availability of aviation gasoline.
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- Sec. 433. GAO audit of airport financial reporting program.
- Sec. 434. GAO review of nonaeronautical revenue streams at airports.
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- Sec. 445. Electric aircraft infrastructure pilot program.
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- 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.
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- Sec. 481. Recommendations on reducing rotorcraft noise in District of Columbia.
- Sec. 482. UFP study.
- Sec. 483. Aviation and airport community engagement.
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- Sec. 503. Availability of personnel for inspections, site visits, and training.
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- Sec. 506. ODA best practice sharing.
- Sec. 507. Training of organization delegation authorization 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.
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- 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.
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- Sec. 523. Review of FAA use of aviation safety data.
- Sec. 524. Part 135 duty and rest.
- Sec. 525. Cockpit voice 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. Audit on aviation safety in era of wireless connectivity.
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- Sec. 543. National simulator program policies and guidance.
- Sec. 544. GAO study on FAA National Simulator Program.
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- Sec. 603. Unmanned aircraft in the Arctic.
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- Sec. 627. Temporary flight restriction integrity.
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- Sec. 654. Sense of Congress on preparation for entry into service of powered-lift aircraft.
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- Sec. 703. Codification of consumer protection provisions.
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- Sec. 706. Extension of aviation consumer advocate reporting requirement.
- Sec. 707. Air Carrier Access Act advisory committee.
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- Sec. 709. Streamlining of offline ticket disclosures.
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- Sec. 711. Updating passenger information requirement regulations.
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- Sec. 713. Prioritizing accountability and accessibility for aviation consumers.
- Sec. 714. Aircraft accessibility.
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- Sec. 721. Improved training standards for assisting passengers who use wheelchairs.
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- Sec. 818. Acceptance of digital driver's license and identification cards.
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- 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.
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- 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.
- Sec. 834. Transportation of organs.
- Sec. 835. Report on application approval timing.
- Sec. 836. Study on air cargo operations.
- Sec. 837. Next generation radio altimeters.
- Sec. 838. Sense of Congress regarding safety and security of aviation infrastructure.
- Sec. 839. Restricted category aircraft maintenance and operations.
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- Sec. 846. Delivery of clearance to pilots via internet protocol.
- Sec. 847. Report on Indo-Pacific Airports.
- Sec. 848. GAO study on the implementation of grants at airports.
- Sec. 849. Minority and disadvantaged business participation.
- Sec. 850. Structures interfering with air commerce or national security.
- Sec. 851. Effect of airline mergers for consumers.
- Sec. 852. Task Force on Human Factors in Aviation Safety.
- Sec. 853. Sense of Congress encouraging the FAA to welcome the use of unmanned aerial vehicles.
- Sec. 854. Evaluation of emergency response plans.
- Sec. 855. Study on air cargo operations in Puerto Rico.
- Sec. 856. Prohibition on operation of aircraft over Russian airspace.
- Sec. 857. GAO study on aviation workforce.
- Sec. 858. Assessment by Inspector General of the Department of Transportation of counter-UAS system operations.
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- Sec. 862. Study on pilot supply issues.
- Sec. 863. GAO study on FAA responsiveness to Congress.
- Sec. 864. GAO study on transit access.
- Sec. 865. Apprenticeship program for pilots.
- Sec. 866. Wildfire suppression.
- Sec. 867. Air statistic reports.
- Sec. 868. Sense of Congress on FAA engagement and collaboration with HBCUs and MSIs.
- Sec. 869. Report on implementation of recommendations of Federal Aviation Administration Youth Access to American Jobs in Aviation Task Force.
- Sec. 870. Implementation of dynamic scheduling and management of certain airspace.
- Sec. 871. Prohibition on procurement of foreign-made unmanned aircraft systems.
- Sec. 872. Banning municipal airport.
- Sec. 873. Feasibility study of hardening satellites that contribute to United States aerospace navigation.

- Sec. 874. Study and report on effects of unmanned free balloons on aviation safety.
- Sec. 875. Update to FAA order on Airway Planning Standard.
- Sec. 876. Surface surveillance.
- Sec. 877. Certification and report by Inspector General relating to radar impacts and offshore wind development approval process.

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AMENDMENTS ACT OF 2023

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- 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. Public availability of accident reports.
- Sec. 915. Ensuring accountability for timeliness of reports.
- Sec. 916. Ensuring access to data.
- Sec. 917. Public availability of safety recommendations.
- Sec. 918. Improving delivery of family assistance.
- Sec. 919. Updating civil penalty authority.
- Sec. 920. Electronic availability of public docket records.
- Sec. 921. Drug-free workplace.
- Sec. 922. Accessibility in workplace.
- Sec. 923. Most Wanted List.
- Sec. 924. Technical corrections.
- Sec. 925. Air safety investigators.

TITLE X—FREEDOM TO FLY ACT OF 2023

- Sec. 1001. Short title.
- Sec. 1002. Prohibition on implementation of vaccination mandate.
- Sec. 1003. Prohibition on vaccination requirements for FAA contractors.
- Sec. 1004. Prohibition on vaccine mandate for FAA employees.
- Sec. 1005. Prohibition on vaccine mandate for passengers of air carriers.
- Sec. 1006. Prohibition on implementation of a mask mandate.
- Sec. 1007. Prohibition on mask mandates for FAA contractors.
- Sec. 1008. Prohibition on mask mandate for FAA employees.
- Sec. 1009. Prohibition on mask mandate for passengers of air carriers.
- Sec. 1010. Definitions.

TITLE XI—FAA RESEARCH AND DEVELOPMENT

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- Sec. 1102. Definitions.

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Sec. 1111. Authorization of appropriations.

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

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

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

Sec. 1134. Report on future electric grid resiliency.

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

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

Sec. 1137. Aviation weather technology review.

Sec. 1138. Air traffic surface operations safety.

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

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

Sec. 1141. Research plan for commercial supersonic research.

Sec. 1142. Electromagnetic spectrum research and development.

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

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

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Sec. 1146. Report on aviation cybersecurity directives.

Sec. 1147. Rule of construction regarding collaborations.

Sec. 1148. Turbulence research and development.

Sec. 1149. Research, development, and demonstration programs.

Sec. 1150. Limitation.

Sec. 1151. Center of Excellence for Alternative Jet Fuels and Environment (ASCENT).

Sec. 1152. Study on aeronautical standards.

TITLE XII—AVIATION REVENUE PROVISIONS

Sec. 1201. Airport and airway trust fund expenditure authority.

Sec. 1202. Extension of taxes funding airport and airway trust fund.

Sec. 1203. Designation of certain airports as ports of entry.

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 adding at the end the following:

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           and 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 (F).

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 Counsel 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                   ministrators 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 (F).

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;

1                   “(iii) coordinate the safe integration  
2                   of new entrants and technologies into the  
3                   national airspace system; and

4                   “(iv) carry out other duties and pow-  
5                   ers prescribed by the Administrator.

6                   “(F) SUCCESSION PLAN.—The Deputy Ad-  
7                   ministrators for Safety and Operations acts for  
8                   the Administrator when the Administrator and  
9                   the Deputy Administrator for Programs and  
10                  Management are absent or unable to serve, or  
11                  when the office of the Administrator and the  
12                  Office of the Deputy Administrator for Pro-  
13                  grams and Management are vacant.

14                  “(G) COMPENSATION.—The annual rate of  
15                  basic pay of the Deputy Administrator for Safe-  
16                  ty and Operations shall be set by the Adminis-  
17                  trator but shall not exceed the annual rate of  
18                  basic pay payable to the Administrator.

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

22                         “(A) the Administrator under paragraph  
23                         (1);

1           “(B) the Deputy Administrator for Pro-  
2           grams and Management under paragraph (2);  
3           and

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

6 **SEC. 122. FAA MANAGEMENT BOARD.**

7           (a) FAA MANAGEMENT BOARD.—Section 106 of title  
8 49, United States Code, is amended by striking sub-  
9 sections (c) and (d) and inserting the following:

10          “(c) ASSOCIATE ADMINISTRATORS.—

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

14           “(A) appointed by the Administrator, an  
15           Associate Administrator for Aviation Safety, an  
16           Associate Administrator for Security and Haz-  
17           ardous Materials Safety, a Chief Operating Of-  
18           ficer of the Air Traffic Control System;

19           “(B) appointed by the President, an Asso-  
20           ciate Administrator for Airports; and

21           “(C) when authority under chapter 509 of  
22           title 51 is explicitly delegated by the Secretary  
23           of Transportation to the Administrator, an As-  
24           sociate Administrator for Commercial Space

1           Transportation who shall be appointed by the  
2           Administrator.

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

5           “(3) DUTIES.—The Associate Administrators  
6           shall carry out duties and powers of their office de-  
7           scribed in this section and those prescribed by the  
8           Administrator.

9           “(d) CHIEF COUNSEL; ASSISTANT ADMINISTRA-  
10          TORS.—

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

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

15                   “(i) advise the Administrator on legal  
16                   matters relating to the responsibilities,  
17                   functions, and management of the Admin-  
18                   istration;

19                   “(ii) at the request of the Adminis-  
20                   trator, provide guidance, counsel, and ad-  
21                   vice regarding, but shall not have final de-  
22                   cision-making authority with regards to,  
23                   the activities of the Administrator, includ-  
24                   ing—

25                                   “(I) rulemaking activities;

1 “(II) policy and guidance docu-  
2 ment production;

3 “(III) exemption and waiver deci-  
4 sions; and

5 “(IV) certification and approval  
6 determinations;

7 “(iii) represent the Administration be-  
8 fore the National Transportation Safety  
9 Board, Department of Transportation law  
10 judges, the Equal Employment Oppor-  
11 tunity Commission, Federal courts of the  
12 United States, and other bodies and  
13 courts, as appropriate;

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

16 “(v) perform other functions as deter-  
17 mined by the Administrator.

18 “(B) ASSISTANT ADMINISTRATOR FOR  
19 RULEMAKING AND REGULATORY IMPROVE-  
20 MENT.—The Assistant Administrator for Rule-  
21 making and Regulatory Improvement shall be  
22 appointed by the Administrator and shall—

23 “(i) be responsible for developing and  
24 managing the execution of a regulatory  
25 agenda for the Administration that meets

1 statutory and Administration deadlines, in-  
2 cluding by—

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

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

8 “(III) coordinating with offices of  
9 the Administration, the Department,  
10 and other Federal entities as appro-  
11 priate to improve timely feedback gen-  
12 eration and approvals when required  
13 by law;

14 “(ii) not delegate overall responsibility  
15 for meeting internal timelines and final  
16 completion of the regulatory activities of  
17 the Administration outside the Office of  
18 the Assistant Administrator for Rule-  
19 making and Regulatory Improvement;

20 “(iii) on an ongoing basis—

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

23 “(II) reduce undue regulatory  
24 burden;

1                   “(III) replace prescriptive regula-  
2                   tions with performance-based regula-  
3                   tions, as appropriate;

4                   “(IV) prevent duplicative regula-  
5                   tions; and

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

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

11                  “(v) receive, coordinate, and respond  
12                  to petitions for rulemaking and for exemp-  
13                  tion as provided for in subpart A of part  
14                  11 of title 14, Code of Federal Regula-  
15                  tions, and provide an initial response to a  
16                  petitioner not later than 30 days after the  
17                  receipt of such a petition—

18                         “(I) acknowledging receipt of  
19                         such petition;

20                         “(II) confirming completeness of  
21                         such petition;

22                         “(III) providing an initial indica-  
23                         tion of the complexity of the request  
24                         and how such complexity may impact  
25                         the timeline for adjudication; and

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

5                   “(vi) track the issuance of exemptions  
6                   and waivers by the Administration to sec-  
7                   tions of title 14, Code of Federal Regula-  
8                   tions, and establish a methodology by  
9                   which to determine if it would be more ef-  
10                  ficient and in the public’s interest to  
11                  amend a rule to reduce the future need of  
12                  waivers and exemptions; and

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

16                  “(C) APPOINTMENT.—Additional Assistant  
17                  Administrators, as determined necessary by the  
18                  Administrator, may be appointed by the Admin-  
19                  istrator.

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

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



1           “(1) IN GENERAL.—The leadership of the Ad-  
2           ministration and the Management Board of the Ad-  
3           ministration may not have a pecuniary interest in, or  
4           hold a financial interest in, an aeronautical enter-  
5           prise, or engage in another business, vocation, or  
6           employment.

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

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

14                 “(A) means—

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

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

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

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

1 **SEC. 124. AUTHORITY OF SECRETARY AND ADMINIS-**  
2 **TRATOR.**

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

5 (1) in paragraph (1)—

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

8 (B) by striking “Neither” and inserting  
9 “In exercising duties, powers, and authorities  
10 that are assigned to the Secretary or the Ad-  
11 ministrator under this title, neither”; and

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

16 “(A) established by executive order; or

17 “(B) not explicitly directed by legislation  
18 to review the exercise of such duties, powers,  
19 and authorities by the Secretary or the Admin-  
20 istrator.”;

21 (2) in paragraph (2)—

22 (A) in subparagraph (A)(ii) by striking  
23 “the acquisition” and all that follows through  
24 the semicolon and inserting “the acquisition, es-  
25 tablishment, improvement, operation, mainte-  
26 nance, security (including cybersecurity), and

1 disposal of property, facilities, services, and  
2 equipment of the Administration, including all  
3 elements of the air traffic control system owned  
4 by the Administration;”;

5 (B) in subparagraph (A)(iii) by striking  
6 “paragraph (3)” and inserting “paragraph  
7 (4)”;

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

14 (D) in subparagraph (D)—

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

17 (ii) by inserting “or any other Federal  
18 agency” after “Department of Transpor-  
19 tation”;

20 (3) in paragraph (3)—

21 (A) in subparagraph (A)—

22 (i) by striking “In the performance”  
23 and inserting the following:

24 “(i) ISSUANCE OF REGULATIONS.—In  
25 the performance”;

1 (ii) by striking “The Administrator  
2 shall act” and inserting the following:

3 “(ii) PETITIONS FOR RULEMAKING.—  
4 The Administrator shall act”;

5 (iii) by striking “The Administrator  
6 shall issue” and inserting the following:

7 “(iii) RULEMAKING TIMELINE.—The  
8 Administrator shall issue”; and

9 (iv) by striking “On February 1” and  
10 inserting the following:

11 “(iv) REPORTING REQUIREMENT.—On  
12 February 1”; and

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

15 “(B) APPROVAL OF SECRETARY OF TRANS-  
16 PORTATION.—

17 “(i) IN GENERAL.—The Administrator  
18 may not issue, unless the Secretary of  
19 Transportation approves the issuance of  
20 the regulation in advance, a proposed regu-  
21 lation or final regulation that—

22 “(I) is likely to result in the ex-  
23 penditure by State, local, and Tribal  
24 governments in the aggregate, or by  
25 the private sector, of \$250,000,000 or

1 more (adjusted annually for inflation  
2 beginning with the year following the  
3 date of enactment of the Securing  
4 Growth and Robust Leadership in  
5 American Aviation Act) in any year;  
6 or

7 “(II) is significant.

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

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

20 “(II) raises novel or serious legal  
21 or policy issues that will substantially  
22 and materially affect other transpor-  
23 tation modes; or

24 “(III) adversely affect, in a sub-  
25 stantial and material way, the econ-

1           omy, a sector of the economy, produc-  
2           tivity, competition, jobs, the environ-  
3           ment, public health or safety, or a  
4           State, local, or Tribal government or  
5           communities.

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

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

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

1                   “(II) is a routine or frequent ac-  
2                   tion or a procedural action.

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

15                  “(C) PERIODIC REVIEW.—

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

22                  “(ii) DISCRETIONAL REVIEW.—The  
23                  Administrator may review any regulation  
24                  that has been in effect for more than 3  
25                  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 ap-  
17          propriate 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 under subsection (a), the National Academy of  
23          Public Administration 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 and the Committee on Science, Space, and  
16 Technology of the House of Representatives and the Com-  
17 mittee on Commerce, Science, and Transportation of the  
18 Senate a report containing the results of the evaluation  
19 required under subsection (a). The contents of the report  
20 shall—

21 (1) identify procedural or resource constraints;

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

24 (3) provide recommendations for expediting  
25 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 by striking subsection (g) and inserting the fol-  
12          lowing:

13          “(g) OFFICE OF INNOVATION.—

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

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

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

23                                 “(i) scoping complex regulatory issues  
24                                 and drafting documents on topics that

1 span multiple offices or lines of business of  
2 the Administration;

3 “(ii) evaluating internal processes;  
4 and

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

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

14 “(2) APPOINTMENT OF MEMBERS.—

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

20 “(i) Office of Aviation Safety.

21 “(ii) The Air Traffic Organization.

22 “(iii) Office of Airports.

23 “(iv) Office of Security and Haz-  
24 arduous Materials Safety.

1           “(v) When authority under chapter  
2           509 of title 51 is explicitly delegated by the  
3           Secretary of Transportation to the Admin-  
4           istrator, the Office of Commercial Space  
5           Transportation.

6           “(vi) Office of the Chief Counsel.

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

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

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

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

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

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

22                 “(D) shall have expertise in the authorities  
23                 and duties of the respective office of the em-  
24                 ployee.

1           “(4) INNOVATION OFFICE LEAD.—The Admin-  
2           istrator shall appoint a lead of the Office who shall  
3           report to the leadership of the Administration and  
4           who—

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

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

9                   “(C) may be a detailed employee of any of-  
10                  fice of the Administration, notwithstanding the  
11                  numerical limits placed on appointments in  
12                  paragraph (2)(A).

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

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

1 **SEC. 127. FRANK A. LOBIONDO NATIONAL AEROSPACE**  
2 **SAFETY AND SECURITY CAMPUS.**

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

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

16 **SEC. 128. TECHNICAL CENTER FOR ADVANCED AERO-**  
17 **SPACE.**

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

21 “(h) TECHNICAL CENTER FOR ADVANCED AERO-  
22 SPACE.—

23 “(1) IN GENERAL.—There is established within  
24 the Administration a technology center located at  
25 the Frank A. LoBiondo National Aerospace Safety  
26 and Security Campus to support the advancement of

1 aerospace safety and innovation which shall be  
2 known as the ‘William J. Hughes Technical Center  
3 for Advanced Aerospace’ (in this subsection referred  
4 to as the ‘Technical Center’) that shall be used by  
5 the Administrator and, as permitted by the Adminis-  
6 trator, other governmental entities, academia, and  
7 the aerospace industry.

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

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

12 “(A) developing and stimulating technology  
13 partnerships with and between industry, aca-  
14 demia, and other government agencies and sup-  
15 porting such partnerships by—

16 “(i) liaising between external persons  
17 and offices of the Administration inter-  
18 ested in such work;

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

21 “(iii) providing access to the prop-  
22 erties, facilities, and systems of the Tech-  
23 nical Center through appropriate agree-  
24 ments;

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

3           “(C) identifying software, systems, serv-  
4 ices, and technologies that could improve avia-  
5 tion safety and the operations and management  
6 of the air traffic control system and working  
7 with relevant offices of the Administration to  
8 consider the use and integration of such soft-  
9 ware, systems, services, and technologies, as ap-  
10 propriate;

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

17           “(E) managing the facilities of the Tech-  
18 nical Center and the Frank A. LoBiondo Na-  
19 tional Aerospace Safety and Security Campus;  
20 and

21           “(F) carrying out any other duties as de-  
22 termined appropriate by the Administrator.”.

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

1           (1) by striking “(a) CIVIL AEROMEDICAL INSTI-  
2           TUTE” and all that follows through “The Civil  
3           Aeromedical Institute established” and inserting  
4           “‘The Civil Aeromedical Institute established’”; and  
5           (2) by striking subsection (b).

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

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 terminate the  
10          Office of NextGen.

11          (b) CLOSURE PROCESS.—In carrying out subsection  
12          (a), the Administrator shall transfer duties, authorities,  
13          activities, personnel, and assets managed by the Office of  
14          NextGen to other officials of the Administration, as appro-  
15          priate, including—

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

18                        (A) the Director of the William J. Hughes  
19                        Technical Center for Advanced Aerospace es-  
20                        tablished under subsection 106(h) of title 49,  
21                        United States Code;

22                        (B) the Assistant Administrator for Fi-  
23                        nance and Management;

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

1 (D) other officials of the Administration,  
2 as determined by the Administrator; and  
3 (2) transferring management of the NextGen  
4 Advisory Committee to the Chief Operating Officer  
5 of the Air Traffic Control System.

6 **SEC. 130. FAA OMBUDSMAN.**

7 Section 106 of title 49, United States Code, is further  
8 amended by striking subsection (i) and inserting the fol-  
9 lowing:

10 “(i) FAA OMBUDSMAN.—

11 “(1) ESTABLISHMENT.—There is established  
12 within the Federal Aviation Administration an Om-  
13 budsman who shall coordinate or facilitate the adju-  
14 dication of covered submissions.

15 “(2) OMBUDSMAN.—

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

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

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

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

1           “(i) with respect to a covered submis-  
2           sion, resolve, provide a status update, or  
3           provide clarity on the status of such sub-  
4           missions;

5           “(ii) bring to the attention of the rel-  
6           evant office of the Administration con-  
7           cerns, as necessary, regarding Administra-  
8           tion processes or considerations discovered  
9           while coordinating an activity related to a  
10          covered submission under this subsection;  
11          and

12          “(iii) address any gaps and commu-  
13          nication lapses in Administration coordina-  
14          tion processes.

15          “(B) Determine if, based on a coordinated  
16          activity carried out under this subsection, re-  
17          consideration with respect to covered submis-  
18          sions or administrative actions are necessary  
19          and report to the Administrator or the relevant  
20          office within the Administration with rec-  
21          ommendations relating to such reconsideration.

22          “(C) Determine if trends materialize that  
23          could warrant process, procedural, or resource  
24          changes and report recommendations regarding

1 such changes to the Administrator and relevant  
2 offices within the Administration.

3 “(D) Ensure that reporting, processing, or  
4 dispute resolution mechanisms within the Ad-  
5 ministration are transparent and accessible to  
6 the public, and facilitate the use of such report-  
7 ing, processing, or dispute resolution mecha-  
8 nisms, when appropriate.

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

11 “(4) DISCRETION ON COORDINATION AND RE-  
12 VIEW.—

13 “(A) IN GENERAL.—The Ombudsman shall  
14 determine whether to coordinate a review of a  
15 covered submission in order to provide a re-  
16 sponse, coordinate the reconsideration of an ad-  
17 ministrative action, or take no additional action.  
18 In making a determination under this subpara-  
19 graph, the Ombudsman shall consider—

20 “(i) whether there are reporting, proc-  
21 essing, or dispute resolution mechanisms  
22 that have not been exhausted or that may  
23 be more appropriate for dealing with, in-  
24 vestigating, and responding to such cov-  
25 ered submission;

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

3                                 “(I) contrary to law or regula-  
4                                 tion;

5                                 “(II) arbitrary and capricious; or

6                                 “(III) performed in an unreason-  
7                                 ably inefficient or untimely manner;

8                                 and

9                                 “(iii) such other factors as the Om-  
10                                 budsman considers appropriate.

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

20                   “(C) COOPERATION.—The Administrator  
21                   shall ensure that the officers and employees of  
22                   the Administration fully cooperate with the ac-  
23                   tivities of the Ombudsman and provide such in-  
24                   formation, documents, or materials as may be  
25                   requested by the Ombudsman.

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

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

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

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

15                           “(ii) the lack of any action (or activity  
16                           related to an action) described in clause (i)  
17                           necessary to be taken by the Adminis-  
18                           trator.

19                   “(B) COVERED SUBMISSION.—The term  
20           ‘covered submission’ means an inquiry or objec-  
21           tion relating to—

22                           “(i) an aircraft, aircraft engine, pro-  
23                           peller, or appliance certification;

24                           “(ii) an airman or pilot certificate, in-  
25                           cluding scheduling an associated appoint-

1                   ment with Administration personnel or  
2                   designees;

3                   “(iii) a medical certificate;

4                   “(iv) an operator certificate;

5                   “(v) when authority under chapter  
6                   509 of title 51 is explicitly delegated by the  
7                   Secretary of Transportation to the Admin-  
8                   istrator, a license or permit issued under  
9                   chapter 509 of title 51;

10                  “(vi) an aircraft registration;

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

13                  “(viii) a legal interpretation;

14                  “(ix) an outstanding determination;

15                  “(x) an application of agency guid-  
16                  ance; and

17                  “(xi) any certificate not otherwise de-  
18                  scribed in this subparagraph that is issued  
19                  pursuant to chapter 447.”.

20 **SEC. 131. PROJECT DASHBOARDS AND FEEDBACK PORTAL.**

21           (a) IN GENERAL.—The Ombudsman of the Federal  
22   Aviation Administration shall, in reviewing Administration  
23   processes, receiving, reviewing, and responding to covered  
24   submissions, and through general due diligence, determine  
25   whether a publicly facing dashboard that provides appli-

1 cants with the status of an application before the agency  
2 would be—

3 (1) beneficial to applicants;

4 (2) an efficient use of resources to build, main-  
5 tain, and update; or

6 (3) duplicative with other efforts within the Ad-  
7 ministration to streamline and digitize paperwork  
8 and certification processes to provide an applicant  
9 with a greater awareness of the status of an applica-  
10 tion before the Administration.

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

17 (c) BRIEFING.—Not later than 45 days after receiv-  
18 ing recommendations under subsection (b), 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—

23 (1) any recommendation received from the Om-  
24 budsman; and

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

3           (d) FAA FEEDBACK PORTAL.—

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

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

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

20 **SEC. 132. SENSE OF CONGRESS ON FAA ENGAGEMENT DUR-**  
21 **ING RULEMAKING ACTIVITIES.**

22 It is the sense of Congress that—

23           (1) the Administrator of the Federal Aviation  
24 Administration should engage with aviation stake-  
25 holder groups and the public during pre-drafting

1 stages of rulemaking activities and use, to the great-  
2 est extent practicable, properly docketed ex-parte  
3 discussions during rulemaking activities in order  
4 to—

5 (A) inform the work of the Administrator;

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

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

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

17 **SEC. 133. CIVIL AEROMEDICAL INSTITUTE.**

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

21 **SEC. 134. MANAGEMENT ADVISORY COUNCIL.**

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

1           (1) by transferring paragraph (8) of subsection  
2           (p) to subsection (r) and redesignating such para-  
3           graph as paragraph (7); and

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

6           “(p) MANAGEMENT ADVISORY COUNCIL.—

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

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

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

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

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

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

24                 “(E) 1 member, appointed by the Sec-  
25                 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 subparagraph (C) or (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 chair 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) CHAIR; VICE CHAIR.—The Council  
19 shall elect a chair and a vice chair from among  
20 the members appointed under subparagraphs  
21 (C) and (D) of paragraph (2), each of whom  
22 shall serve for a term of 1 year. The vice chair  
23 shall perform the duties of the chair in the ab-  
24 sence of the chair.

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 further amended by striking subsection (q)  
17 and 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) REGIONAL OFFICERS.—The Aviation Noise  
23 Officer shall designate, within each region of the Ad-  
24 ministration, a Regional Aviation Noise Officer.

1           “(3) DUTIES.—The Aviation Noise Officer, in  
2 coordination with the Regional Aviation Noise Offi-  
3 cers, shall—

4           “(A) serve as a liaison with the public, in-  
5 cluding community groups, on issues regarding  
6 aircraft noise;

7           “(B) make recommendations to the Ad-  
8 ministrator to address concerns raised by the  
9 public; and

10           “(C) be consulted when the Administration  
11 proposes changes in aircraft routes so as to  
12 minimize any increases in aircraft noise over  
13 populated areas.

14           “(4) NUMBER OF FULL-TIME EQUIVALENT EM-  
15 PLOYEES.—The appointment of an Aviation Noise  
16 Officer under this subsection shall not result in an  
17 increase in the number of full-time equivalent em-  
18 ployees in the Administration.”.

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

23 **SEC. 136. CHIEF OPERATING OFFICER.**

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

1 (1) in paragraph (1)—

2 (A) by striking subparagraph (A) and in-  
3 serting the following:

4 “(A) APPOINTMENT.—There shall be a  
5 Chief Operating Officer for the air traffic con-  
6 trol system that is appointed by the Adminis-  
7 trator and subject to the authority of the Ad-  
8 ministrator.”; and

9 (B) in subparagraph (E) by striking “shall  
10 be appointed for the remainder of that term”  
11 and inserting “may be appointed for either the  
12 remainder of the term or for a full term”;

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

15 (3) in paragraph (3)—

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

18 (B) by striking “annual basis.” and insert-  
19 ing— “annual basis and shall include responsi-  
20 bility for—

21 “(A) the state of good repair of the air traffic  
22 control system;

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

1           “(C) identifying services and solutions to in-  
2           crease the safety and efficiency of airspace use and  
3           to support the safe integration of all airspace  
4           users.”;

5           (4) in paragraph (4) by striking “such informa-  
6           tion as may be prescribed by the Secretary” and in-  
7           serting “the annual performance agreement required  
8           under paragraph (3), an assessment of the perform-  
9           ance of the Chief Operating Officer in relation to the  
10          performance goals in the previous year’s perform-  
11          ance agreement, and such other information as may  
12          be prescribed by the Administrator”; and

13          (5) in paragraph (5)—

14                (A) by striking “Chief Operating Officer,  
15                or any other authority within the Administra-  
16                tion responsibilities, including” and inserting  
17                “Chief Operating Officer any authority of the  
18                Administrator and shall delegate, at a min-  
19                imum”;

20                (B) in subparagraph (A)—

21                    (i) in clause (iii) by striking “and” at  
22                    the end;

23                    (ii) in clause (iv) by striking the pe-  
24                    riod at the end and inserting “; and”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(v) plans to integrate new entrant  
4 operations into the national airspace sys-  
5 tem and associated action items.”; and

6 (C) in subparagraph (C)(ii) by striking  
7 “and the Committee”.

8 **SEC. 137. REPORT ON UNFUNDED CAPITAL INVESTMENT**  
9 **NEEDS OF AIR TRAFFIC CONTROL SYSTEM.**

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

12 “(6) UNFUNDED CAPITAL INVESTMENT NEEDS  
13 REPORT.—

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

1           “(B) CONTENTS OF REPORT.—The report  
2 required under subparagraph (A) shall include,  
3 for each unfunded capital investment need, the  
4 following:

5           “(i) A summary description of such  
6 unfunded capital investment need.

7           “(ii) Objective to be achieved if such  
8 unfunded capital investment need is fund-  
9 ed in whole or in part.

10          “(iii) The additional amount of funds  
11 recommended in connection with such ob-  
12 jective.

13          “(iv) The Budget Line Item Program  
14 and Budget Line Item number associated  
15 with such unfunded capital investment  
16 need, as applicable.

17          “(v) Any statutory requirement asso-  
18 ciated with such unfunded capital invest-  
19 ment need, as applicable.

20          “(C) PRIORITIZATION OF REQUIRE-  
21 MENTS.—The report required under subpara-  
22 graph (A) shall present unfunded capital invest-  
23 ment needs in overall urgency of priority.

24          “(D) DEFINITION OF UNFUNDED CAPITAL  
25 INVESTMENT NEED.—In this paragraph the

1 term ‘unfunded capital investment need’ means  
2 a program that—

3 “(i) is not funded in the budget of the  
4 President for the fiscal year as submitted  
5 to Congress pursuant to section 1105 of  
6 title 31;

7 “(ii) is for infrastructure or a system  
8 related to necessary modernization or  
9 sustainment of the air traffic control sys-  
10 tem;

11 “(iii) is listed for any year in the most  
12 recent National Airspace System Capital  
13 Investment Plan of the Administration;  
14 and

15 “(iv) would have been recommended  
16 for funding through the budget referred to  
17 in subparagraph (A) by the Chief Oper-  
18 ating Officer if—

19 “(I) additional resources had  
20 been available for the budget to fund  
21 the program, activity, or mission re-  
22 quirement; or

23 “(II) the program, activity, or  
24 mission requirement has emerged  
25 since the budget was formulated.”.

1 **SEC. 138. CHIEF TECHNOLOGY OFFICER.**

2 Section 106(s) of title 49, United States Code, is  
3 amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A) by striking  
6 “There shall be” and all that follows through  
7 the period at the end and inserting “The Chief  
8 Technology Officer shall be appointed by the  
9 Chief Operating Officer of the air traffic control  
10 system with the consent of the Administrator.”;

11 (B) in subparagraph (B) by striking “man-  
12 agement” and inserting “management, systems  
13 management,”;

14 (C) by striking subparagraph (D);

15 (D) by redesignating subparagraphs (A)  
16 through (C) as subparagraphs (B) through (D),  
17 respectively; and

18 (E) by inserting before subparagraph (B),  
19 as so redesignated, the following:

20 “(A) ESTABLISHMENT.—There shall be a  
21 Chief Technology Officer for the air traffic con-  
22 trol system that shall report directly to the  
23 Chief Operating Officer of the air traffic control  
24 system.”;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A) by striking “pro-  
2 gram”; and

3 (B) in subparagraph (F) by striking “air-  
4 craft operators” and inserting “the Administra-  
5 tion, aircraft operators, or other private pro-  
6 viders of information and services related to air  
7 traffic management”; and

8 (3) in paragraph (3)—

9 (A) in subparagraph (A) by striking “The  
10 Chief Technology Officer shall be subject to the  
11 postemployment provisions of section 207 of  
12 title 18 as if the position of Chief Technology  
13 Officer were described in section  
14 207(c)(2)(A)(i) of that title.”;

15 (B) by redesignating subparagraph (B) as  
16 subparagraph (C); and

17 (C) by inserting after subparagraph (A)  
18 the following:

19 “(B) POST-EMPLOYMENT.—The Chief  
20 Technology Officer shall be subject to the  
21 postemployment provisions of section 207 of  
22 title 18 as if the position of Chief Technology  
23 Officer were described in section  
24 207(c)(2)(A)(i) of such title.”.

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

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

4 (1) in subparagraph (C) by striking “and” at  
5 the end;

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

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

9 “(E) systems, software, and hardware op-  
10 erated, owned, and maintained by third parties  
11 that support or directly provide air navigation  
12 information and air traffic management services  
13 with Administration approval.”.

14 **SEC. 140. PEER REVIEW OF OFFICE OF WHISTLEBLOWER**  
15 **PROTECTION AND AVIATION SAFETY INVES-**  
16 **TIGATIONS.**

17 Section 106(t) of title 49, United States Code, is  
18 amended—

19 (1) by striking paragraph (7);

20 (2) by inserting after paragraph (6) the fol-  
21 lowing:

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

24 “(A) IN GENERAL.—Not later than 2 years  
25 after the date of enactment of the Securing  
26 Growth and Robust Leadership in American

1 Aviation Act, and every 5 years thereafter, the  
2 inspector general of the Department of Trans-  
3 portation shall perform a peer review of the Of-  
4 fice of Whistleblower Protection and Aviation  
5 Safety Investigations.

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

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

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

1 **SEC. 141. CYBERSECURITY LEAD.**

2 (a) IN GENERAL.—The Administrator of the Federal  
3 Aviation Administration shall designate an executive of  
4 the Administration to serve as the lead for the cybersecu-  
5 rity of Administration systems and hardware (hereinafter  
6 referred to as the “Cybersecurity Lead”).

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

12 (c) BRIEFING.—Not later than 1 and 3 years after  
13 the date of enactment of this Act, the Cybersecurity Lead  
14 shall provide a briefing 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 on the implementation of subtitle B  
18 of title VI of the Securing Growth and Robust Leadership  
19 in American Aviation Act.

20 **SEC. 142. REDUCING FAA WASTE, INEFFICIENCY, AND UN-**  
21 **NECESSARY RESPONSIBILITIES.**

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

24 (1) by striking subsection (b);

25 (2) by redesignating subsection (c) as sub-  
26 section (b); and

1           (3) by redesignating subsection (e) as sub-  
2           section (c).

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

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

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

11           (2) by redesignating paragraph (5) as para-  
12           graph (4).

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

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

20           (1) by redesignating subsection (d) as sub-  
21           section (e); and

22           (2) by inserting after subsection (c) the fol-  
23           lowing:

24           “(d) NON-COMPLIANT AIRPORTS.—

1           “(1) IN GENERAL.—The Secretary shall include  
2           in the plan a detailed statement listing airports the  
3           Secretary has reason to believe are not in compliance  
4           with grant assurances or other requirements with re-  
5           spect to airport lands and shall include—

6                     “(A) the circumstances of noncompliance;

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

9                     “(C) any corrective action the Secretary  
10           intends to require to bring the airport sponsor  
11           into compliance.

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

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

21                     (1) in subsection (a) by striking “(a)” and all  
22           that follows through “It is the sense” and inserting  
23           “‘It is the sense’”; and

24                     (2) by striking subsection (b).

1 (g) OBSOLETE AVIATION SECURITY REQUIRE-  
2 MENTS.—Sections 302, 307, 309, and 310 of the Federal  
3 Aviation Reauthorization Act of 1996 (Public Law 104–  
4 264), and the items relating to such sections in the table  
5 of contents in section 1(b) of such Act, are repealed.

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

10 (1) by striking subsection (b);

11 (2) by redesignating subsection (c) as sub-  
12 section (b); and

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

14 (A) in the heading by striking “DEFINI-  
15 TIONS” and inserting “DEFINITION OF ALASKA  
16 GUIDE PILOT”;

17 (B) by striking “, the following definitions  
18 apply” and all that follows through “The term  
19 ‘Alaska guide pilot’” and inserting “the term  
20 ‘Alaska guide pilot’”; and

21 (C) by redesignating subparagraphs (A)  
22 through (C) as paragraphs (1) through (3) (and  
23 adjusting the margins accordingly).

24 (i) NEXT GENERATION AIR TRANSPORTATION SEN-  
25 IOR POLICY COMMITTEE.—Section 710 of the Vision 100–

1 Century of Aviation Reauthorization Act (49 U.S.C.  
2 40101 note), and the item relating to such section in the  
3 table of contents in section 1(b) of such Act, are repealed.

4 (j) IMPROVED PILOT LICENSES AND PILOT LICENSE  
5 RULEMAKING.—

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

12 (2) FAA MODERNIZATION AND REFORM ACT OF  
13 2012.—Section 321 of the FAA Modernization and  
14 Reform Act of 2012 (49 U.S.C. 44703 note), and  
15 the item relating to such section in the table of con-  
16 tents in section 1(b) of such Act, are repealed.

17 (k) TECHNICAL TRAINING AND STAFFING STUDY.—  
18 Section 605 of the FAA Modernization and Reform Act  
19 of 2012 (Public Law 112–95) is amended—

20 (1) by striking subsection (a);

21 (2) in subsection (b)—

22 (A) by striking “(B) WORKLOAD OF SYS-  
23 TEMS SPECIALISTS.—”; and

24 (B) by redesignating paragraphs (1)  
25 through (3) as subsections (a) through (c) (and

1           adjust the margins and header casing appro-  
2           priately); and

3           (3) in subsection (c) (as so redesignated) by  
4           striking “paragraph (1)” and inserting “subsection  
5           (a)”.

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

11          (m) LASER POINTER INCIDENT REPORTS.—Section  
12          2104 of FAA Extension, Safety, and Security Act of 2016  
13          (49 U.S.C. 46301 note) is amended—

14                 (1) in subsection (a) by striking “quarterly”  
15                 and inserting “annually”; and

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

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

19          (n) COLD WEATHER PROJECTS BRIEFING.—Section  
20          156 of the FAA Reauthorization Act of 2018 (49 U.S.C.  
21          47112 note) is amended—

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

23                 (2) by redesignating subsection (c) as sub-  
24                 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 (49 U.S.C. 44703  
6 note).

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 (49 U.S.C. 44703 note);

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 (49 U.S.C. 44703 note).

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 Committee on Transpor-  
2 tation and Infrastructure of the House of Representatives  
3 and the Committee on Commerce, Science, and Transpor-  
4 tation of the Senate a report that describes the effect of  
5 the regulations issued or revised under subsection (a) and  
6 includes statistics with respect to changes in small aircraft  
7 activity and safety incidents.”; and

8 (4) in subsection (j)—

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

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

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

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

1 **SEC. 204. DATA PRIVACY.**

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

5 **“§ 44114. Privacy**

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

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

1 or agreement, including that for traffic management pur-  
2 poses) the personally identifiable information of such indi-  
3 vidual, including on FAA websites.

4 “(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

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

8 “(2) LIMITATIONS.—In carrying out the pro-  
9 gram described in paragraph (1), the Administrator  
10 shall require—

11 “(A) each applicant to attest to a safety or  
12 security need in applying for a new ICAO air-  
13 craft identification code; and

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

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

1 “(e) DEFINITIONS.—In this section:

2 “(1) ADS–B.—The term ‘ADS–B’ means auto-  
3 matic dependent surveillance-broadcast.

4 “(2) ICAO.—The term ‘ICAO’ means the Inter-  
5 national Civil Aviation Organization.

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

9 “(A) the mailing address or registration  
10 address of an individual;

11 “(B) an electronic address (including an  
12 email address) of an individual; or

13 “(C) the telephone number of an indi-  
14 vidual.

15 “(D) the names of the aircraft owner or  
16 operator.”.

17 (b) STUDY ON ENCRYPTING ADS–B.—

18 (1) IN GENERAL.—Not later than 1 year after  
19 the date of enactment of this Act, the Administrator  
20 of the Federal Aviation Administration shall seek to  
21 enter into an agreement with a qualified organiza-  
22 tion to conduct a study assessing the technical chal-  
23 lenges, impact to international aviation operations,  
24 benefits, and costs of encrypting ADS–B signals to

1 provide for a safer and more secure environment for  
2 national airspace system users.

3 (2) CONSULTATION.—In carrying out the study  
4 under paragraph (1), a qualified organization shall  
5 consult with representatives of—

6 (A) air carriers;

7 (B) collective bargaining representatives of  
8 the Federal Aviation Administration and nautical  
9 information specialists;

10 (C) original equipment manufacturers of  
11 ADS-B equipment;

12 (D) general aviation;

13 (E) business aviation; and

14 (F) aviation safety experts with specific  
15 knowledge of aircraft cybersecurity.

16 (3) CONSIDERATIONS.—In carrying out the  
17 study under paragraph (1), a qualified organization  
18 shall consider—

19 (A) the technical requirements for  
20 encrypting ADS-B signals for both the 978  
21 Mhz and 1090 Mhz frequencies;

22 (B) the advantages of encrypting ADS-B  
23 signals for both the 978 Mhz and 1090 Mhz  
24 frequencies, including those related to cyberse-

1 security protections, safety, and privacy of na-  
2 tional airspace system users;

3 (C) the disadvantages of encrypting ADS-  
4 B signals for both the 978 Mhz and 1090 Mhz  
5 frequencies, including those related to cyberse-  
6 curity protections, safety, and privacy of na-  
7 tional airspace system users;

8 (D) the challenges of encrypting ADS-B  
9 signals for both the 978 Mhz and 1090 Mhz  
10 frequencies, including coordination consider-  
11 ations with the International Civil Aviation Or-  
12 ganization and foreign civil aviation authorities;

13 (E) potential new aircraft equipage re-  
14 quirements and estimated costs;

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

17 (G) the estimated costs to—

18 (i) the Federal Aviation Administra-  
19 tion;

20 (ii) aircraft owners required to equip  
21 with ADS-B equipment for aviation oper-  
22 ations; and

23 (iii) other relevant persons the Admin-  
24 istrator determines necessary; and

1 (H) the impact to national airspace system  
2 operations during implementation and post-im-  
3 plementation.

4 (4) REPORT.—In any agreement entered into  
5 under paragraph (1), the Administrator shall ensure  
6 that, not later than 1 year after the completion of  
7 the study required under paragraph (1), the quali-  
8 fied organization that has entered into such agree-  
9 ment shall submit to the Administrator, the Com-  
10 mittee on Transportation and Infrastructure of the  
11 House of Representatives, and the Committee on  
12 Commerce, Science, and Transportation of the Sen-  
13 ate a report on the results of the study described in  
14 paragraph (1), including the findings and rec-  
15 ommendations related to each item specified under  
16 paragraph (3).

17 (5) DEFINITION OF QUALIFIED ORGANIZA-  
18 TION.—In this subsection, the term “qualified orga-  
19 nization” means an independent nonprofit organiza-  
20 tion, described in section 501(c)(3) of the Internal  
21 Revenue Code of 1986 and exempt from taxation  
22 under section 501(a) of such Code.

23 (c) CLERICAL AMENDMENT.—The analysis for chap-  
24 ter 441 of title 49, United States Code, is amended by  
25 adding at the end the following:

“44114. Privacy.”.

1 (d) CONFORMING AMENDMENT.—Section 566 of the  
2 FAA Reauthorization Act of 2018 (49 U.S.C. 44103 note)  
3 and the item relating to such section in the table of con-  
4 tents under section 1(b) of that Act are repealed.

5 **SEC. 205. PROHIBITION ON USING ADS-B DATA TO INITIATE**  
6 **AN INVESTIGATION.**

7 Section 46101 of title 49, United States Code, is  
8 amended by adding at the end the following:

9 “(c) PROHIBITION ON USING ADS-B DATA TO INI-  
10 TIATE AN INVESTIGATION.—

11 “(1) IN GENERAL.—Notwithstanding any provi-  
12 sion of this section, the Administrator of the Federal  
13 Aviation Administration may not initiate an inves-  
14 tigation (excluding a criminal investigation) of a per-  
15 son based exclusively on automatic dependent sur-  
16 veillance-broadcast data.

17 “(2) RULE OF CONSTRUCTION.—Nothing in  
18 this subsection shall prohibit the use of automatic  
19 dependent surveillance-broadcast data in an inves-  
20 tigation that was initiated for any reason other than  
21 the review of automatic dependent surveillance-  
22 broadcast data, including if such investigation was  
23 initiated as a result of a report or complaint sub-  
24 mitted to the Administrator.”.

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

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

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

5 “(1) IN GENERAL.—No person may reserve an  
6 aircraft registration number without certifying that  
7 such person intends to use such registration num-  
8 ber—

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

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

13 “(2) TRANSFERS.—A person may transfer a re-  
14 served aircraft registration number to another per-  
15 son if—

16 “(A) the transferor certifies that the air-  
17 craft registration number is relinquished will-  
18 ingly and at a cost to the transferee that does  
19 not otherwise exceed the amount paid by the  
20 transferor to reserve such number; and

21 “(B) the transferee—

22 “(i) certifies that the transferor did  
23 not impose a dollar cost on the transfer  
24 that exceeds the amount provided for in  
25 subparagraph (A); and

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

3 **SEC. 207. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION**  
4                   **NUMBERS.**

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 of  
8 the process for reserving aircraft registration numbers to  
9 ensure that such process offers an equal opportunity for  
10 members of the general public to obtain specific aircraft  
11 registration numbers.

12           (b) **ASSESSMENT.**—In conducting the review under  
13 subsection (a), the Administrator shall assess the fol-  
14 lowing:

15                   (1) Whether the use of readily available soft-  
16 ware to prevent computer or web-based auto-fill sys-  
17 tems from reserving aircraft registration numbers in  
18 bulk would improve participation in the reservation  
19 process by the general public.

20                   (2) Whether a limit should be imposed on the  
21 number of consecutive years a person may reserve  
22 an aircraft registration number.

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

1           (c) BRIEFING.—Not later than 18 months after the  
2 date of enactment of this Act, the Administrator 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 review conducted under subsection (a), including any  
7 recommendations of the Administrator to improve equal  
8 participation in the process for reserving aircraft registra-  
9 tion numbers by the general public.

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

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

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

17                 (2) close such investigation.

18           (b) EXTENSION.—

19                 (1) IN GENERAL.—If, upon review of the facts  
20 and status of an investigation described in sub-  
21 section (a), the Administrator determines that the  
22 time provided to make a final determination or close  
23 such investigation is insufficient, the Administrator  
24 may approve an extension of such investigation for  
25 2 years.



1           “(A) Assisting individuals in accessing  
2           medical care or treatment (and for other associ-  
3           ated individuals).

4           “(B) Delivering human blood, tissues, or  
5           organs.

6           “(C) Aiding disaster relief efforts pursuant  
7           to a—

8                   “(i) presidential declaration of a  
9                   major disaster or an emergency under the  
10                  Robert T. Stafford Disaster Relief and  
11                  Emergency Assistance Act (42 U.S.C.  
12                  5121 et seq.); or

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

15 **SEC. 210. CHARITABLE FLIGHT FUEL REIMBURSEMENT EX-**  
16 **EMPTIONS.**

17           (a) IN GENERAL.—

18                   (1) VALIDITY OF EXEMPTION.—Except as oth-  
19                  erwise provided in this subsection, an exemption  
20                  from section 61.113(e) of title 14, Code of Federal  
21                  Regulations, that is granted by the Administrator of  
22                  the Federal Aviation Administration for the purpose  
23                  of allowing a volunteer pilot to accept reimburse-  
24                  ment from a volunteer pilot organization for the fuel  
25                  costs and airport fees attributed to a flight operation

1 to provide charitable transportation pursuant to sec-  
2 tion 821 of the FAA Modernization and Reform Act  
3 of 2012 (49 U.S.C. 40101 note) shall be valid for  
4 5 years.

5 (2) FAILING TO ADHERE.—If the Administrator  
6 finds an exemption holder under paragraph (1) or a  
7 volunteer pilot fails to adhere to the conditions and  
8 limitations of the exemption described under such  
9 paragraph, the Administrator may rescind or sus-  
10 pend the exemption.

11 (3) NO LONGER QUALIFYING.—If the Adminis-  
12 trator finds that such exemption holder no longer  
13 qualifies as a volunteer pilot organization, the Ad-  
14 ministrator shall rescind such exemption.

15 (4) FORGOING EXEMPTION.—If such exemption  
16 holder informs the Administrator that such holder  
17 no longer plans to exercise the authority granted by  
18 such exemption, the Administrator may rescind such  
19 exemption.

20 (b) ADDITIONAL REQUIREMENTS.—

21 (1) IN GENERAL.—A volunteer pilot organiza-  
22 tion may impose additional safety requirements on a  
23 volunteer pilot without—

24 (A) being considered—

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

4 (ii) a commercial operator (as such  
5 term is defined in section 1.1 of title 14,  
6 Code of Federal Regulations); or

7 (B) constituting common carriage.

8 (2) SAVINGS CLAUSE.—Nothing in this sub-  
9 section may be construed to limit or otherwise affect  
10 the authority of the Administrator to regulate, as  
11 appropriate, a flight operation associated with a vol-  
12 unteer pilot organization that constitutes a commer-  
13 cial operation or common carriage.

14 (c) REISSUANCE OF EXISTING EXEMPTIONS.—In re-  
15 issuing an expiring exemption described in subsection (a)  
16 that was originally issued prior to the date of enactment  
17 of this Act, the Administrator shall ensure that the re-  
18 issued exemption—

19 (1) accounts for the provisions of this section  
20 and section 821 of the FAA Modernization and Re-  
21 form Act of 2012 (49 U.S.C. 40101 note), as  
22 amended by this Act; and

23 (2) is otherwise substantially similar to the pre-  
24 viously issued exemption.

1 (d) STATUTORY CONSTRUCTION.—Nothing in this  
2 section shall be construed to—

3 (1) affect the authority of the Administrator to  
4 exempt a pilot (exercising the private pilot privi-  
5 leges) from any restriction on receiving reimburse-  
6 ment for the fuel costs and airport fees attributed  
7 to a flight operation to provide charitable transpor-  
8 tation; or

9 (2) impose or authorize the imposition of any  
10 additional requirements by the Administrator on a  
11 flight that is arranged by a volunteer pilot organiza-  
12 tion in which the volunteer pilot—

13 (A) is not reimbursed the fuel costs and  
14 airport fees attributed to a flight operation to  
15 provide charitable flights; or

16 (B) pays a pro rata share of expenses as  
17 described in section 61.113(c) of title 14, Code  
18 of Federal Regulations.

19 (e) DEFINITIONS.—In this section:

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

22 (A) acts as a pilot in command of a flight  
23 operation to provide charitable transportation  
24 pursuant to section 821 of the FAA Moderniza-

1           tion and Reform Act of 2012 (49 U.S.C. 40101  
2           note); and

3                   (B) holds a private pilot certificate, com-  
4           mercial pilot certificate, or an airline transpor-  
5           tation pilot certificate issued under part 61 of  
6           title 14, Code of Federal Regulations.

7           (2) VOLUNTEER PILOT ORGANIZATION.—The  
8           term “volunteer pilot organization” has the meaning  
9           given such term in section 821(c) of the FAA Mod-  
10          ernization and Reform Act of 2012 (49 U.S.C.  
11          40101 note).

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

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

16                   (1) Applicable laws, regulations, policies, legal  
17          opinions, and guidance pertaining to charitable  
18          flights and the operations of such flights, including  
19          reimbursement of fuel costs.

20                   (2) Petitions for exemption from the require-  
21          ments of section 61.113(c) of title 14, Code of Fed-  
22          eral Regulations, for the purpose of allowing a pilot  
23          to accept reimbursement for the fuel costs associated  
24          with a flight operation to provide charitable trans-  
25          portation pursuant to section 821 of the FAA Mod-

1 ernization and Reform Act of 2012 (49 U.S.C.  
2 40101 note), as amended by this Act, including as-  
3 sessment of—

4 (A) the conditions and limitations a peti-  
5 tioner must comply with if the exemption is  
6 granted and whether such conditions and limi-  
7 tations are—

8 (i) applied to petitioners in a con-  
9 sistent manner; and

10 (ii) commensurate with the types of  
11 flight operations exemption holders propose  
12 to conduct under any such exemptions;

13 (B) denied petitions for such an exemption  
14 and the reasons for the denial of such petitions;  
15 and

16 (C) the processing time of a petition for  
17 such an exemption.

18 (3) Charitable flights conducted without an ex-  
19 emption from section 61.113(c) of title 14, Code of  
20 Federal Regulations, including an analysis of the  
21 certificates, qualifications, and aeronautical experi-  
22 ence of the operators of such flights.

23 (b) CONSULTATION.—In carrying out the review initi-  
24 ated under subsection (a), the Comptroller General shall  
25 consult with charitable organizations, including volunteer

1 pilot organizations, aircraft owners, and pilots who volun-  
2 teer to provide transportation for or on behalf of a chari-  
3 table organization, flight safety experts, and employees of  
4 the Federal Aviation Administration.

5 (c) RECOMMENDATIONS.—As part of the review initi-  
6 ated under subsection (a), the Comptroller General shall  
7 make recommendations, as determined appropriate, to the  
8 Administrator of the Federal Aviation Administration to  
9 improve the rules, policies, and guidance pertaining to  
10 charitable flight operations.

11 (d) REPORT.—Upon completion of the review initi-  
12 ated under subsection (a), the Comptroller General shall  
13 submit to the Committee on Transportation and Infra-  
14 structure of the House of Representatives and the Com-  
15 mittee on Commerce, Science, and Transportation of the  
16 Senate a report describing the findings of such review and  
17 recommendations developed under subsection (c).

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

19 (a) IN GENERAL.—

20 (1) UNLIMITED LETTER OF AUTHORIZATION.—

21 Not later than 180 days after the date of enactment  
22 of this Act, the Administrator of the Federal Avia-  
23 tion Administration shall take such action as may be  
24 necessary to allow for the issuance of letters of au-  
25 thorizations to airmen with the authorization for—

1           (A) all types and makes of experimental  
2 high-performance single engine piston powered  
3 aircraft; and

4           (B) all types and makes of experimental  
5 high-performance multiengine piston powered  
6 aircraft.

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

10           (A) shall be given an all-makes and models  
11 authorization of—

12           (i) experimental single-engine piston  
13 powered authorized aircraft; or

14           (ii) experimental multiengine piston  
15 powered authorized aircraft;

16           (B) shall hold the appropriate category  
17 and class rating for the authorized aircraft;

18           (C) shall hold 3 experimental aircraft au-  
19 thorizations in aircraft of the same category  
20 and class rating for the authorization sought;  
21 and

22           (D) may become qualified in additional ex-  
23 perimental aircraft by completing aircraft spe-  
24 cific training.

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

5 (c) FAILURE TO COMPLY.—

6 (1) IN GENERAL.—If the Administrator fails to  
7 implement subsection (a) within the time period pre-  
8 scribed in such subsection, the Administrator shall  
9 brief the Committee on Transportation and Infra-  
10 structure of the House of Representatives and the  
11 Committee on Commerce, Science, and Transpor-  
12 tation of the Senate on the status of the implemen-  
13 tation of such subsection on a monthly basis until  
14 the implementation is complete.

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

17 **SEC. 213. RESPONSE TO LETTER OF INVESTIGATION.**

18 Section 2(b) of the Pilot’s Bill of Rights (49 U.S.C.  
19 44703 note) is amended by adding at the end the fol-  
20 lowing:

21 “(6) RESPONSE TO LETTER OF INVESTIGA-  
22 TION.—If an individual decides to respond to a Let-  
23 ter of Investigation described in paragraph (2)(B)  
24 such individual may respond not later than 30 days  
25 after receipt of such Letter, including providing

1 written comments on the incident to the inves-  
2 tigating office.”.

3 **Subtitle B—General Aviation**  
4 **Safety**

5 **SEC. 221. ADS-B SAFETY ENHANCEMENT INCENTIVE PRO-**  
6 **GRAM.**

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

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

19 (c) AUTHORIZED REBATE.—

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

24 (A) the cost of purchasing the covered  
25 ADS-B equipment; or

1 (B) \$2,000.

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

6 (d) SUNSET.—The program established under sub-  
7 section (a) shall terminate on October 1, 2027.

8 (e) RESTRICTION.—The Administrator may not offer  
9 rebates for—

10 (1) a software upgrade for covered ADS-B  
11 equipment;

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

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

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

20 (f) DEFINITIONS.—In this section:

21 (1) ADS-B.—The term “ADS-B” means auto-  
22 matic dependent surveillance–broadcast.

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

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

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

7 (3) COVERED GENERAL AVIATION AIRCRAFT.—  
8 The term “covered general aviation aircraft” means  
9 a single-engine piston aircraft registered in the  
10 United States that is not equipped with covered  
11 ADS-B equipment.

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

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

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

23 (b) CONTENTS.—In conducting the study described  
24 in subsection (a), the Comptroller General shall, at a min-  
25 imum—

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

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

8           (3) survey ways to further incentivize aircraft  
9 owners to equip and use aircraft with automatic de-  
10 pendent surveillance-broadcast technology; and

11           (4) examine the benefits, costs, and feasibility  
12 of requiring equipage of automatic dependent sur-  
13 veillance-broadcast technology on all newly manufac-  
14 tured aircraft other than aircraft issued a special  
15 airworthiness certificate.

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

1 **SEC. 223. PROTECTING GENERAL AVIATION AIRPORTS**  
2 **FROM FAA CLOSURE.**

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

6 “(c) WAIVING RESTRICTIONS.—

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

17 “(2) CONDITIONS.—Any waiver granted by the  
18 Secretary pursuant to paragraph (1) shall be subject  
19 to the following conditions:

20 “(A) The applicable airport, city, county,  
21 or other political subdivision shall agree that in  
22 conveying any interest in the real property  
23 which the United States conveyed to the air-  
24 port, city, or county, the airport, city, or county  
25 will receive consideration for such interest that  
26 is equal to its current fair market value.

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

6           “(C) Such waiver—

7                   “(i) will not significantly impair the  
8                   aeronautical purpose of an airport;

9                   “(ii) will not result in the permanent  
10                  closure of an airport (unless the Secretary  
11                  determines that the waiver will directly fa-  
12                  cilitate the construction of a replacement  
13                  airport); or

14                  “(iii) is necessary to protect or ad-  
15                  vance the civil aviation interests of the  
16                  United States.

17           “(D) Any other conditions required by the  
18           Secretary.

19           “(3) ANNUAL REPORTING.—The Secretary shall  
20           include a list and description of each waiver granted  
21           pursuant to paragraph (1) in the report required  
22           under section 47131.”.

23           (b) SURPLUS PROPERTY.—

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

1 (A) by striking subsection (d) and insert-  
2 ing the following:

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

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

11 “(2) will not result in the permanent closure of  
12 an airport (unless the Secretary determines that the  
13 waiver will directly facilitate the construction of a  
14 replacement airport); or

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

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

18 “(f) REVERSIONS OF PROPERTY.—The Secretary  
19 shall take all necessary action to revert surplus property  
20 conveyed under this subchapter back to the United States  
21 if—

22 “(1) the Secretary determines that an instru-  
23 ment conveying an interest in surplus property  
24 under this subchapter incorporates a provision pro-

1       viding for the reversion of such property in the event  
2       the property is not used for aeronautical purposes;

3               “(2) other efforts by the Secretary to ensure  
4       that the property is used by the relevant airport  
5       sponsor is used for aeronautical purposes are unsuc-  
6       cessful; and

7               “(3) the Secretary determines that a rever-  
8       sion—

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

11                      “(B) will not transfer liabilities, including  
12       environmental liabilities, greater than the fair  
13       market value of the property to the Govern-  
14       ment.”; and

15               (2) WAIVING AND ADDING TERMS.—Section  
16       47153(c) of title 49, United States Code, is amend-  
17       ed to read as follows:

18               “(c) RESTRICTIONS ON WAIVER.—Notwithstanding  
19       subsections (a) and (b), the Secretary may not waive any  
20       term under this section that an interest in land be used  
21       for an aeronautical purpose unless—

22                      “(1) the Secretary provides public notice not  
23       less than 30 days before the issuance of a waiver;  
24       and

1           “(2) the Secretary determines that such waiver—  
2

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

5                   “(B) will not result in the permanent clo-  
6                   sure of an airport (unless the Secretary deter-  
7                   mines that the waiver will directly facilitate the  
8                   construction of a replacement airport); or

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

11          (c) REPEALS.—

12                  (1) AIRPORTS NEAR CLOSED OR REALIGNED  
13                  BASES.—Section 1203 of the Federal Aviation Reau-  
14                  thorization Act of 1996 (49 U.S.C. 47101 note), and  
15                  the item relating to such section in the table of con-  
16                  tents under section 1(b) of such Act, are repealed.

17                  (2) RELEASE FROM RESTRICTIONS.—Section  
18                  817 of the FAA Modernization and Reform Act of  
19                  2012 (49 U.S.C. 47125 note), and the item relating  
20                  to such section in the table of contents under section  
21                  1(b) of such Act, are repealed.

22          **SEC. 224. ENSURING SAFE LANDINGS DURING OFF-AIR-**  
23                  **PORT OPERATIONS.**

24                  The Administrator of the Federal Aviation Adminis-  
25                  tration shall not apply section 91.119 of title 14, Code

1 of Federal Regulations, in any manner that requires a  
2 pilot to continue a landing that is unsafe.

3 **SEC. 225. AIRPORT DIAGRAM TERMINOLOGY.**

4 (a) IN GENERAL.—The Administrator of the Federal  
5 Aviation Administration shall update Airport Diagram  
6 Order JO 7910.4 and any related advisory circulars, pol-  
7 icy, and guidance to ensure the clear and consistent use  
8 of terms to delineate the types of parking available to gen-  
9 eral aviation pilots.

10 (b) COLLABORATION.—In carrying out subsection  
11 (a), the Administrator shall collaborate with industry  
12 stakeholders, commercial service airports, and general  
13 aviation airports in—

14 (1) facilitating basic standardization of general  
15 aviation parking terms;

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

18 (3) providing clarity for chart users.

19 (c) IAC SPECIFICATIONS.—The Administrator shall  
20 encourage the Interagency Air Committee to incorporate  
21 the terms developed under subsection (a) in publications  
22 produced by the Committee.

1 **SEC. 226. ALTERNATIVE ADS-B TECHNOLOGIES FOR USE IN**  
2 **CERTAIN SMALL AIRCRAFT.**

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

12 (b) REVIEW; APPROVAL.—

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

21 (2) APPROVAL.—The Administrator shall work  
22 with manufacturers of such equipment to expedite  
23 technical standard order authorization, or other ap-  
24 provals, required by the Administrator for such  
25 equipment for use in covered aircraft.

26 (c) DEFINITIONS.—In this section:

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

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

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

9           (C) can broadcast positioning of a covered  
10 aircraft to other aircraft operating outside of  
11 Mode C veil airspace.

12           (2) COVERED AIRCRAFT.—The term “covered  
13 aircraft” means—

14           (A) a single-engine piston aircraft;

15           (B) an ultralight aircraft; or

16           (C) an aircraft not equipped with an elec-  
17 trical system.

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

21           (1) alternative ADS-B equipment; or

22           (2) automatic dependent surveillance-broadcast  
23 equipment.

1 **SEC. 227. AIRSHOW SAFETY TEAM.**

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 coordinate with the  
5 General Aviation Joint Safety Committee to establish an  
6 Airshow Safety Team focused on airshow and aerial event  
7 safety.

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

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

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

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

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

22 (2) publish and update every 2 years after ini-  
23 tial publication an Airshow Safety Plan that incor-  
24 porates consensus based and data driven mitigation  
25 measures and non-regulatory safety strategies to im-

1 prove and promote safety of the public, performers,  
2 and airport personnel; and

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

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

8 (B) discuss best practices to uphold and  
9 maintain safety at events.

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

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

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

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

23 (2) safety strategies or best practices identified  
24 by the Airshow Safety Plan that are not intended to

1 be used by the Administrator for regulatory pur-  
2 poses.

3 **SEC. 228. TOWER MARKING NOTICE OF PROPOSED RULE-**  
4 **MAKING.**

5 (a) IN GENERAL.—Not later than 1 year after the  
6 date of enactment of this Act, the Administrator of the  
7 Federal Aviation Administration shall issue a notice of  
8 proposed rulemaking to implement section 2110 of the  
9 FAA Extension, Safety, and Security Act of 2016 (49  
10 U.S.C. 44718 note).

11 (b) REPORT.—If the Administrator fails to issue the  
12 notice of proposed rulemaking pursuant to subsection (a),  
13 the Administrator shall submit to the Committee on  
14 Transportation and Infrastructure of the House of Rep-  
15 resentatives and the Committee on Commerce, Science,  
16 and Transportation of the Senate an annual report on the  
17 status of such rulemaking, including—

18 (1) the reasons that the Administrator has  
19 failed to issue the rulemaking; and

20 (2) a list of fatal aircraft accidents associated  
21 with unmarked towers that have occurred over the  
22 5 years previous to the date of submission of the re-  
23 port.

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) deem 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 date of enactment of this Act, the Ad-  
12 ministrator of the Federal Aviation Administration shall  
13 issue a final rule, if necessary, and update all applicable  
14 guidance and policies to implement the amendment made  
15 by this section.

16 **SEC. 242. TEMPORARY AIRMAN CERTIFICATES.**

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

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

24                   “(1) made available—

1           “(A) electronically to the individual imme-  
2           diately upon submitting an online application  
3           for a replacement certificate to the Adminis-  
4           trator; or

5           “(B) physically to the individual at a flight  
6           standards district office—

7                   “(i) if the individual submits an online  
8                   application for a replacement certificate; or

9                   “(ii) if the individual applies for a  
10                  permanent replacement certificate other  
11                  than by online application and such appli-  
12                  cation has been received by the Federal  
13                  Aviation Administration; and

14           “(2) destroyed upon receipt of the permanent  
15           replacement airman certificate from the Adminis-  
16           trator.”.

17 **SEC. 243. FLIGHT INSTRUCTION OR TESTING.**

18           (a) IN GENERAL.—An authorized flight instructor  
19           providing student instruction, flight instruction, or flight  
20           training shall not be deemed to be operating an aircraft  
21           carrying persons or property for compensation or hire.

22           (b) AUTHORIZED ADDITIONAL PILOTS.—An indi-  
23           vidual acting as an authorized additional pilot during  
24           Phase I flight testing of aircraft holding an experimental  
25           airworthiness certificate, in accordance with section

1 21.191 of title 14, Code of Federal Regulations, and meet-  
2 ing the requirements set forth in Federal Aviation Admin-  
3 istration regulations and policy in effect as of the date  
4 of enactment of this section, shall not be deemed to be  
5 operating an aircraft carrying persons or property for  
6 compensation or hire.

7 (c) USE OF AIRCRAFT.—An individual who uses,  
8 causes to use, or authorizes to use aircraft for flights con-  
9 ducted under subsection (a) or (b) shall not be deemed  
10 to be operating an aircraft carrying persons or property  
11 for compensation or hire.

12 (d) REVISION OF RULES.—

13 (1) IN GENERAL.—The requirements of this  
14 section shall become effective upon the date of enact-  
15 ment of this Act.

16 (2) REVISION.—The Administrator of the Fed-  
17 eral Aviation Administration shall issue, revise, or  
18 repeal the rules, regulations, guidance, or procedures  
19 of the Federal Aviation Administration to conform  
20 to the requirements of this section.

21 **SEC. 244. LETTER OF DEVIATION AUTHORITY.**

22 (a) IN GENERAL.—A flight instructor, registered  
23 owner, lessor, or lessee of a covered aircraft shall not be  
24 required to obtain a letter of deviation authority from the  
25 Administrator of the Federal Aviation Administration to

1 allow, conduct, or receive flight training, checking, and  
2 testing in such aircraft if—

3 (1) the flight instructor is not providing both  
4 the training and the aircraft;

5 (2) no person advertises or broadly offers the  
6 aircraft as available for flight training, checking, or  
7 testing; and

8 (3) no person receives compensation for use of  
9 the aircraft for a specific flight during which flight  
10 training, checking, or testing was received, other  
11 than expenses for owning, operating, and maintain-  
12 ing the aircraft.

13 (b) COVERED AIRCRAFT DEFINED.—In this section,  
14 the term “covered aircraft” means—

15 (1) an experimental category aircraft;

16 (2) a limited category aircraft; and

17 (3) a primary category aircraft.

18 **SEC. 245. NATIONAL COORDINATION AND OVERSIGHT OF**

19 **DESIGNATED PILOT EXAMINERS.**

20 (a) IN GENERAL.—Not later than 16 months after  
21 the date of enactment of this Act, the Administrator of  
22 the Federal Aviation Administration shall establish a pro-  
23 gram or office to provide national coordination and over-  
24 sight of designated pilot examiners appointed under sec-  
25 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           (7) Put in place a system that ensures available  
2 resources so that applicants can schedule airman  
3 practical tests not more than 14 calendar days after  
4 requested.

5           (c) COORDINATION.—In carrying out the responsibil-  
6 ities listed in subsection (b), the Administrator shall en-  
7 sure the program—

8           (1) coordinates on an ongoing basis with flight  
9 standards district offices, designated pilot examiner  
10 managing specialists, and aviation industry stake-  
11 holders, including representatives of the general  
12 aviation community; and

13           (2) considers (or reconsiders) implementing the  
14 final recommendations report issued by the Des-  
15 ignated Pilot Examiner Reforms Working Group  
16 and accepted by the Aviation Rulemaking Advisory  
17 Committee on June 17, 2021.

18           (d) BRIEFING.—The Administrator shall brief the  
19 Committee on Transportation and Infrastructure of the  
20 House of Representatives and the Committee on Com-  
21 merce, Science, and Transportation of the Senate in each  
22 fiscal year beginning after the date of enactment of this  
23 Act through fiscal year 2028 detailing—

24           (1) the methodology by which designated pilot  
25 examiners appointed under section 183.23 of title

1 14, Code of Federal Regulations, are deployed and  
2 any subsequent changes to the methodology to fulfill  
3 the demand for examinations;

4 (2) a review of the previous fiscal year detailing  
5 the average time an individual in each region must  
6 wait to schedule an appointment with such an exam-  
7 iner; and

8 (3) the turnover rates and resource costs associ-  
9 ated with such examiners.

10 **SEC. 246. BASICMED FOR EXAMINERS ADMINISTERING**  
11 **TESTS OR PROFICIENCY CHECKS.**

12 (a) **EQUIVALENT PILOT-IN-COMMAND MEDICAL RE-**  
13 **QUIREMENTS.**—Notwithstanding section 61.23(a)(3)(iv)  
14 of title 14, Code of Federal Regulations, an examiner may  
15 administer a practical test or proficiency check if such ex-  
16 aminer meets the medical qualification requirements  
17 under part 68 of title 14, Code of Federal Regulations,  
18 if the operation being conducted is in a covered aircraft,  
19 as such term is defined in section 2307(j) of the FAA Ex-  
20 tension, Safety, and Security Act of 2016 (49 U.S.C.  
21 44703 note).

22 (b) **RULEMAKING.**—Not later than 18 months after  
23 the date of enactment of this Act, the Administrator of  
24 the Federal Aviation Administration shall issue a final  
25 rule to update part 61 of title 14, Code of Federal Regula-

1 tions, to implement the requirements under subsection (a),  
2 in addition to any related requirements the Administrator  
3 finds are in the interest of aviation safety.

4 **SEC. 247. DESIGNEE LOCATOR TOOL IMPROVEMENTS.**

5 Not later than 2 years after the date of enactment  
6 of this Act, the Administrator of the Federal Aviation Ad-  
7 ministration shall ensure that the designee locator search  
8 function of the public website of the Designee Manage-  
9 ment System of the Administration has the functionality  
10 to—

11 (1) filter a search for an Aviation Medical Ex-  
12 aminer (as described in section 183.21 of title 14,  
13 Code of Federal Regulations) by sex, if such infor-  
14 mation is available;

15 (2) display credentials and aircraft qualifica-  
16 tions of a designated pilot examiner (as described in  
17 section 183.23 of such title); and

18 (3) display the scheduling availability of a des-  
19 ignated pilot examiner (as described in section  
20 183.23 of such title) to administer a test or pro-  
21 ficiency check to an airman.

22 **SEC. 248. DEADLINE TO ELIMINATE AIRCRAFT REGISTRA-**  
23 **TION BACKLOG.**

24 Not later than 120 days after the date of enactment  
25 of this Act, the Administrator of the Federal Aviation Ad-

1 ministration shall take such actions as may be necessary  
2 to reduce and maintain the aircraft registration and rec-  
3 ordation backlog at the Civil Aviation Registry so that,  
4 on average, applications are processed not later than 10  
5 business days after receipt.

6 **SEC. 249. PART 135 AIR CARRIER CERTIFICATE BACKLOG.**

7 (a) IN GENERAL.—The Administrator of the Federal  
8 Aviation Administration shall take such actions as may  
9 be necessary to achieve the goal of reducing the backlog  
10 of air carrier certificate applications under part 135 of  
11 title 14, Code of Federal Regulations, to—

12 (1) not later than 1 year after the date of en-  
13 actment of this Act, maintain an average certificate  
14 decision time of less than 60 days; and

15 (2) not later than 2 years after the date of en-  
16 actment of this Act, maintain an average certificate  
17 decision time of less than 30 days.

18 (b) MEASURES.—In meeting the goal under sub-  
19 section (a), the Administrator may—

20 (1) assign, as appropriate, additional personnel  
21 or support staff, including on a temporary basis, to  
22 review, adjudicate, and approve applications;

23 (2) improve and expand promotion of existing  
24 applicant resources which could improve the quality  
25 of applications submitted to decrease the need for

1 Administration applicant coordination and commu-  
2 nications; and

3 (3) take into consideration any third-party enti-  
4 ty that assisted in the preparation of an application  
5 for an air carrier certificate under part 135 of title  
6 14, Code of Federal Regulations.

7 (c) WORKING GROUP.—The Administrator shall con-  
8 vene a working group comprised of industry stakeholders  
9 and aviation experts to—

10 (1) not later than 1 year after the date of en-  
11 actment of this Act, study methods and make rec-  
12 ommendations to clarify requirements and stand-  
13 ardize the process for conducting and completing  
14 aircraft conformity processes for existing air carriers  
15 and operators under part 135 of title 14, Code of  
16 Federal Regulations, in a timely manner, which shall  
17 include—

18 (A) developing a plan to honor or expedite  
19 the consideration of previously accepted aircraft  
20 configuration evaluations when an aircraft  
21 moves from one certificate under part 135 of  
22 title 14, Code of Federal Regulations, to an-  
23 other such certificate;

24 (B) streamlining protocols for operators  
25 under such part 135 to add an aircraft that

1 was listed on another certificate under such  
2 part 135 immediately prior to moving to the  
3 new carrier; and

4 (C) evaluating non-safety related Federal  
5 Aviation Administration policies, guidance, and  
6 documentation and identify needed changes to  
7 such policies, guidance, and documentation to  
8 accomplish subparagraph (B); and

9 (2) not later than 2 years after of the date of  
10 enactment of this Act—

11 (A) study and review methods to mod-  
12 ernize and improve the air carrier certification  
13 process under part 135 of title 14, Code of  
14 Federal Regulations; and

15 (B) recommend long-term solutions for ef-  
16 fective management of Administration resources  
17 dedicated to approving air carrier certificate ap-  
18 plications under such part 135.

19 (d) CONGRESSIONAL BRIEFING.—Beginning 6  
20 months after the date of enactment of this Act, and not  
21 less than every 6 months thereafter until the Adminis-  
22 trator complies with the requirements under subsection  
23 (a)(2), the Administrator shall provide a briefing to the  
24 Committee on Transportation and Infrastructure of the  
25 House of Representatives and the Committee on Com-

1 merce, Science, and Transportation of the Senate on the  
2 status of the backlog of air carrier certificate applications  
3 under part 135 of title 14, Code of Federal Regulations,  
4 any measures the Administrator has put in place under  
5 subsection (b), and any recommendations received from  
6 the review under subsection (c).

7 **SEC. 250. LOGGING FLIGHT TIME ACCRUED IN CERTAIN**  
8 **PUBLIC AIRCRAFT.**

9 (a) **COMPLETION OF RULEMAKING.**—Not later than  
10 18 months after the date of enactment of this Act, the  
11 Administrator of the Federal Aviation Administration  
12 shall issue a final rule modifying section 61.51(j)(4) of  
13 title 14, Code of Federal Regulations, to include aircraft  
14 under the direct operational control of forestry and fire  
15 protection agencies, as required by section 517 of the FAA  
16 Reauthorization Act of 2018 (49 U.S.C. 44703 note).

17 (b) **FAILURE TO COMPLETE RULEMAKING.**—If the  
18 Administrator fails to issue a final rule pursuant to sub-  
19 section (a) by the deadline described in such subsection,  
20 beginning on the date that is 18 months after the date  
21 of enactment of this Act—

22 (1) notwithstanding section 61.51(j)(4) of title  
23 14, Code of Federal Regulations, a pilot, while en-  
24 gaged on an official flight for a Federal, State,  
25 county, or municipal forestry or fire protection agen-

1 cy, may log flight time so long as the time acquired  
2 is in an aircraft that—

3 (A) is identified as an aircraft under sec-  
4 tion 61.5(b) of such title; and

5 (B) is a public aircraft under the direct  
6 operational control of a forestry or fire protec-  
7 tion agency; and

8 (2) the Administrator may not take an enforce-  
9 ment action against the pilot for logging such flight  
10 time as described in paragraph (1).

11 (c) SUNSET.—Subsection (b) shall cease to be effec-  
12 tive on the date on which the final rule required under  
13 subsection (a) is effective.

14 **SEC. 251. FLIGHT INSTRUCTOR CERTIFICATES.**

15 (a) COMPLETION OF RULEMAKING.—Not later than  
16 36 months after the date of enactment of this Act, the  
17 Administrator of the Federal Aviation Administration  
18 shall issue a final rule for the rulemaking activity titled  
19 “Removal of the Expiration Date on a Flight Instructor  
20 Certificate”, published in Fall 2022 in the Unified Agenda  
21 of Federal Regulatory and Deregulatory Actions (RIN  
22 2120–AL25) to, at a minimum, update part 61 of title  
23 14, Code of Federal Regulations, to—

24 (1) remove the expiration date on a flight in-  
25 structor certificate; and

1           (2) replace the requirement that a flight in-  
2           structor renews their flight instructor certificate  
3           with appropriate recent experience requirements for  
4           the holder of a flight instructor certificate to exer-  
5           cise the privileges of such certificate.

6           (b) FAILURE TO COMPLETE RULEMAKING.—If the  
7           Administrator fails to issue a final rule pursuant to sub-  
8           section (a) before the deadline prescribed in that sub-  
9           section, beginning on the date that is 36 months after the  
10          date of enactment of this Act—

11           (1) notwithstanding sections 61.19(d) and  
12           61.197 of title 14, Code of Federal Regulations, an  
13           individual holding a flight instructor certificate that  
14           is not expired as of the date that is 36 months after  
15           the date of enactment of this Act may exercise the  
16           privileges of the certificate regardless of whether the  
17           certificate subsequently expires, provided that the in-  
18           dividual meets eligibility requirements in accordance  
19           with section 61.183 of title 14, Code of Federal Reg-  
20           ulations; and

21           (2) the Administrator—

22           (A) shall consider a flight instructor cer-  
23           tificate described in paragraph (1) as having no  
24           expiration date; and

1 (B) may not enforce any regulation attrib-  
2 uted to the renewal of a flight instructor certifi-  
3 cate of an individual.

4 (c) SUNSET.—Subsection (b) shall cease to be effec-  
5 tive on the effective date of a final rule issued pursuant  
6 to subsection (a).

7 **SEC. 252. CONSISTENCY OF POLICY APPLICATION IN**  
8 **FLIGHT STANDARDS AND AIRCRAFT CERTIFI-**  
9 **CATION.**

10 (a) IN GENERAL.—The inspector general of the De-  
11 partment of Transportation shall initiate audits, as de-  
12 scribed in subsection (d), of the Flight Standards and Air-  
13 craft Certification Services of the Federal Aviation Admin-  
14 istration, and the personnel of such offices, on the consist-  
15 ency of—

16 (1) the interpretation of policies, orders, guid-  
17 ance, and regulations; and

18 (2) the application of policies, orders, guidance,  
19 and regulations.

20 (b) COMPONENTS.—In completing the audits re-  
21 quired under this section, the inspector general shall inter-  
22 view stakeholders, including at a minimum, individuals or  
23 entities that—

24 (1) hold a certificate or authorization related to  
25 the issue being audited under subsection (d);

1           (2) are from different regions of the country  
2           with matters before different flight standards dis-  
3           trict offices or aircraft certification offices of the Ad-  
4           ministration;

5           (3) work with multiple flight standards district  
6           offices or aircraft certification offices of the Admin-  
7           istration; or

8           (4) hold a single or multiple relevant certifi-  
9           cates or authorizations.

10          (c) REPORTS.—The inspector general of the Depart-  
11          ment of Transportation shall submit to the Committee on  
12          Transportation and Infrastructure of the House of Rep-  
13          resentatives, the Committee on Commerce, Science, and  
14          Transportation of the Senate, the Secretary of Transpor-  
15          tation, and the Administrator of the Federal Aviation Ad-  
16          ministration a report for each audit required in this sec-  
17          tion, containing the results of the audit, including findings  
18          and recommendations to the Administrator to improve the  
19          consistency of decision-making by Flight Standards and  
20          Aircraft Certification Services offices of the Administra-  
21          tion.

22          (d) AUDITS.—The inspector general shall complete  
23          an audit and issue the associated report required under  
24          subsection (c) not later than—

1           (1) 18 months after the date of enactment of  
2 this Act, with regard to supplemental type certifi-  
3 cates;

4           (2) 34 months after the date of enactment of  
5 this Act, with regard to repair stations certificated  
6 under part 145 of title 14, Code of Federal Regula-  
7 tions; and

8           (3) 50 months after the date of enactment of  
9 this Act, with regard to technical standards orders.

10       (e) IMPLEMENTATION.—In addressing any rec-  
11 ommendations from the inspector general contained in the  
12 reports required under subsection (c), the Administrator  
13 shall—

14           (1) maintain an implementation plan; and

15           (2) broadly adopt any best practices to improve  
16 the consistency of interpretation and application of  
17 policies, orders, guidance, and regulations by other  
18 offices of the Administration and with regard to  
19 other activities of the Administration.

20       (f) BRIEFING.—Not later than 6 months after receiv-  
21 ing a report required under subsection (c), the Adminis-  
22 trator shall brief the Committee on Transportation and  
23 Infrastructure of the House of Representatives and the  
24 Committee on Commerce, Science, and Transportation of  
25 the Senate on the implementation plan required under

1 subsection (d), the status of any recommendation received  
2 pursuant to this section, and any best practices that are  
3 being implemented more broadly.

4 **SEC. 253. APPLICATION OF POLICIES, ORDERS, AND GUID-**  
5 **ANCE.**

6 Section 44701 of title 49, United States Code, is  
7 amended by adding at the end the following:

8 “(g) POLICIES, ORDERS, AND GUIDANCE.—

9 “(1) CONSISTENCY OF APPLICATION.—The Ad-  
10 ministrator shall ensure consistency in the applica-  
11 tion of policies, orders, and guidance of the Adminis-  
12 tration by—

13 “(A) regular audits of the application and  
14 interpretation of such material by Administra-  
15 tion personnel from person to person and office  
16 to office;

17 “(B) updating policies, orders, and guid-  
18 ance to resolve inconsistencies and clarify dem-  
19 onstrated ambiguities, such as through repeated  
20 inconsistent interpretation; and

21 “(C) ensuring officials are properly docu-  
22 menting findings and decisions throughout a  
23 project to decrease the occurrence of duplicative  
24 work and inconsistent findings by subsequent  
25 officials assigned to the same project.

1           “(2) ALTERATIONS.—The Administrator shall  
2           consult as appropriate with regulated entities who  
3           will be impacted by proposed changes to the content  
4           or application of policies, orders, and guidance be-  
5           fore making such changes.

6           “(3) AUTHORITIES AND REGULATIONS.—The  
7           Administrator shall issue policies, orders, and guid-  
8           ance documents that are related to a law or regula-  
9           tion or clarify the intent of or compliance with spe-  
10          cific laws and regulations.”.

11 **SEC. 254. EXPANSION OF THE REGULATORY CONSISTENCY**  
12 **COMMUNICATIONS BOARD.**

13           Section 224 of the FAA Reauthorization Act of 2018  
14 (49 U.S.C. 44701 note) is amended—

15           (1) in subsection (c)—

16                   (A) in paragraph (2) by striking “; and”  
17                   and inserting a semicolon;

18                   (B) in paragraph (3) by striking the period  
19                   and inserting a semicolon; and

20                   (C) by adding at the end the following:

21                   “(4) the Office of Airports;

22                   “(5) the Office of Security and Hazardous Ma-  
23                   terials Safety;

24                   “(6) the Office of Rulemaking and Regulatory  
25                   Improvement; and

1 “(7) such other offices as the Administrator de-  
2 termines appropriate.”; and

3 (2) in subsection (d)(1)—

4 (A) in subparagraph (A) by striking  
5 “anonymous regulatory interpretation ques-  
6 tions” and inserting “regulatory interpretation  
7 questions, including anonymously,”;

8 (B) in subparagraph (C) by striking  
9 “anonymous regulatory interpretation ques-  
10 tions” and inserting “regulatory interpretation  
11 questions, including anonymously”; and

12 (C) by adding at the end the following:

13 “(6) Submit recommendations, as needed, to  
14 the Assistant Administrator for Rulemaking and  
15 Regulatory Improvement for consideration.”.

16 **SEC. 255. EXEMPTION OF FEES FOR AIR TRAFFIC SERV-**  
17 **ICES.**

18 (a) IN GENERAL.—Chapter 453 of title 49, United  
19 States Code, is amended by adding at the end the fol-  
20 lowing:

21 **“§ 45307. Exemption of fees for air traffic services**

22 **“(a) REQUIREMENT TO PROVIDE SERVICES AND RE-**  
23 **LATED SUPPORT.—**The Administrator shall provide or en-  
24 sure the provisioning of air traffic services and aviation  
25 safety support for large, multiday aviation events, includ-

1 ing airshows and fly-ins, where the average daily number  
2 of manned operations were 1,000 or greater in at least  
3 1 of the preceding 3 years, without the imposition or col-  
4 lection of any fee, tax, or other charge for that purpose.  
5 Amounts for the provision of such services and support  
6 shall be derived from amounts appropriated or otherwise  
7 available for the Administration.

8 “(b) DETERMINATION OF SERVICES AND SUPPORT  
9 TO BE PROVIDED.—In determining the services and sup-  
10 port to be provided for an aviation event for purposes of  
11 subsection (a), the Administrator shall take into account  
12 the following:

13 “(1) The services and support required to meet  
14 levels of activity at prior events, if any, similar to  
15 the event.

16 “(2) The anticipated need for services and sup-  
17 port at the event.”.

18 (b) CLERICAL AMENDMENT.—The analysis of chap-  
19 ter 453 of title 49, United States Code, is amended by  
20 adding at the end the following:

“Sec. 45307. Exemption of fees for air traffic services.”.

21 (c) CONFORMING REPEAL.—Section 530 of the FAA  
22 Reauthorization of 2018 (49 U.S.C. 40103 note), and the  
23 item relating to that section in the table of contents in  
24 section 1(b) of such Act, are repealed.

1 **SEC. 256. MODERNIZATION OF SPECIAL AIRWORTHINESS**  
2 **CERTIFICATION RULEMAKING DEADLINE.**

3 Not later than 24 months after the date of enactment  
4 of this Act, the Administrator of the Federal Aviation Ad-  
5 ministration shall issue a final rule for the rulemaking ac-  
6 tivity titled “Modernization of Special Airworthiness Cer-  
7 tification”, published in Fall 2022 in the long-term actions  
8 of the Unified Agenda of Federal Regulatory and Deregula-  
9 tory Actions (RIN 2120–AL50).

10 **SEC. 257. TERMINATION OF DESIGNEES.**

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 update the Admin-  
14 istration’s Designee Management Policy (FAA Order  
15 8000.95B), or any successor order, to ensure due process  
16 and increase transparency in Federal Aviation Adminis-  
17 tration-initiated terminations of designees.

18 (b) UPDATES TO THE DESIGNEE MANAGEMENT POL-  
19 ICY.—In updating the Administration’s Designee Manage-  
20 ment Policy under subsection (a), the Administrator shall,  
21 at a minimum, provide for the following:

- 22 (1) A process by which a designee—  
23 (A) is notified of the root causes and rea-  
24 sons for a termination initiated by the Adminis-  
25 trator;

1 (B) is notified of the change in a delegated  
2 authority to “suspended” or “terminated” dur-  
3 ing a Federal Aviation Administration-initiated  
4 termination;

5 (C) is provided a point of contact, who is  
6 independent of any investigation or termination  
7 action involving the designee, within the Admin-  
8 istration, to correspond with for purposes of  
9 discussing the termination process and the des-  
10 ignee’s status, including the handling of cor-  
11 respondence during the investigation process  
12 described in paragraph (2), if applicable, and  
13 the review panel described in paragraph (3);

14 (D) is notified of the results of the inves-  
15 tigation described in paragraph (2) in a reason-  
16 able and timely manner, which shall include no-  
17 tice of additional action by the Administrator,  
18 if required; and

19 (E) may respond within 30 calendar days  
20 to the Administrator if the Administrator deter-  
21 mines that a termination for cause is the appro-  
22 priate course of action and initiates such action.

23 (2) An investigation process to determine the  
24 appropriate outcome in situations in which termi-

1 nation is being considered by the Administrator,  
2 which shall include the following elements:

3 (A) The root causes and reasons for the  
4 investigation, including any complaints or alle-  
5 gations.

6 (B) Collection of evidence related to the in-  
7 vestigation.

8 (C) A review of the facts and cir-  
9 cumstances surrounding the case.

10 (D) A review of the designee's record in  
11 the designee management system and any rel-  
12 evant background information in the appro-  
13 priate Federal Aviation Administration data-  
14 bases to determine if there is a pattern of inap-  
15 propriate behavior or misconduct.

16 (E) A review of the designee's response to  
17 the investigation, if provided, to include any  
18 documentation provided by the designee.

19 (F) A decision on the appropriate course of  
20 action based on the results of the investigation.

21 (G) Recording the results of the investiga-  
22 tion in the Federal Aviation Administration's  
23 designee management system.

24 (H) A notification to the designee that an  
25 investigation has been initiated, but only after

1           it is determined through an established process  
2           that such notification would not adversely im-  
3           pact the investigation or safety.

4           (3) A review panel to determine whether a ter-  
5           mination is appropriate when termination for cause  
6           is a possible outcome upon the completion of the in-  
7           vestigation described in paragraph (2), of which  
8           such review panel shall—

9                   (A) consider the elements of the investiga-  
10                  tion process provided for under paragraph (2),  
11                  including the designee’s response to the inves-  
12                  tigation and any associated documents, if pro-  
13                  vided; and

14                   (B) complete the review process within 45  
15                  calendar days of the Administrator initiating a  
16                  for cause termination decision of a designee.

17           (c) **SUBSEQUENT REVIEW FOR DESIGNATED PILOT**  
18 **EXAMINERS.**—

19                   (1) **IN GENERAL.**—The Administrator shall set  
20                  up a process through which a Designated Pilot Ex-  
21                  aminer terminated for cause may request a subse-  
22                  quent review by the Executive Director of the Flight  
23                  Standards Service.

24                   (2) **REQUEST.**—A Designated Pilot Examiner  
25                  terminated for cause may request a subsequent re-

1 view described in paragraph (1) not later than 15  
2 calendar days after termination,

3 (3) REVIEW.—The Executive Director shall re-  
4 view all relevant information and facts by which the  
5 decision was made to terminate the designee, includ-  
6 ing the information considered by the review panel,  
7 and issue a final determination.

8 (4) TIMING.—Such final determination shall be  
9 issued by the Director not later than 45 calendar  
10 days upon receiving the request.

11 (d) LIMITATION ON INVESTIGATION AND REVIEW  
12 PANEL PARTICIPANTS.—An Administration employee in-  
13 volved in the selection, appointment, or management of  
14 a designee the Administrator is investigating or termi-  
15 nating for cause may not be party—

16 (1) to an investigation described in subsection  
17 (b)(2) of such designee; or

18 (2) participating on a review panel described in  
19 subsection (b)(3) pertaining to such designee.

20 **SEC. 258. PART 135 CHECK AIRMEN REFORMS.**

21 (a) IN GENERAL.—The Administrator of the Federal  
22 Aviation Administration shall assign to the Aviation Rule-  
23 making Advisory Committee (in this section referred to  
24 as the “Committee”) the task of reviewing all regulations  
25 and policies related to check airmen for air carrier oper-

1 ations conducted under part 135 of title 14, Code of Fed-  
2 eral Regulations.

3 (b) DUTIES.—The Committee shall—

4 (1) review the processes and requirements by  
5 which authorized check airmen are selected, trained,  
6 and approved by the Administrator, and provide rec-  
7 ommendations with respect to the regulatory and  
8 policy changes necessary to ensure efficient training  
9 and utilization of such check airmen;

10 (2) review differences in qualification standards  
11 between an inspector of the Federal Aviation Admin-  
12 istration and an authorized check airmen in evalu-  
13 ating and certifying the knowledge and skills of pi-  
14 lots; and

15 (3) make recommendations with respect to the  
16 regulatory and policy changes necessary to allow au-  
17 thorized check airmen to perform duties beyond the  
18 duties permitted on the date of enactment of this  
19 Act.

20 (c) ACTION BASED ON RECOMMENDATIONS.—Not  
21 later than 1 year after receiving recommendations under  
22 subsection (a), the Administrator shall take such action  
23 as the Administrator considers appropriate with respect  
24 to such recommendations.

1 (d) DEFINITION OF AUTHORIZED CHECK AIRMAN.—  
2 In this section, the term “authorized check airman”  
3 means an individual employed by an air carrier that meets  
4 the qualifications and training requirements of sections  
5 135.337 and 135.339 of title 14, Code of Federal Regula-  
6 tions, and is approved to evaluate and certify the knowl-  
7 edge and skills of pilots employed by such air carrier.

## 8 **Subtitle D—Other Provisions**

### 9 **SEC. 261. REQUIRED CONSULTATION WITH NATIONAL** 10 **PARKS OVERFLIGHTS ADVISORY GROUP.**

11 Section 40128(b)(4) of title 49, United States Code,  
12 is amended—

13 (1) in subparagraph (C) by striking “and” at  
14 the end;

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

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

18 “(E) consult with the advisory group es-  
19 tablished under section 805 of the National  
20 Parks Air Tour Management Act of 2000 (49  
21 U.S.C. 40128 note) and consider all advice, in-  
22 formation, and recommendations provided by  
23 the advisory group to the Administrator and the  
24 Director.”.

1 **SEC. 262. SUPPLEMENTAL OXYGEN REGULATORY REFORM.**

2 (a) IN GENERAL.—Beginning on the date that is 30  
3 days after the date of enactment of this Act, the following  
4 regulations shall cease to apply to any aircraft operating  
5 below 41,000 feet above mean sea level:

6 (1) Paragraphs (3) and (4) of section 135.89(b)  
7 of title 14, Code of Federal Regulations (or any suc-  
8 cessor regulations).

9 (2) Paragraphs (1)(ii) and (2) of section  
10 91.211(b) of title 14, Code of Federal Regulations  
11 (or any successor regulations).

12 (b) CONFORMING AMENDMENT.—Not later than 1  
13 year after the date of enactment of this Act, the Adminis-  
14 trator of the Federal Aviation Administration shall issue  
15 a final regulation revising the provisions of title 14, Code  
16 of Federal Regulations, described in paragraphs (1) and  
17 (2) of subsection (a) to conform to the limitation in appli-  
18 cability pursuant to subsection (a).

19 **SEC. 263. EXCLUSION OF GYROPLANES FROM FUEL SYSTEM**  
20 **REQUIREMENTS.**

21 Section 44737 of title 49, United States Code, is  
22 amended—

23 (1) by striking “rotorcraft” and inserting “heli-  
24 copter” each place it appears (including in any head-  
25 ings); and

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



1           (2) to provide guidance and resources to help  
2 organizers plan and execute airshows and aerial  
3 events, including—

4           (A) compliance with all applicable regula-  
5 tions;

6           (B) providing technical assistance in estab-  
7 lishing—

8           (i) emergency response plans; and

9           (ii) communication plans between rel-  
10 evant event stakeholders, including local  
11 enforcement and emergency first respond-  
12 ers; and

13           (C) ensuring protection of the public, per-  
14 formers, and airport personnel;

15           (3) to promote public awareness and engage-  
16 ment with airshows and aerial events, including op-  
17 portunities for community education, outreach, and  
18 involvement; and

19           (4) to provide access to tools and resources that  
20 enable general aviation airport managers, local gov-  
21 ernment officials, and other relevant stakeholders to  
22 understand the impact of airshows and aerial events  
23 on local economies and communities.

1 (c) ADMINISTRATION.—In carrying out the AVIATE  
2 Program, the Administrator shall consult and coordinate,  
3 as appropriate, with relevant stakeholders, including—

4 (1) airshow safety experts;

5 (2) general aviation aircraft owners and opera-  
6 tors, including experimental aircraft owners and op-  
7 erators;

8 (3) general aviation airports, including airport  
9 officials;

10 (4) air traffic control specialists with knowledge  
11 of coordinating airshows and aerial events, including  
12 experts from the exclusive bargaining representative  
13 of air traffic controllers certified under section 7111  
14 of title 5, United States Code; and

15 (5) experts from the exclusive bargaining rep-  
16 resentative of air traffic controllers certified under  
17 section 7111 of title 5, United States Code.

18 **SEC. 265. LOW ALTITUDE ROTORCRAFT AND POWERED-**  
19 **LIFT OPERATIONS.**

20 (a) IN GENERAL.—Not later than 3 years after the  
21 date of enactment of this Act, the Administrator of the  
22 Federal Aviation Administration shall, as appropriate, es-  
23 tablish or update low altitude routes and flight procedures  
24 to ensure safe rotorcraft and powered-lift aircraft oper-

1 ations within Class B airspace of the national airspace sys-  
2 tem.

3 (b) FLIGHT PROCEDURES.—In carrying out sub-  
4 section (a), the Administrator shall, as appropriate, estab-  
5 lish or update approach and departure procedures at pub-  
6 lic-use airports and heliports within Class B airspace for  
7 rotorcraft and powered-lift aircraft operations.

8 (c) FLIGHT ROUTES.—

9 (1) IN GENERAL.—In carrying out this section,  
10 the Administrator shall revise part 71 of title 14,  
11 Code of Federal Regulations, as necessary, to estab-  
12 lish or update low altitude routes related to Class B  
13 airspace operations for rotorcraft and powered-lift  
14 aircraft.

15 (2) CONSIDERATIONS.—In carrying out this  
16 section, the Administrator shall consider the impact  
17 of such low altitude flight routes described in para-  
18 graph (1) on other airspace users and impacted  
19 communities to ensure that such routes are designed  
20 to minimize—

21 (A) the potential for conflict with existing  
22 national airspace system operations;

23 (B) the workload of air traffic controllers;

24 and

1 (C) negative effects to impacted commu-  
2 nities.

3 (d) CONSULTATION.—In carrying out this section,  
4 the Administrator shall develop the procedures and routes  
5 required under subsection (b) and (c) in consultation  
6 with—

7 (1) rotorcraft operators, including air ambu-  
8 lance operators;

9 (2) powered-lift operators;

10 (3) exclusive bargaining representatives of air  
11 traffic controllers certified under section 7111 of  
12 title 5, United States Code; and

13 (4) any other relevant stakeholders as deter-  
14 mined by the Administrator.

15 **SEC. 266. BASICMED IN NORTH AMERICA.**

16 The Administrator of the Federal Aviation Adminis-  
17 tration shall seek to facilitate the recognition of medical  
18 qualifications under part 68 of title 14, Code of Federal  
19 Regulations, with civil aviation authorities in Canada and  
20 such other foreign countries that the Administrator deter-  
21 mines are appropriate.

22 **SEC. 267. ELIMINATE AVIATION GASOLINE LEAD EMIS-**  
23 **SIONS.**

24 (a) EAGLE INITIATIVE.—

1           (1) IN GENERAL.—The Administrator of the  
2 Federal Aviation Administration shall continue to  
3 partner with industry and other Federal Government  
4 stakeholders in carrying out the Eliminate Aviation  
5 Gasoline Lead Emissions Initiative (in this section  
6 referred to as the “EAGLE Initiative”).

7           (2) FAA RESPONSIBILITIES.—In collaborating  
8 with industry and other Government stakeholders to  
9 carry out the EAGLE Initiative, the Administrator  
10 shall take such actions as may be necessary under  
11 the Administrator’s authority to facilitate—

12                 (A) the safe elimination of the use of lead-  
13                 ed aviation gasoline by piston-engine aircraft by  
14                 the end of 2030 without adversely affecting the  
15                 piston-engine aircraft fleet;

16                 (B) the approval of unleaded alternatives  
17                 to leaded aviation gasoline for use in all piston-  
18                 engine aircraft types and piston-engine types;

19                 (C) the implementation of the require-  
20                 ments of section 431 as they relate to the con-  
21                 tinued availability of aviation gasoline;

22                 (D) efforts to make approved unleaded  
23                 aviation gasoline widely available at airports;  
24                 and

1           (E) the development and implementation  
2 of a transition plan to safely expedite the tran-  
3 sition of the piston-engine general aviation air-  
4 craft fleet to unleaded fuels by 2030.

5           (3) ACTIVITIES.—In carrying out the Adminis-  
6 tration’s responsibilities pursuant to paragraph (2),  
7 the Administrator, at a minimum, shall—

8           (A) develop and publish, as soon as prac-  
9 ticable, a fleet authorization process for the ef-  
10 ficient approval or authorization of unleaded  
11 aviation gasolines;

12           (B) review, update, and prioritize, as soon  
13 as practicable, certification processes and  
14 projects for aircraft engines and modifications  
15 to such engines to operate with unleaded avia-  
16 tion gasoline;

17           (C) evaluate and support programs that  
18 accelerate the creation, evaluation, qualification,  
19 deployment, and use of unleaded aviation gaso-  
20 lines;

21           (D) carry out, in partnership with the gen-  
22 eral aviation community, an ongoing campaign  
23 for training and educating aircraft owners and  
24 operators on how to safely transition to un-  
25 leaded aviation gasoline;

1           (E) evaluate aircraft and aircraft engines  
2           to ensure that such aircraft and aircraft en-  
3           gines can operate with unleaded aviation gaso-  
4           line candidates during cold weather conditions;  
5           and

6           (F) facilitate Government policy, regu-  
7           latory proposals, and voluntary consensus  
8           standards with the objective of achieving the  
9           following:

10                   (i) Establishing a commercially viable  
11                   supply chain for unleaded aviation gaso-  
12                   lines.

13                   (ii) Facilitating market-based produc-  
14                   tion and distribution of unleaded aviation  
15                   gasolines.

16                   (iii) Encouraging procurement of  
17                   equipment required for the deployment,  
18                   storage, and dispensing of unleaded avia-  
19                   tion gasolines.

20           (4) CONSULTATION AND COORDINATION WITH  
21           RELEVANT STAKEHOLDERS.—In carrying out the  
22           EAGLE Initiative, the Administrator shall continue  
23           to consult and coordinate, as appropriate, with rel-  
24           evant stakeholders, including—

1 (A) general aviation aircraft engine, air-  
2 craft propulsion, and aircraft airframe manu-  
3 facturers;

4 (B) general aviation aircraft users, aircraft  
5 owners, aircraft pilots, and aircraft operators;

6 (C) airports, heliports, and fixed-base oper-  
7 ators;

8 (D) State, local, and Tribal airport offi-  
9 cials or public agencies, with representation  
10 from both urban and rural areas;

11 (E) representatives of the petroleum indus-  
12 try, including developers, refiners, producers,  
13 and distributors of unleaded aviation gasolines;  
14 and

15 (F) air carriers and commercial operators  
16 operating under part 135 of title 14, Code of  
17 Federal Regulations.

18 (5) REPORTS TO CONGRESS.—

19 (A) INITIAL REPORT.—Not later than 1  
20 year after the date of enactment of this Act, the  
21 Administrator shall submit to the Committee on  
22 Transportation and Infrastructure of the House  
23 of Representatives and the Committee on Com-  
24 merce, Science, and Transportation of the Sen-  
25 ate a report that—

1 (i) contains an updated strategic plan  
2 for developing a fleet authorization process  
3 for efficient approval and use of unleaded  
4 aviation gasolines;

5 (ii) describes the structure and in-  
6 volvement of all Federal Aviation Adminis-  
7 tration offices that have responsibilities de-  
8 scribed in paragraph (2); and

9 (iii) identifies cost-effective policy ini-  
10 tiatives, regulatory initiatives, or legislative  
11 initiatives needed to improve and enhance  
12 the timely transition to unleaded aviation  
13 gasoline for the piston-engine aircraft fleet.

14 (B) ANNUAL REPORTING.—Not later than  
15 1 year after the date on which the Adminis-  
16 trator submits the initial report under subpara-  
17 graph (A), and annually thereafter, the Admin-  
18 istrator shall submit to the Committee on  
19 Transportation and Infrastructure of the House  
20 of Representatives and the Committee on Com-  
21 merce, Science, and Transportation of the Sen-  
22 ate an annual report on activities and progress  
23 of the EAGLE Initiative.

24 (C) SUNSET.—Subparagraph (B) shall  
25 cease to be effective after December 31, 2030.

1 (b) TRANSITION PLAN TO UNLEADED FUELS.—

2 (1) IN GENERAL.—In developing the transition  
3 plan under subsection (a)(2)(E), the Administrator  
4 shall, at a minimum, assess the following:

5 (A) Efforts undertaken by the EAGLE  
6 Initiative, including progress towards—

7 (i) safely eliminating the use of leaded  
8 aviation gasoline by piston-engine aircraft  
9 by the end of 2030 without adversely af-  
10 fecting the piston-engine aircraft fleet;

11 (ii) approving unleaded alternatives to  
12 leaded aviation gasoline for use in all pis-  
13 ton-engine aircraft types and piston-engine  
14 types; and

15 (iii) facilitating efforts to make ap-  
16 proved unleaded aviation gasoline widely  
17 available at airports.

18 (B) The evaluation and development of  
19 necessary airport infrastructure, including fuel  
20 storage and dispensing facilities, to support the  
21 distribution and storage of unleaded aviation  
22 gasoline.

23 (C) The establishment of best practices for  
24 piston-engine aircraft owners and operators,  
25 airport managers and personnel, aircraft main-

1           tenance technicians, and other appropriate per-  
2           sonnel for protecting against exposure to lead  
3           containment when—

4                   (i) conducting fueling operations;

5                   (ii) disposing of inspected gasoline  
6           samples;

7                   (iii) performing aircraft maintenance;

8           and

9                   (iii) conducting engine run-ups.

10           (D) Efforts to address supply chain and  
11           other logistical barriers inhibiting the timely  
12           distribution of unleaded aviation gasoline to air-  
13           ports.

14           (E) Outreach efforts to educate and up-  
15           date piston-engine aircraft owners and opera-  
16           tors, airport operators, and other members of  
17           the general aviation community on the potential  
18           benefits, availability, and safety of unleaded  
19           aviation gasoline.

20           (2) CONSULTATION.—In developing such transi-  
21           tion plan, the Administrator shall consult, at a min-  
22           imum, with representatives of entities described in  
23           subsection (a)(4).

1           (3) PUBLICATION; GUIDANCE.—Upon comple-  
2           tion of developing such transition plan, the Adminis-  
3           trator shall—

4                   (A) make the plan available to the public  
5                   on an appropriate webpage of the Administra-  
6                   tion; and

7                   (B) provide guidance supporting the imple-  
8                   mentation of the transition plan.

9           (4) COORDINATION WITH EAGLE INITIATIVE.—  
10           In developing such transition plan and associated  
11           guidance pertaining to the implementation of such  
12           transition plan, the Administrator shall consult and  
13           coordinate with individuals carrying out the EAGLE  
14           Initiative.

15           (5) MAPPING UNLEADED AVIATION GASO-  
16           LINE.—The Administrator shall develop and con-  
17           tinuously update websites, brochures, and other com-  
18           munication materials associated with such transition  
19           plan to clearly convey the availability of unleaded  
20           aviation gasoline at airports.

21           (6) BRIEFING TO CONGRESS.—Not later than  
22           60 days after the publication of such transition plan,  
23           the Administrator shall brief the Committee on  
24           Transportation and Infrastructure of the House of  
25           Representatives and the Committee on Commerce,

1 Science, and Technology of the Senate on such tran-  
2 sition plan and any efforts or actions pertaining to  
3 the implementation of such transition plan.

4 **TITLE III—AEROSPACE**  
5 **WORKFORCE**  
6 **Subtitle A—Growing the Talent**  
7 **Pool**

8 **SEC. 301. EXTENSION OF AVIATION WORKFORCE DEVELOP-**  
9 **MENT PROGRAMS.**

10 Section 625(b)(1) of the FAA Reauthorization Act of  
11 2018 (49 U.S.C. 40101 note) is amended by striking “sec-  
12 tion 48105” and all that follows through the period at the  
13 end and inserting the following: “section 48105 of title  
14 49, United States Code, not more than—

15 “(A) \$15,000,000 for each of fiscal years  
16 2024 through 2026 is authorized to be ex-  
17 pended to provide grants under the program es-  
18 tablished under subsection (a)(1); and

19 “(B) \$15,000,000 for each of fiscal years  
20 2024 through 2026 is authorized to provide  
21 grants under the program established under  
22 subsection (a)(2).

23 “(C) \$15,000,000 for each of fiscal years  
24 2024 through 2026 is authorized to be ex-

1           pended to provide grants under the program es-  
2           tablished under subsection (a)(3).”.

3 **SEC. 302. IMPROVING AVIATION WORKFORCE DEVELOP-**  
4 **MENT PROGRAMS.**

5           (a) MANUFACTURING PROGRAM.—Section 625(a) of  
6 the FAA Reauthorization Act of 2018 (49 U.S.C. 40101  
7 note) is amended—

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

10           (2) in paragraph (2) by striking the period and  
11           inserting “; and”; and

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

13           “(3) a program to provide grants for eligible  
14           projects to support the education and recruitment of  
15           aviation manufacturing workers and the development  
16           of the aviation manufacturing workforce.”.

17           (b) PROJECT GRANTS.—Section 625(b) of the FAA  
18 Reauthorization Act of 2018 (49 U.S.C. 40101 note) is  
19 amended—

20           (1) in paragraph (2) by striking “\$500,000”  
21           and inserting “\$750,000”; and

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

23           “(3) EDUCATION PROJECTS.—The Secretary  
24           shall ensure that not less than 20 percent of the  
25           amounts authorized to be expended under this sub-

1 section shall be used to carry out a grant program  
2 which shall be referred to as the ‘Willa Brown Avia-  
3 tion Education Program’ (in this paragraph referred  
4 to as the ‘Program’) under which the Secretary shall  
5 provide grants for eligible projects described in sub-  
6 section (d) that are carried out in communities in  
7 counties containing at least 1 qualified opportunity  
8 zone (as such term is defined in section 1400Z-1(a)  
9 of the Internal Revenue Code of 1986).”.

10 (c) ELIGIBLE APPLICATIONS.—Section 625(c) of the  
11 FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)  
12 is amended by striking paragraphs (1) and (2) and insert-  
13 ing the following:

14 “(1) APPLICATION FOR AIRCRAFT PILOT PRO-  
15 GRAM.—An application for a grant under the pro-  
16 gram established under subsection (a)(1) may be  
17 submitted, in such form as the Secretary may speci-  
18 fy, by—

19 “(A) an air carrier, as defined in section  
20 40102 of title 49, United States Code;

21 “(B) an entity that holds management  
22 specifications under subpart K of title 91 of  
23 title 14, Code of Federal Regulations;

24 “(C) an institution of higher education (as  
25 defined in section 101 of the Higher Education

1 Act of 1965 (20 U.S.C. 1001)), a postsecondary  
2 vocational institution (as defined in section  
3 102(c) of the Higher Education Act of 1965  
4 (20 U.S.C. 1002)), or a high school or sec-  
5 ondary school (as such terms are defined in sec-  
6 tion 8101 of the Elementary and Secondary  
7 Education Act of 1965 (20 U.S.C. 7801));

8 “(D) a flight school that provides flight  
9 training, as defined in part 61 of title 14, Code  
10 of Federal Regulations, or that holds a pilot  
11 school certificate under part 141 of title 14,  
12 Code of Federal Regulations;

13 “(E) a labor organization representing pro-  
14 fessional pilots;

15 “(F) an aviation-related nonprofit organi-  
16 zation described in section 501(c)(3) of the In-  
17 ternal Revenue Code of 1986 that is exempt  
18 from taxation under section 501(a) of such  
19 Code; or

20 “(G) a State, local, territorial, or Tribal  
21 governmental entity.

22 “(2) APPLICATION FOR AVIATION MAINTEN-  
23 NANCE PROGRAM.—An application for a grant under  
24 the program established under subsection (a)(2) may

1 be submitted, in such form as the Secretary may  
2 specify, by—

3 “(A) a holder of a certificate issued under  
4 part 21, 121, 135, 145, or 147 of title 14, Code  
5 of Federal Regulations;

6 “(B) a labor organization representing  
7 aviation maintenance workers;

8 “(C) an institution of higher education (as  
9 defined in section 101 of the Higher Education  
10 Act of 1965 (20 U.S.C. 1001)), a postsecondary  
11 vocational institution (as defined in section  
12 102(c) of the Higher Education Act of 1965  
13 (20 U.S.C. 1002)), or a high school or sec-  
14 ondary school (as such terms are defined in sec-  
15 tion 8101 of the Elementary and Secondary  
16 Education Act of 1965 (20 U.S.C. 7801));

17 “(D) an aviation-related nonprofit organi-  
18 zation described in section 501(c)(3) of the In-  
19 ternal Revenue Code of 1986 that is exempt  
20 from taxation under section 501(a) of such  
21 Code; or

22 “(E) a State, local, territorial, or Tribal  
23 governmental entity.

24 “(3) APPLICATION FOR AVIATION MANUFAC-  
25 TURING PROGRAM.—An application for a grant

1 under the program established under subsection  
2 (a)(3) may be submitted, in such form as the Sec-  
3 retary may specify, by—

4 “(A) an entity that—

5 “(i) actively designs or manufactures  
6 any aircraft, aircraft engine, propeller, or  
7 appliance, or a component, part, or system  
8 thereof, covered under a type or production  
9 certificate issued under section 44704; and

10 “(ii) has significant operations in the  
11 United States and a majority of the em-  
12 ployees of such entity that are engaged in  
13 aviation manufacturing or development ac-  
14 tivities and services are based in the  
15 United States;

16 “(B) an institution of higher education (as  
17 defined in section 101 of the Higher Education  
18 Act of 1965 (20 U.S.C. 1001)), a postsecondary  
19 vocational institution (as defined in section  
20 102(c) of the Higher Education Act of 1965  
21 (20 U.S.C. 1002)), or a high school or sec-  
22 ondary school (as such terms are defined in sec-  
23 tion 8101 of the Elementary and Secondary  
24 Education Act of 1965 (20 U.S.C. 7801));

1           “(C) an aviation-related nonprofit organi-  
2           zation described in section 501(c)(3) of the In-  
3           ternal Revenue Code of 1986 that is exempt  
4           from taxation under section 501(a) of such  
5           Code; or

6           “(D) a State, local, territorial, or Tribal  
7           governmental entity.”.

8           (d) ELIGIBLE PROJECTS.—Section 625(d) of the  
9           FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note)  
10          is amended by striking paragraphs (1) and (2) and insert-  
11          ing the following:

12           “(1) AIRCRAFT PILOT PROGRAM.—For purposes  
13          of the program established under subsection (a)(1),  
14          an eligible project is a project—

15           “(A) to create and deliver curriculum that  
16          provides high school or secondary school stu-  
17          dents with meaningful aviation education to be-  
18          come aircraft pilots, aerospace engineers, or un-  
19          manned aircraft systems operators, including  
20          purchasing and operating a computer-based  
21          simulator associated with such curriculum;

22           “(B) to support the professional develop-  
23          ment of teachers using the curriculum described  
24          in subparagraph (A);

1           “(C) to establish or improve apprentice-  
2 ship, internship, or scholarship programs for in-  
3 dividuals pursuing employment as an aviation  
4 pilot;

5           “(D) to create and deliver curriculum that  
6 provides certified flight instructors with the  
7 necessary instructional, leadership, and commu-  
8 nication skills to better educate student pilots;

9           “(E) to support transition to professional  
10 pilot careers, including for members of the  
11 Armed Forces; or

12           “(F) to support robust outreach about ca-  
13 reers in the commercial aviation as a profes-  
14 sional pilot, including outreach to primary, sec-  
15 ondary, and post-secondary school students.

16           “(2) AVIATION MAINTENANCE PROGRAM.—For  
17 purposes of the program established under sub-  
18 section (a)(2), an eligible project is a project—

19           “(A) to create and deliver curriculum that  
20 provides high school and secondary school stu-  
21 dents with meaningful aviation maintenance  
22 education to become an aviation mechanic or  
23 aviation maintenance technician, including pur-  
24 chasing and operating equipment associated  
25 with such curriculum;

1           “(B) to support the professional develop-  
2           ment of teachers using the curriculum described  
3           in subparagraph (A);

4           “(C) to establish or improve apprentice-  
5           ship, internship, or scholarship programs for in-  
6           dividuals pursuing employment in the aviation  
7           maintenance industry;

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

11          “(E) to support robust outreach about ca-  
12          reers in the aviation maintenance industry, in-  
13          cluding outreach to primary, secondary, and  
14          post-secondary school students.

15          “(3) AVIATION MANUFACTURING PROGRAM.—  
16          For purposes of the program established under sub-  
17          section (a)(3), and eligible project is a project—

18                 “(A) to create and deliver curriculum that  
19                 provides high school and secondary school stu-  
20                 dents with meaningful aviation manufacturing  
21                 education, including teaching the technical  
22                 skills used in the production of components,  
23                 parts, or systems thereof for inclusion in an air-  
24                 craft, aircraft engine, propeller, or appliance;

1           “(B) to support the professional develop-  
2           ment of teachers using the curriculum described  
3           in subparagraph (A);

4           “(C) to establish apprenticeship, intern-  
5           ship, or scholarship programs for individuals  
6           pursuing employment in the aviation manufac-  
7           turing industry;

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

11          “(E) to support robust outreach about ca-  
12          reers in the aviation manufacturing industry,  
13          including outreach to primary, secondary, and  
14          post-secondary school students.”.

15          (e) REPORTING AND MONITORING REQUIRE-  
16          MENTS.—Section 625 of the FAA Reauthorization Act of  
17          2018 (49 U.S.C. 40101 note) is amended by adding at  
18          the end the following:

19          “(f) REPORTING AND MONITORING REQUIRE-  
20          MENTS.—The Secretary shall establish reasonable report-  
21          ing and monitoring requirements for grant recipients  
22          under this section to measure relevant outcomes for the  
23          grant programs established under paragraphs (1), (2),  
24          and (3) of subsection (a).

25          “(g) NOTICE OF GRANTS.—

1           “(1) **TIMELY PUBLIC NOTICE.**—The Secretary  
2 shall provide public notice of any grant awarded  
3 under this section in a timely fashion after the Sec-  
4 retary awards such grant.

5           “(2) **NOTICE TO CONGRESS.**—The Secretary  
6 shall provide to the Committee on Transportation  
7 and Infrastructure of the House of Representatives  
8 and the Committee on Commerce, Science, and  
9 Transportation of the Senate advance notice of a  
10 grant to be made under this section.

11          “(h) **TERMINATION.**—The authority of the Secretary  
12 to issue grants under this section shall terminate on Sep-  
13 tember 30, 2026.”.

14 **SEC. 303. NATIONAL CENTER FOR THE ADVANCEMENT OF**  
15 **AEROSPACE.**

16          (a) **IN GENERAL.**—Chapter 1 of title 49, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing:

19 **“§ 120. National Center for the Advancement of Aero-**  
20 **space**

21          “(a) **FEDERAL CHARTER AND STATUS.**—

22               “(1) **IN GENERAL.**—The National Center for  
23 the Advancement of Aerospace (in this section re-  
24 ferred to as the ‘Center’) is a federally chartered en-  
25 tity which shall be incorporated in the District of

1 Columbia. The Center is a private independent enti-  
2 ty, not a department, agency, or instrumentality of  
3 the United States Government or a component  
4 thereof. Except as provided in subsection (f)(1), an  
5 officer or employee of the Center is not an officer or  
6 employee of the Federal Government.

7 “(2) PERPETUAL EXISTENCE.—Except as oth-  
8 erwise provided, the Center shall have perpetual ex-  
9 istence.

10 “(b) GOVERNING BODY.—

11 “(1) IN GENERAL.—The Board of Directors (in  
12 this section referred to as the ‘Board’) is the gov-  
13 erning body of the Center.

14 “(2) AUTHORITY.—

15 “(A) IN GENERAL.—The Board shall adopt  
16 bylaws, policies, and procedures to carry out the  
17 purpose of the Center and may take any other  
18 action that it considers necessary (in accord-  
19 ance with the duties and powers of the Center)  
20 for the management and operation of the Cen-  
21 ter. The Board is responsible for the general  
22 policies and management of the Center and for  
23 the control of all funds of the Center.

24 “(B) POWERS OF BOARD.—The Board  
25 shall have the power to do the following:

1 “(i) Adopt and alter a corporate seal.

2 “(ii) Establish and maintain offices to  
3 conduct its activities.

4 “(iii) Enter into contracts or agree-  
5 ments as a private entity not subject to the  
6 requirements of title 41.

7 “(iv) Acquire, own, lease, encumber,  
8 transfer, and dispose of property as nec-  
9 essary and appropriate to carry out the  
10 purposes of the Center.

11 “(v) Publish documents and other  
12 publications in a publicly accessible man-  
13 ner.

14 “(vi) Incur and pay obligations as a  
15 private entity not subject to the require-  
16 ments of title 31.

17 “(vii) Perform any other act necessary  
18 and proper to carry out the purposes of  
19 the Center as described in its bylaws or  
20 duties outlined in this section.

21 “(3) MEMBERSHIP OF THE BOARD.—

22 “(A) IN GENERAL.—The Board shall have  
23 10 Directors as follows:

24 “(i) EX-OFFICIO MEMBERSHIP.—The  
25 following individuals, or their designees,

1 shall be considered ex-officio members of  
2 the Board:

3 “(I) The Administrator of the  
4 Federal Aviation Administration.

5 “(II) The Executive Director,  
6 pursuant to paragraph (5)(D).

7 “(ii) APPOINTMENTS.—

8 “(I) IN GENERAL.—From among  
9 those members of the public who are  
10 highly respected and have expert  
11 knowledge and experience in the fields  
12 of aviation, finance, or academia—

13 “(aa) the Secretary of  
14 Transportation shall appoint 5  
15 members to the Board;

16 “(bb) the Secretary of De-  
17 fense shall appoint 1 member to  
18 the Board;

19 “(cc) the Secretary of Vet-  
20 erans Affairs shall appoint 1  
21 member to the Board; and

22 “(dd) the Secretary of Edu-  
23 cation shall appoint 1 member to  
24 the Board.

25 “(II) TERMS.—

1           “(aa) IN GENERAL.—The  
2           members appointed under sub-  
3           clause (I) shall serve for a term  
4           of 3 years and may be re-  
5           appointed.

6           “(bb)           STAGGERING  
7           TERMS.—The Board shall stag-  
8           ger the duration of the terms of  
9           the initial members appointed to  
10          promote the stability of the  
11          Board.

12          “(B) VACANCIES.—A vacancy on the  
13          Board shall be filled in the same manner as the  
14          initial appointment.

15          “(C) STATUS.—All Members of the Board  
16          shall have equal voting powers, regardless if  
17          they are ex-officio members or appointed.

18          “(4) CHAIR OF THE BOARD.—The Board shall  
19          choose a Chair of the Board from among the mem-  
20          bers of the Board that are not ex-officio members  
21          under paragraph (3)(A)(i).

22          “(5) ADMINISTRATIVE MATTERS.—

23                 “(A) MEETINGS.—

24                         “(i) IN GENERAL.—The Board shall  
25                         meet at the call of the Chair but not less

1 than 2 times each year and may, as appro-  
2 priate, conduct business by telephone or  
3 other electronic means.

4 “(ii) OPEN.—

5 “(I) IN GENERAL.—Except as  
6 provided in subclause (II), a meeting  
7 of the Board shall be open to the pub-  
8 lic.

9 “(II) EXCEPTION.—A meeting,  
10 or any portion of a meeting, may be  
11 closed if the Board, in public session,  
12 votes to close the meeting because the  
13 matters to be discussed—

14 “(aa) relate solely to the in-  
15 ternal personnel rules, practices,  
16 and matters of the Center;

17 “(bb) may result in disclo-  
18 sure of commercial or financial  
19 information obtained from a per-  
20 son that is privileged or confiden-  
21 tial;

22 “(cc) may disclose informa-  
23 tion of a personal nature where  
24 disclosure would constitute an

1 unwarranted invasion of personal  
2 privacy; or

3 “(dd) are matters that are  
4 specifically exempted from disclo-  
5 sure by Federal or District of Co-  
6 lumbia law.

7 “(iii) PUBLIC ANNOUNCEMENT.—At  
8 least 1 week before a meeting of the  
9 Board, and as soon as practicable there-  
10 after if there are any changes to the infor-  
11 mation described in subclauses (I) through  
12 (III), the Board shall make a public an-  
13 nouncement of the meeting that de-  
14 scribes—

15 “(I) the time, place, and subject  
16 matter of the meeting;

17 “(II) whether the meeting is to  
18 be open or closed to the public; and

19 “(III) the name and appropriate  
20 contact information of a person who  
21 can respond to requests for informa-  
22 tion about the meeting.

23 “(iv) RECORD.—The Board shall keep  
24 minutes from each Board meeting. Such  
25 minutes shall be made available to the pub-

1           lic in an accessible format, except for por-  
2           tions of the meeting that are closed pursu-  
3           ant to subparagraph (A)(ii)(II).

4           “(B) QUORUM.—A majority of members of  
5           the Board shall constitute a quorum.

6           “(C) CODE OF ETHICS.—The Board shall  
7           adopt a code of ethics for Directors, officers,  
8           agents, and employees of the Center to—

9                   “(i) prevent inappropriate conflicts of  
10                  interest and promote good employee con-  
11                  duct; and

12                   “(ii) at a minimum, prohibit any  
13                  member of the Board from participating in  
14                  any proceeding, application, ruling, or  
15                  other determination, contract claim, award,  
16                  controversy, or other matter in which the  
17                  member, the member’s employer or pro-  
18                  spective employer, or the member’s imme-  
19                  diate family member has a direct financial  
20                  interest.

21           “(D) EXECUTIVE DIRECTOR.—The Board  
22           shall appoint and fix the pay of an Executive  
23           Director of the Center (in this section referred  
24           to as the ‘Executive Director’) who shall—

1           “(i) serve as an ex officio Member of  
2           the Board;

3           “(ii) serve at the pleasure of the  
4           Board, under such terms and conditions as  
5           the Board shall establish;

6           “(iii) is subject to removal by the  
7           Board at the discretion of the Board; and

8           “(iv) be responsible for the daily man-  
9           agement and operation of the Center and  
10          for carrying out the purposes and duties of  
11          the Center.

12          “(E) APPOINTMENT OF PERSONNEL.—The  
13          Board shall delegate to the Executive Director  
14          the authority to appoint additional personnel as  
15          the Board considers appropriate and necessary  
16          to carry out the purposes and duties of the  
17          Center.

18          “(6) RECORDS.—The Board shall keep correct  
19          and complete records of accounts.

20          “(7) PUBLIC INFORMATION.—With the excep-  
21          tion of the matters described in subsection  
22          (b)(5)(A)(ii)(II), nothing in this section may be con-  
23          strued to withhold disclosure of information or  
24          records that are subject to disclosure under section  
25          552 of title 5.

1 “(c) PURPOSE.—The purpose of the Center is to—

2 “(1) develop a skilled and robust aerospace  
3 workforce in the United States;

4 “(2) provide a forum to support collaboration  
5 and cooperation between governmental, nongovern-  
6 mental, and private aerospace sector stakeholders re-  
7 garding the advancement of the aerospace workforce,  
8 including general, business, and commercial aviation,  
9 education, labor, manufacturing, international orga-  
10 nizations, and commercial space transportation orga-  
11 nizations;

12 “(3) serve as a repository for research con-  
13 ducted by institutions of higher education, research  
14 institutions, or other stakeholders regarding the  
15 aerospace workforce and related technical and skill  
16 development.

17 “(4) serve as a centralized resource that pro-  
18 vides comprehensive and relevant information  
19 sources on the following:

20 “(A) Aviation pathway programs and pro-  
21 fessional development opportunities.

22 “(B) Aviation apprenticeship, scholarship,  
23 and internship programs.

24 “(C) Aviation-related curricula and re-  
25 sources about aviation occupations and career

1 pathways developed for students, teachers, and  
2 guidance counselors at all levels of education.

3 “(D) Aviation industry organizations.

4 “(d) DUTIES.—In order to accomplish the purpose  
5 described in subsection (c), the Center shall perform the  
6 following duties:

7 “(1) Improve access to aerospace education and  
8 related skills training to help grow the U.S. aero-  
9 space workforce, including by—

10 “(A) assessing the state of the aerospace  
11 workforce, including challenges and identifying  
12 actions to address such challenges;

13 “(B) developing a comprehensive workforce  
14 strategy to help coordinate workforce develop-  
15 ment initiatives;

16 “(C) establishing or supporting apprentice-  
17 ship, scholarship, internship, and mentorship  
18 programs that assist individuals who wish to  
19 pursue a career in an aerospace-related field;

20 “(D) supporting the development of aero-  
21 space education curricula, including syllabi,  
22 training materials, and lesson plans, for use by  
23 an institution of higher education (as defined in  
24 section 101 of the Higher Education Act of  
25 1965 (20 U.S.C. 1001)), a postsecondary voca-

1 tional institution (as defined in section 102(c)  
2 of the Higher Education Act of 1965 (20  
3 U.S.C. 1002)), or a high school or secondary  
4 school (as such terms are defined in section  
5 8101 of the Elementary and Secondary Edu-  
6 cation Act of 1965 (20 U.S.C. 7801)); and

7 “(E) building awareness of youth-oriented  
8 aerospace programs and other robust outreach  
9 programs, including for primary, secondary,  
10 and post-secondary school students.

11 “(F) supporting the professional develop-  
12 ment of teachers using the curricula, syllabi,  
13 training materials, and lesson plans described  
14 in subparagraph (D); and

15 “(G) developing an array of educational  
16 and informative aviation-related educational ac-  
17 tivities and materials for students of varying  
18 ages and levels of education to use in the class-  
19 room and at home.

20 “(2) Support personnel or veterans of the  
21 Armed Forces seeking to transition to a career in  
22 aerospace through outreach, training, scholarships,  
23 apprenticeships, or other means.

24 “(3) Amplify and support the work carried out  
25 at the Centers of Excellence and Technical Centers

1 of the Federal Aviation Administration regarding  
2 the aerospace workforce, or related technical and  
3 skills advancement, including organizing and hosting  
4 symposiums, conferences, and other forums as ap-  
5 propriate.

6 “(4) Administer on behalf of the Secretary of  
7 the Department of Transportation the Cooperative  
8 Aviation Recruitment, Enrichment, and Employment  
9 Readiness Program established by subsection (a) of  
10 40131.

11 “(e) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—  
12 The Center shall be operated in a manner and for pur-  
13 poses that qualify the Center for exemption from taxation  
14 under the Internal Revenue Code as an organization de-  
15 scribed in section 501(c)(3) of such Code.

16 “(f) ADMINISTRATIVE MATTERS OF CENTER.—

17 “(1) DETAILEES.—

18 “(A) IN GENERAL.—At the request of the  
19 Center, the head of any Federal agency or de-  
20 partment may, at the discretion of such agency  
21 or department, detail to the Center, on a reim-  
22 bursable basis, an employee of the agency or  
23 department.

24 “(B) CIVIL SERVANT STATUS.—The detail  
25 of an employee under subparagraph (A) shall be

1           without interruption or loss of civil service sta-  
2           tus or privilege.

3           “(2) NAMES AND SYMBOLS.—The Center may  
4           accept, retain, and use proceeds derived from the  
5           Center’s use of the exclusive right to use its name  
6           and seal, emblems, and badges incorporating such  
7           name as lawfully adopted by the Board in further-  
8           ance of the purpose and duties of the Center.

9           “(3) GIFTS, GRANTS, BEQUESTS, AND DE-  
10          VISES.—The Center may accept, retain, use, and  
11          dispose of gifts, grants, bequests, or devises of  
12          money, services, or property from any public or pri-  
13          vate source for the purpose of covering the costs in-  
14          curred by the Center in furtherance of the purpose  
15          and duties of the Center.

16          “(4) VOLUNTARY SERVICES.—The Center may  
17          accept voluntary services from any person that are  
18          provided in furtherance of the purpose and duties of  
19          the Center.

20          “(g) RESTRICTIONS.—

21                 “(1) PROFIT.—The Center may not engage in  
22                 business activity for profit.

23                 “(2) STOCKS AND DIVIDENDS.—The Center  
24                 may not issue any shares of stock or declare or pay  
25                 any dividends.

1           “(3) POLITICAL ACTIVITIES.—The Center shall  
2           be nonpolitical and may not provide financial aid or  
3           assistance to, or otherwise contribute to or promote  
4           the candidacy of, any individual seeking elective pub-  
5           lic office or political party. The Center may not en-  
6           gage in activities that are, directly, or indirectly, in-  
7           tended to be or likely to be perceived as advocating  
8           or influencing the legislative process.

9           “(4) DISTRIBUTION OF INCOME OR ASSETS.—  
10          The assets of the Center may not inure to the ben-  
11          efit of any member of the Board, or any officer or  
12          employee of the Center or be distributed to any per-  
13          son. This paragraph does not prevent the payment  
14          of reasonable compensation to any officer, employee,  
15          or other person or reimbursement for actual and  
16          necessary expenses in amounts approved by the  
17          Board.

18          “(5) LOANS.—The Center may not make a loan  
19          to any member of the Board or any officer or em-  
20          ployee of the Center.

21          “(6) NO CLAIM OF GOVERNMENTAL APPROVAL  
22          OR AUTHORITY.—Except as otherwise provided by  
23          section 40131, the Center may not claim approval of  
24          Congress or of the authority of the United States for  
25          any of its activities.

1 “(h) ADVISORY COMMITTEE.—

2 “(1) IN GENERAL.—The Executive Director  
3 shall appoint members to an advisory committee  
4 subject to approval by the Board. Members of the  
5 Board may not sit on the advisory committee.

6 “(2) MEMBERSHIP.—The advisory committee  
7 shall consist of not more than 15 members who rep-  
8 resent various aviation industry and labor stake-  
9 holders, stakeholder associations, and others as de-  
10 termined appropriate by the Board. The advisory  
11 committee shall select a Chair and Vice Chair from  
12 among its members by majority vote.

13 “(3) DUTIES.—The advisory committee shall—

14 “(A) provide recommendations to the  
15 Board on an annual basis regarding the prior-  
16 ities for the activities of the Center;

17 “(B) consult with the Board on an ongoing  
18 basis regarding the appropriate powers of the  
19 Board to accomplish the purposes and duties of  
20 the Center; and

21 “(C) provide relevant data and information  
22 to the Center in order to carry out the duties  
23 set forth in subsection (d).

24 “(4) MEETINGS.—The provisions for meetings  
25 of the Board under subsection (b)(5) shall apply as

1 similarly as is practicable to meetings of the advi-  
2 sory committee.

3 “(i) WORKING GROUPS.—

4 “(1) IN GENERAL.—The Board may establish  
5 working groups as determined necessary and appro-  
6 priate to achieve the purpose of the Center under  
7 subsection (c).

8 “(2) MEMBERSHIP.—Any working group estab-  
9 lished by the Board shall be composed of private sec-  
10 tor representatives, stakeholder associations, mem-  
11 bers of the public, labor representatives, and other  
12 relevant parties, as determined appropriate by the  
13 Board. Once established, the membership of such  
14 working group shall choose a Chair from among the  
15 members of the working group by majority vote.

16 “(j) CAREER COUNCIL.—

17 “(1) ESTABLISHMENT.—Not later than Sep-  
18 tember 30, 2026, the Executive Director, in coordi-  
19 nation with the Secretary, shall establish a council  
20 (in this section referred to as the ‘CAREER Coun-  
21 cil’) for the CAREER Program established under  
22 section 40131.

23 “(2) DUTIES.—The CAREER Council shall aid  
24 the Secretary and the Center in carrying out the

1 CAREER Program by reviewing grant applications  
2 and recommending grant recipients.

3 “(3) APPOINTMENT.—The CAREER Council  
4 shall be appointed from candidates nominated by na-  
5 tional associations representing various sectors of  
6 the aviation industry, including—

7 “(A) general aviation;

8 “(B) commercial aviation;

9 “(C) aviation labor, including collective  
10 bargaining representatives of Federal Aviation  
11 Administration aviation safety inspectors, avia-  
12 tion safety engineers, and air traffic controllers;

13 “(D) aviation maintenance, repair, and  
14 overhaul; and

15 “(E) unmanned aviation.

16 “(4) TERM.—Each council member appointed  
17 under paragraph (3) shall serve a term of 4 years.

18 “(k) ANNUAL REPORT.—The Board shall submit an  
19 annual report to the Committee on Transportation and In-  
20 frastructure of the House of Representatives and the Com-  
21 mittee on Commerce, Science, and Transportation of the  
22 Senate that, at minimum, includes a review and examina-  
23 tion of—

24 “(1) the activities performed as set forth in  
25 subsection (d) during the prior fiscal year;

1           “(2) the advisory committee described in sub-  
2 section (h);

3           “(3) the working groups described in subsection  
4 (i); and

5           “(4) the Cooperative Aviation Recruitment, En-  
6 richment, and Employment Readiness Program and  
7 related activities established under section 40131,  
8 including activities of the CAREER Council estab-  
9 lished under subsection (j).

10          “(1) AUDIT BY DEPARTMENT OF TRANSPORTATION  
11 INSPECTOR GENERAL.—

12           “(1) IN GENERAL.—Not later than 2 years  
13 after the date on which the Center is established  
14 under subsection (a), the inspector general of the  
15 Department of Transportation shall conduct a re-  
16 view of the Center.

17           “(2) CONTENTS.—The review shall—

18           “(A) include, at a minimum, an evaluation  
19 of the efforts taken at the Center to achieve the  
20 purpose set forth in subsection (c); and

21           “(B) provide any other information that  
22 the inspector general determines is appropriate.

23          “(3) REPORT ON AUDIT.—

24           “(A) REPORT TO SECRETARY.—Not later  
25 than 30 days after the date of completion of the

1           audit, the inspector general shall submit to the  
2           Secretary a report on the results of the audit.

3           “(B) REPORT TO CONGRESS.—Not later  
4           than 60 days after the date of receipt of the re-  
5           port under subparagraph (A), the Secretary  
6           shall submit to the appropriate committees of  
7           Congress a copy of the report, together with, if  
8           appropriate, a description of any actions taken  
9           or to be taken to address the results of the  
10          audit.

11          “(m) AUTHORIZATION OF APPROPRIATIONS.—There  
12          is authorized to be appropriated to the National Center  
13          for the Advancement of Aerospace out of the Airport and  
14          Airway Trust Fund to carry out this section—

15                 “(1) \$10,000,000 for fiscal year 2024;

16                 “(2) \$10,000,000 for fiscal year 2025;

17                 “(3) \$10,000,000 for fiscal year 2026;

18                 “(4) \$11,000,000 for fiscal year 2027; and

19                 “(5) \$11,000,000 for fiscal year 2028.”.

20          (b) CLERICAL AMENDMENT.—The analysis for chap-  
21          ter 1 of title 49, United States Code, is amended by insert-  
22          ing after the item relating to section 119 the following:

“120. National Center for the Advancement of Aerospace.”.

1 **SEC. 304. COOPERATIVE AVIATION RECRUITMENT, ENRICH-**  
2 **MENT, AND EMPLOYMENT READINESS PRO-**  
3 **GRAM.**

4 (a) IN GENERAL.—Chapter 401 of title 49, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 40131. Cooperative Aviation Recruitment, Enrich-**  
8 **ment, and Employment Readiness Pro-**  
9 **gram**

10 “(a) ESTABLISHMENT.—Not later than September  
11 30, 2026, the Secretary of Transportation, through the  
12 National Center for the Advancement of Aerospace (in  
13 this section referred to as the ‘Center’), shall establish an  
14 aviation workforce cooperative development program to be  
15 known as the Cooperative Aviation Recruitment, Enrich-  
16 ment, and Employment Readiness Program (in this sec-  
17 tion referred to as the ‘CAREER Program’) to support  
18 the education, recruitment, training, and retention of fu-  
19 ture aviation professionals, including veterans of the  
20 Armed Forces, and the development of a robust United  
21 States aviation workforce by—

22 “(1) using relevant workforce forecasts to pre-  
23 dict and identify aviation-related workforce chal-  
24 lenges; and

1           “(2) funding projects that address such chal-  
2           lenges and help to sustain the long-term growth of  
3           civil aviation.

4           “(b) IMPLEMENTATION.—

5           “(1) PARTNERSHIP WITH NCAA.—In imple-  
6           menting the CAREER Program established under  
7           subsection (a), the Secretary shall partner with the  
8           CAREER Council established in subsection (j) of  
9           section 120.

10          “(2) NONDELEGATION.—Except as provided in  
11          paragraph (3), the Secretary may not delegate any  
12          of the authorities or responsibilities under this sec-  
13          tion to the Administrator of the Federal Aviation  
14          Administration.

15          “(3) SUPPORT.—To support the administration  
16          of the CAREER Program, the Secretary may assign  
17          employees of the Department of Transportation, in-  
18          cluding employees of the Federal Aviation Adminis-  
19          tration, on detail to the Center.

20          “(c) SOLICITATION, REVIEW, AND EVALUATION  
21          PROCESS.—In carrying out the CAREER Program, the  
22          Secretary shall establish a solicitation, review, and evalua-  
23          tion process that ensures funds made available to carry  
24          out this section are awarded to eligible entities with pro-

1 posals that have adequate merit and relevancy to the mis-  
2 sion of the program.

3 “(d) ELIGIBLE ENTITIES.—An eligible entity under  
4 this section is—

5 “(1) an air carrier;

6 “(2) an entity that holds management specifica-  
7 tions under subpart K of title 91 of title 14, Code  
8 of Federal Regulations;

9 “(3) a holder of a certificate issued under parts  
10 139, 145, or 147 of title 14, Code of Federal Regu-  
11 lations;

12 “(4) an institution of higher education (as de-  
13 fined in section 101 of the Higher Education Act of  
14 1965 (20 U.S.C. 1001)), a postsecondary vocational  
15 institution (as defined in section 102(c) of the High-  
16 er Education Act of 1965 (20 U.S.C. 1002)), or a  
17 high school or secondary school (as such terms are  
18 defined in section 8101 of the Elementary and Sec-  
19 ondary Education Act of 1965 (20 U.S.C. 7801));

20 “(5) a flight school that provides flight training,  
21 as defined in part 61 of title 14, Code of Federal  
22 Regulations, or that holds a pilot school certificate  
23 under part 141 of title 14, Code of Federal Regula-  
24 tions;

25 “(6) an aviation labor organization;

1           “(7) a State, local, territorial, or Tribal govern-  
2           ment, including a political subdivision thereof;

3           “(8) an aviation-related nonprofit organization  
4           described in section 501(c)(3) of the Internal Rev-  
5           enue Code of 1986 that is exempt from taxation  
6           under section 501(a) of such Code;

7           “(9) an entity that—

8           “(A) actively designs or manufactures any  
9           aircraft, aircraft engine, propeller, or appliance,  
10          or a component, part, or system thereof, cov-  
11          ered under a type or production certificate  
12          issued under section 44704; and

13          “(B) has significant operations in the  
14          United States and a majority of the employees  
15          of such entity that are engaged in aviation  
16          manufacturing or development activities and  
17          services are based in the United States; or

18          “(10) a non-profit organization described in  
19          section 501(c)(3) of the Internal Revenue Code of  
20          1986 that is exempt from taxation under 501(a) of  
21          such Code that assists veterans of the Armed Forces  
22          seeking to transition to careers in civil aviation.

23          “(e) REPORTING AND MONITORING REQUIRE-  
24          MENTS.—The Secretary shall establish reasonable report-  
25          ing and monitoring requirements for grant recipients

1 under this section to measure relevant outcomes of the  
2 program maintained pursuant to subsection (a).

3 “(f) REPORT.—Not later than September 30, 2027,  
4 and annually through fiscal year 2028, the Secretary 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 the program that includes—

9 “(1) a summary of projects awarded grants  
10 under this section and the progress of each recipient  
11 towards fulfilling program expectations;

12 “(2) an evaluation of how such projects cumula-  
13 tively impact the future supply of individuals in the  
14 U.S. aviation workforce, including best practices or  
15 programs to incentivize, recruit, and retain individ-  
16 uals in aviation professions;

17 “(3) recommendations for better coordinating  
18 actions by governmental entities, educational institu-  
19 tions, and businesses, aviation labor organizations,  
20 or other stakeholders to support aviation workforce  
21 growth; and

22 “(4) a review of how many recipients engaged  
23 veteran populations and how many veterans were re-  
24 cruited and retrained as part of the aviation work-  
25 force.

1 “(g) NOTICE OF GRANTS.—

2 “(1) TIMELY PUBLIC NOTICE.—The Secretary  
3 shall provide public notice of any grant awarded  
4 under the CAREER Program in a timely fashion  
5 after the Secretary awards such grant.

6 “(2) NOTICE TO CONGRESS.—The Secretary  
7 shall provide advance notice of a grant to be made  
8 under the CAREER Program 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.

12 “(h) AUTHORIZATION OF APPROPRIATIONS.—Of the  
13 amounts made available under section 48105,  
14 \$50,000,000 for each of fiscal years 2027 and 2028 is  
15 authorized to be expended to provide grants under the pro-  
16 gram established under subsection (a).”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-  
18 ter 401 of title 49, United States Code, is amended by  
19 adding at the end the following:

“40131. Cooperative Aviation Recruitment, Enrichment, and Employment Read-  
iness Program.”.

20 **SEC. 305. REPEAL OF DUPLICATIVE OR OBSOLETE WORK-**  
21 **FORCE PROGRAMS.**

22 (a) REPEAL.—Sections 44510 and 44515 of title 49,  
23 United States Code, are repealed.

1 (b) CLERICAL AMENDMENTS.—The analysis for  
2 chapter 445 of title 49, United States Code, is amended  
3 by striking the items relating to sections 44510 and  
4 44515.

5 **SEC. 306. CIVIL AIRMEN STATISTICS.**

6 (a) PUBLICATION FREQUENCY.—The Administrator  
7 of the Federal Aviation Administration shall publish the  
8 study commonly referred to as the “U.S. Civil Airmen Sta-  
9 tistics” on a monthly basis.

10 (b) PRESENTATION OF DATA.—

11 (1) IN GENERAL.—Not later than 1 year after  
12 the date of enactment of this Act, the Administrator  
13 of the Federal Aviation Administration shall estab-  
14 lish a web-based dashboard for purposes of pre-  
15 senting the findings of the study described in sub-  
16 section (a).

17 (2) DOWNLOADABLE FORMAT.—The Adminis-  
18 trator shall make the data publicly available on the  
19 website of the Administration in a downloadable for-  
20 mat.

21 (c) EXPANDED DATA CRITERIA.—Not later than 1  
22 year after the date of enactment of this Act, the Adminis-  
23 trator shall ensure that data sets and tables published as  
24 part of the study described in subsection (a) display infor-

1 mation relating to the sex of certificate holders in more  
2 instances.

3 (d) HISTORICAL DATA.—Not later than 1 year after  
4 the date of enactment of this Act, the Administrator shall  
5 make all previously published annual data from the study  
6 described in subsection (a) available on the website of the  
7 Administration.

8 **SEC. 307. BESSIE COLEMAN WOMEN IN AVIATION ADVISORY**  
9 **COMMITTEE.**

10 (a) ESTABLISHMENT.—Not later than 120 days after  
11 the date of enactment of this Act, the Secretary of Trans-  
12 portation shall establish a Bessie Coleman Women in  
13 Aviation Advisory Committee (hereinafter referred to as  
14 the “Committee”).

15 (b) PURPOSE.—The Committee shall advise the Sec-  
16 retary and the Administrator of the Federal Aviation Ad-  
17 ministration on matters and policies related to the recruit-  
18 ment, retention, employment, education, training, well-  
19 being, and treatment of women in the aviation industry  
20 and aviation-focused Federal civil service positions.

21 (c) FORM OF DIRECTIVES.—All activities carried out  
22 by the Committee, including special committees, shall be  
23 in response to written terms of reference or taskings from  
24 the Secretary and may not duplicate the objectives of the  
25 Air Carrier Training Aviation Rulemaking Committee.

1 (d) FUNCTIONS.—In carrying out the directives de-  
2 scribed in subsection (c), the functions of the Committee  
3 are as follows:

4 (1) Foster industry collaboration in an open  
5 and transparent manner by engaging, as prescribed  
6 by this section, representatives of the private sector  
7 associated with an entity described in subsection  
8 (e)(1)(B).

9 (2) Make recommendations for strategic objec-  
10 tives, priorities, and policies that would improve the  
11 recruitment, retention, and training of women in  
12 aviation professions.

13 (3) Evaluate opportunities for the Administra-  
14 tion to improve the recruitment and retention of  
15 women in the Administration.

16 (e) MEMBERSHIP.—

17 (1) VOTING MEMBERS.—The Advisory Com-  
18 mittee shall be composed of the following members:

19 (A) The Administrator, or the designee of  
20 the Administrator.

21 (B) At least 25 individuals, appointed by  
22 the Secretary, representing the following:

23 (i) Transport aircraft and engine  
24 manufacturers.

- 1 (ii) General aviation aircraft and en-  
2 gine manufacturers.
- 3 (iii) Avionics and equipment manufac-  
4 turers.
- 5 (iv) Public and private aviation labor  
6 organizations, including collective bar-  
7 gaining representatives of—
- 8 (I) aviation safety inspectors and  
9 safety engineers of the Federal Avia-  
10 tion Administration;
- 11 (II) air traffic controllers;
- 12 (III) certified aircraft mainte-  
13 nance technicians; and
- 14 (IV) commercial airline pilots.
- 15 (v) General aviation operators.
- 16 (vi) Air carriers.
- 17 (vii) Business aviation operators.
- 18 (viii) Unmanned aircraft systems  
19 manufacturers and operators.
- 20 (ix) Aviation safety management ex-  
21 perts.
- 22 (x) Aviation maintenance, repair, and  
23 overhaul entities.
- 24 (xi) Airport owners and operators.

1 (xii) Advanced air mobility manufac-  
2 turers and operators.

3 (xiii) Institutions of higher education  
4 (as defined in section 101 of the Higher  
5 Education Act of 1965 (20 U.S.C. 1001)),  
6 a postsecondary vocational institution (as  
7 defined in section 102(c) of the Higher  
8 Education Act of 1965 (20 U.S.C. 1002)),  
9 or a high school or secondary school (as  
10 such terms are defined in section 8101 of  
11 the Elementary and Secondary Education  
12 Act of 1965 (20 U.S.C. 7801)).

13 (xiv) A flight school that provides  
14 flight training, as defined in part 61 of  
15 title 14, Code of Federal Regulations, or  
16 that holds a pilot school certificate under  
17 part 141 of title 14, Code of Federal Regu-  
18 lations.

19 (xv) Aviation maintenance technician  
20 schools governed under part 147 of title  
21 14, Code of Federal Regulations.

22 (2) NONVOTING MEMBERS.—

23 (A) IN GENERAL.—In addition to the  
24 members appointed under paragraph (1), the  
25 Committee shall be composed of not more than

1           5 nonvoting members appointed by the Sec-  
2           retary from among officers or employees of the  
3           FAA.

4           (B) DUTIES.—The nonvoting members  
5           may—

6                   (i) take part in deliberations of the  
7                   Committee; and

8                   (ii) provide subject matter expertise  
9                   with respect to reports and recommenda-  
10                  tions of the Committee.

11           (C) LIMITATION.—The nonvoting members  
12           may not represent any stakeholder interest  
13           other than that of the FAA.

14           (3) TERMS.—Each voting member and non-  
15           voting member of the Committee appointed by the  
16           Secretary shall be appointed for a term of 4 years.

17           (4) COMMITTEE CHARACTERISTICS.—The Com-  
18           mittee shall have the following characteristics:

19                   (A) The ability to obtain necessary infor-  
20                   mation from additional experts in the aviation  
21                   and aerospace communities.

22                   (B) A membership size that enables the  
23                   Committee to have substantive discussions and  
24                   reach consensus on issues in a timely manner.

1           (C) Appropriate expertise, including exper-  
2           tise in human resources, human capital man-  
3           agement, policy, labor relations, employment  
4           training, workforce development, and youth out-  
5           reach.

6           (f) CHAIRPERSON.—

7           (1) IN GENERAL.—The Chairperson of the  
8           Committee shall be appointed by the Secretary from  
9           among the voting members of the Committee under  
10          subsection (e)(1)(B).

11          (2) TERM.—The Chairperson shall serve a 2-  
12          year term.

13          (g) MEETINGS.—

14          (1) FREQUENCY.—The Committee shall meet at  
15          least twice each year at the call of the Chairperson  
16          or the Secretary.

17          (2) PUBLIC ATTENDANCE.—The meetings of  
18          the Committee shall be open and accessible to the  
19          public.

20          (h) SPECIAL COMMITTEES.—

21          (1) ESTABLISHMENT.—The Committee may es-  
22          tablish special committees composed of private sec-  
23          tor representatives, members of the public, labor  
24          representatives, and other relevant parties in com-

1       plying with the consultation and participation re-  
2       quirements under subsection (d).

3           (2) AUTHORITIES.—A special committee estab-  
4       lished by the Committee may provide rulemaking ad-  
5       vice, recommendations, and additional opportunities  
6       to obtain firsthand information to the Committee  
7       with respect to issues regarding the advancement of  
8       women in aviation.

9           (3) APPLICABLE LAW.—Public Law 92-463  
10       shall not apply to a special committee established by  
11       the Committee.

12       (i) PERSONNEL MATTERS.—

13           (1) NO COMPENSATION OF MEMBERS.—

14           (A) NON-FEDERAL EMPLOYEES.—A mem-  
15       ber of the Committee who is not an officer or  
16       employee of the Federal Government shall serve  
17       without compensation.

18           (B) FEDERAL EMPLOYEES.—A member of  
19       the Committee who is an officer or employee of  
20       the Federal Government shall serve without  
21       compensation in addition to the compensation  
22       received for the services of the member as an  
23       officer or employee of the Federal Government.

24           (2) TRAVEL EXPENSES.—The members of the  
25       Committee shall be allowed travel expenses, includ-

1       ing per diem in lieu of subsistence, at rates author-  
2       ized for employees of agencies under subchapter I of  
3       chapter 57 of title 5, United States Code, while  
4       away from their homes or regular places of business  
5       in the performance of services for the Committee.

6       (j) REPORTS.—The Committee shall submit to the  
7       Secretary, 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 upon completion of each tasking summa-  
11      rizing the Committee’s—

12           (1) findings and associated recommendations to  
13      improve the advancement of women in aviation; and

14           (2) planned activities of the Committee, as  
15      tasked by the Secretary, and proposed terms of work  
16      to fulfill each activity.

17      (k) SUNSET.—The Committee shall terminate on the  
18      last day of the 8-year period beginning on the date of the  
19      initial appointment of the members of the Committee.

20      (l) FAA DEFINED.—In this section, the term “FAA”  
21      means the Federal Aviation Administration.

22      **SEC. 308. ESTABLISHING A COMPREHENSIVE WEB-BASED**  
23                                   **AVIATION RESOURCE CENTER.**

24      (a) IN GENERAL.—Not later than 1 year after the  
25      date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall partner with the  
2 National Center for the Advancement of Aerospace (in  
3 this section referred to as the “Center”) to establish a  
4 high-quality, web-based resource center that provides  
5 stream-lined public access to information sources on the  
6 following:

7 (1) Aviation pathway programs and professional  
8 development opportunities.

9 (2) Aviation apprenticeship, scholarship, and in-  
10 ternship programs.

11 (3) Aviation-related curricula and resources  
12 about aviation occupations and career pathways de-  
13 veloped for students, teachers, and guidance coun-  
14 selors at all levels of education.

15 (4) Aviation industry organizations.

16 (b) LEVERAGING FAA EDUCATION, RESEARCH, AND  
17 PARTNERSHIP PROGRAMS.—In carrying out subsection  
18 (a)(3), the Administrator and the Executive Director of  
19 the Center, in partnership with museums, nonprofit orga-  
20 nizations, and commercial entities, shall, to the maximum  
21 extent practicable, leverage field and regional offices of the  
22 Federal Aviation Administration, the Mike Monroney  
23 Aeronautical Center, the William J. Hughes Technical  
24 Center for Advanced Aerospace, Air Transportation Cen-  
25 ters of Excellence, and the Aviation and Space Education

1 program of the Federal Aviation Administration to develop  
2 an array of educational and informative aviation-related  
3 educational activities and materials for students of varying  
4 ages and levels of education to use in the classroom, for  
5 after-school programs and at home.

6 (c) BRIEFING.—Not later than 2 year after the date  
7 of the enactment of this Act, the Administrator shall brief  
8 the Committee on Transportation and Infrastructure of  
9 the House of Representatives and the Committee on Com-  
10 merce, Science, and Technology of the Senate on—

11 (1) the web-based aviation resource center es-  
12 tablished under subsection (a); and

13 (2) the manner in which the education develop-  
14 ment and engagement activities of the Federal Avia-  
15 tion Administration are organized and funded.

16 **SEC. 309. DIRECT HIRE AUTHORITY FROM UAS COLLE-**  
17 **GIATE TRAINING INITIATIVE.**

18 (a) IN GENERAL.—The Administrator of the Federal  
19 Aviation Administration may hire individuals from eligible  
20 institutions of higher education under the Unmanned Air-  
21 craft System Collegiate Training Initiative (in this section  
22 referred to as “UAS CTI”), as established in section 632  
23 of the FAA Reauthorization Act of 2018 (49 U.S.C.  
24 40101 note), without regard to—

1           (1) sections 3309 through 3318 of title 5,  
2 United States Code;

3           (2) part 211 of title 5, Code of Federal Regula-  
4 tions; or

5           (3) subpart A of part 337 of title 5, Code of  
6 Federal Regulations.

7           (b) ELIGIBILITY.—Individuals eligible for employ-  
8 ment by the Administrator under subsection (a) shall—

9           (1) be in good standing or have graduated in  
10 good standing from an institution of higher edu-  
11 cation with a signed memorandum of understanding  
12 under the UAS CTI;

13           (2) hold or have completed the majority of a re-  
14 lated Bachelors or Associates degree, as described by  
15 the eligibility requirements of the UAS CTI;

16           (3) have completed all requirements for a re-  
17 lated minor, concentration, or certificate, as de-  
18 scribed by the eligibility requirements of the UAS  
19 CTI; or

20           (4) meet any other criteria as considered appro-  
21 priate by the Administrator.

22           (c) DEFINITIONS.—In this section:

23           (1) INSTITUTION OF HIGHER EDUCATION.—The  
24 term “institution of higher education” has the

1 meaning given such term in section 101 of the High-  
2 er Education Act of 1965 (20 U.S.C. 1001).

3 (2) GOOD STANDING.—The term “good stand-  
4 ing” means in good standing, as determined by the  
5 applicable institution of higher education.

6 (d) SUNSET.—The authority of the Administrator  
7 under this section shall terminate on September 30, 2028.

## 8 **Subtitle B—Improving Training** 9 **and Rebuilding Talent Pipelines**

### 10 **SEC. 311. JOINT AVIATION EMPLOYMENT TRAINING WORK-** 11 **ING GROUP.**

12 (a) ESTABLISHMENT.—Not later than 120 days after  
13 the date of enactment of this Act, the Secretary of Trans-  
14 portation shall establish an interagency working group (in  
15 this section referred to as the “working group”) to advise  
16 the Secretary of Transportation and the Secretary of De-  
17 fense on matters and policies related to the training and  
18 certification of a covered aviation professional to improve  
19 career transition between the military and civilian  
20 workforces.

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The working group shall  
23 consist of—

24 (A) 2 co-chairs described in paragraph (2);

1 (B) not less than 6 representatives of the  
2 Federal Aviation Administration, to be ap-  
3 pointed by the co-chair described in paragraph  
4 (2)(A); and

5 (C) not less than 1 representative of each  
6 component of the armed forces (as such term is  
7 defined in section 101 of title 10, United States  
8 Code), to be appointed by the co-chair described  
9 in paragraph (2)(B).

10 (2) CO-CHAIRS.—The working group shall be  
11 co-chaired by—

12 (A) a representative of the Department of  
13 Transportation, to be appointed by the Sec-  
14 retary of Transportation; and

15 (B) a representative of the Department of  
16 Defense, to be appointed by the Secretary of  
17 Defense.

18 (c) ACTIVITIES.—The working group shall—

19 (1) evaluate and compare all regulatory require-  
20 ments, guidance, and orders affecting covered avia-  
21 tion professionals and identify challenges that inhibit  
22 recruitment, training, and retention within the re-  
23 spective workforces of such professionals; and

24 (2) assess appropriate areas for increased inter-  
25 agency information sharing and harmonization

1 across workforces on matters related to certification  
2 pathways and certification requirements, including  
3 knowledge testing, affecting covered aviation profes-  
4 sionals.

5 (d) INITIAL REPORT TO CONGRESS.—

6 (1) IN GENERAL.—Not later than 1 year after  
7 the date on which the Secretary of Transportation  
8 establishes the working group, the working group  
9 shall submit to the appropriate committees of Con-  
10 gress an initial report on the activities of the work-  
11 ing group.

12 (2) CONTENTS.—The report required under  
13 paragraph (1) shall include—

14 (A) a detailed description of the findings of  
15 the working group pursuant to the activities re-  
16 quired under subsection (c); and

17 (B) recommendations for regulatory, pol-  
18 icy, or legislative action to improve the training  
19 and certification of covered aviation profes-  
20 sionals across the civilian and military  
21 workforces.

22 (e) ANNUAL REPORTING.—Not later than 1 year  
23 after the date on which the working group submits the  
24 initial report under subsection (d), and annually there-

1 after, the working group shall submit to the appropriate  
2 committees of Congress a report—

3 (1) describing the continued activities of the  
4 working group;

5 (2) describing any progress made by the Sec-  
6 retary of Transportation or Secretary of Defense in  
7 implementing the recommendations described in sub-  
8 section (d)(2)(B); and

9 (3) containing any other recommendations the  
10 working group may have with respect to efforts to  
11 improve the employment and training of covered  
12 aviation professionals in the civilian and military  
13 workforces.

14 (f) SUNSET.—The working group shall terminate on  
15 the date that is 4 years after the date on which the work-  
16 ing group submits the initial report to Congress pursuant  
17 to subsection (d).

18 (g) DEFINITIONS.—In this section:

19 (1) APPROPRIATE COMMITTEES OF CON-  
20 GRESS.—The term “appropriate committees of Con-  
21 gress” means—

22 (A) the Committee on Armed Services of  
23 the House of Representatives;

24 (B) the Committee on Armed Services of  
25 the Senate;

1 (C) the Committee on Transportation and  
2 Infrastructure of the House of Representatives;  
3 and

4 (D) the Committee on Commerce, Science,  
5 and Transportation of the Senate.

6 (2) COVERED AVIATION PROFESSION.—The  
7 term “covered aviation professional” means—

8 (A) an airman;

9 (B) an aircraft maintenance and repair  
10 technician;

11 (C) an air traffic controller; and

12 (D) any other aviation-related professional  
13 that has comparable tasks and duties across the  
14 civilian and military workforces, as determined  
15 jointly by the co-chairs of the working group.

16 **SEC. 312. AIRMAN KNOWLEDGE TESTING WORKING GROUP.**

17 (a) WORKING GROUP.—Not later than 180 days after  
18 the date of enactment of this Act, the Administrator of  
19 the Federal Aviation Administration shall task the Avia-  
20 tion Rulemaking Advisory Committee to establish a work-  
21 ing group to review knowledge testing processes and proce-  
22 dures to improve the facilitation, administration, and ac-  
23 cessibility of knowledge tests.

24 (b) ACTIVITIES.—The working group established pur-  
25 suant to subsection (a) shall—

1           (1) assess methods to increase knowledge test-  
2           ing capacity, including through—

3                   (A) the adoption of alternative proctoring  
4           methods; and

5                   (B) increased utilization of pilot schools  
6           that hold a pilot school certificate under part  
7           141 of title 14, Code of Federal Regulations,  
8           and aviation maintenance technician schools  
9           governed under part 147 of title 14, Code of  
10          Federal Regulations; and

11          (2) evaluate the following:

12                   (A) The management and provision of  
13          knowledge tests by testing centers.

14                   (B) The testing registration process for  
15          students.

16                   (C) Student access to knowledge tests.

17                   (D) Fees associated with knowledge tests.

18                   (E) The accuracy of public sample knowl-  
19          edge tests available to students.

20                   (F) Development and maintenance of  
21          knowledge tests and forms.

22          (c) MECHANIC GENERAL KNOWLEDGE TEST.—In  
23          addition to the activities under subsection (b), the Aviation  
24          Rulemaking Advisory Committee shall task the working  
25          group established pursuant to subsection (a) with assess-

1 ing opportunities to allow a high school student upon suc-  
2 cessful completion of an aviation maintenance curriculum  
3 to take the general written knowledge portion of the me-  
4 chanic exam described in section 65.75 of title 14, Code  
5 of Federal Regulations, at an Administration-approved  
6 testing center.

7 (d) REPORT.—Not later than 18 months after the  
8 Aviation Rulemaking Advisory Committee tasks the work-  
9 ing group under subsection (a), the working group shall  
10 submit to the Administrator a final report making rec-  
11 ommendations to improve the facilitation, administration,  
12 and accessibility of knowledge tests.

13 (e) DEFINITIONS.—In this section:

14 (1) HIGH SCHOOL.—The term “high school”  
15 has the meaning given such term in section 8101 of  
16 the Elementary and Secondary Education Act of  
17 1965 (20 U.S.C. 7801).

18 (2) KNOWLEDGE TEST.—The term “knowledge  
19 test” means a test prescribed under parts 61 and 65  
20 of title 14, Code of Federal Regulations.

21 (3) SECONDARY SCHOOL.—The term “sec-  
22 ondary school” has the meaning given such term in  
23 section 8101 of the Elementary and Secondary Edu-  
24 cation Act of 1965 (20 U.S.C. 7801).

1 **SEC. 313. AIRMAN CERTIFICATION SYSTEM WORKING**  
2 **GROUP AND TIMELY PUBLICATION OF**  
3 **STANDARDS.**

4 (a) **WORKING GROUP.**—The Administrator of the  
5 Federal Aviation Administration shall task the Airman  
6 Certification System Working Group established under the  
7 Aviation Rulemaking Advisory Committee of the Adminis-  
8 tration to review Airman Certification Standards to ensure  
9 that airman proficiency and knowledge correlates and cor-  
10 responds to regulations, procedures, equipment, aviation  
11 infrastructure, and safety trends at the time of such re-  
12 view.

13 (b) **ACS PUBLICATION.**—Not later than 180 days  
14 after the date of enactment of this Act, the Administrator  
15 of the Federal Aviation Administration shall publish on  
16 the website of the Administration—

17 (1) the process by which the Airman Certifi-  
18 cation Standards are to be established, updated, and  
19 maintained;

20 (2) the process by which relevant guidance doc-  
21 uments, handbooks, and test materials associated  
22 with such standards are to be established, updated,  
23 and maintained; and

24 (3) any anticipated or required updates to such  
25 standards, including providing a date by which such

1 modifications can be expected to be completed and  
2 made available to the public.

3 **SEC. 314. AIR TRAFFIC CONTROL WORKFORCE STAFFING.**

4 (a) RESPONSIBILITY FOR CONTROLLER WORKFORCE  
5 PLAN.—

6 (1) AIR TRAFFIC CONTROLLER STAFFING INI-  
7 TIATIVES AND ANALYSIS.—Section 221 of the Vision  
8 100–Century of Aviation Reauthorization Act (49  
9 U.S.C. 44506 note) is amended by striking “Admin-  
10 istrator of the Federal Aviation Administration” and  
11 inserting “Chief Operating Officer of the Air Traffic  
12 Organization of the Federal Aviation Administra-  
13 tion”.

14 (2) STAFFING REPORT.—Section 44506(e) of  
15 title 49, United States Code, is amended in the mat-  
16 ter before paragraph (1) by striking “Administrator  
17 of the Federal Aviation Administration” and insert-  
18 ing “Chief Operating Officer of the Air Traffic Or-  
19 ganization of the Federal Aviation Administration”.

20 (b) MAXIMUM HIRING.—Subject to the availability of  
21 appropriations, for each of fiscal years 2024 through  
22 2028, the Administrator of the Federal Aviation Adminis-  
23 tration shall set as the hiring target for new air traffic  
24 controllers (excluding individuals described in section  
25 44506(f)(1)(A) of title 49, United States Code) the max-

1 imum number of individuals able to be trained at the Fed-  
2 eral Aviation Administration Academy.

3 (c) HIRING AND STAFFING.—The Chief Operating  
4 Officer of the Federal Aviation Administration shall revise  
5 the air traffic control hiring plans and staffing standards  
6 of the Administration to—

7 (1) provide that the controller and management  
8 workforce is adequately staffed to safely and effi-  
9 ciently manage and oversee the air traffic control  
10 system to the satisfaction of the Chief Operating Of-  
11 ficer;

12 (2) account for the target number of certified  
13 professional controllers able to control traffic at each  
14 independent facility; and

15 (3) avoid any required or requested reduction of  
16 national airspace system capacity or aircraft oper-  
17 ations as a result of inadequate air traffic control  
18 system staffing.

19 (d) INTERIM ADOPTION OF COLLABORATIVE RE-  
20 SOURCE WORKGROUP MODELS.—

21 (1) IN GENERAL.—In carrying out subsection  
22 (c) and in submitting a Controller Workforce Plan  
23 of the Administration published after the date of en-  
24 actment of this Act, the Chief Operating Officer  
25 shall adopt and utilize the staffing models and meth-

1 odologies developed by the Collaborative Resource  
2 Workgroup that were recommended in a report sub-  
3 mitted to the Administrator and referenced in the  
4 Controller Workforce Plan submitted to Congress on  
5 May 5, 2023.

6 (2) SUNSET.—The requirement under para-  
7 graph (1) shall cease to be effective upon the adop-  
8 tion of a staffing model required under subsection  
9 (f).

10 (e) ASSESSMENT.—

11 (1) REVIEW.—Not later than 180 days after  
12 the date of enactment of this Act, the Administrator  
13 shall enter into an agreement with the Transpor-  
14 tation Research Board to—

15 (A) compare the Administration’s staffing  
16 models and methodologies in determining staff-  
17 ing standards targets with those developed by  
18 the Collaborative Resource Workgroup, includ-  
19 ing—

20 (ii) the availability factor multiplier  
21 and other formula components; and

22 (iii) the independent facility staffing  
23 targets of certified professional controllers  
24 able to control traffic; and

1 (B) assess future needs of the air traffic  
2 control system and potential impacts on staffing  
3 standards.

4 (2) REPORT.—

5 (A) FINDINGS.—In carrying out this sub-  
6 section, the Transportation Research Board  
7 shall—

8 (i) report to the Administrator and  
9 Congress on the findings of the review  
10 under this subsection; and

11 (ii) determine which staffing models  
12 and methodologies best accounts for the  
13 operational staffing needs of the air traffic  
14 control system and provide a justification  
15 for such determination.

16 (B) MODIFICATIONS TO IDENTIFIED  
17 MODEL.—The Transportation Research Board  
18 may make recommendations to improve the  
19 staffing model described in (2)(A)(ii).

20 (3) CONSULTATION.—In conducting the assess-  
21 ment under this subsection, the Transportation Re-  
22 search Board shall consult with—

23 (A) exclusive bargaining representatives of  
24 air traffic controllers certified under section  
25 7111 of title 5, United States Code;

1 (B) Administration officials and executives;

2 (C) front line managers of the air traffic  
3 control system;

4 (D) managers and employees responsible  
5 for training air traffic controllers;

6 (E) the MITRE Corporation;

7 (F) the Chief Operating Officer of the Air  
8 Traffic Organization of the Federal Aviation  
9 Administration; and

10 (G) users of the air traffic control system.

11 (f) REQUIRED IMPLEMENTATION OF IDENTIFIED  
12 STAFFING MODEL.—The Administrator shall take such  
13 action that may be necessary to adopt and utilize the staff-  
14 ing model identified by the Transportation Research  
15 Board pursuant to subsection (e)(2)(A)(ii), including any  
16 recommendations for improving such model.

17 (g) CONTROLLER TRAINING.—In any Controller  
18 Workforce Plan of the Administration published after the  
19 date of enactment of this Act, the Chief Operating Officer  
20 shall—

21 (1) identify all limiting factors on the Adminis-  
22 tration's ability to hire and train controllers in line  
23 with the staffing standards target set out in such  
24 Plan; and

1           (2) describe what actions the Administration  
2           will take to rectify any impediments to meeting  
3           staffing standards targets and identify contributing  
4           factors that are outside the control of the Adminis-  
5           tration.

6 **SEC. 315. AVIATION SAFETY WORKFORCE ASSESSMENT.**

7           (a) IN GENERAL.—The Administrator of the Federal  
8           Aviation Administration shall assess, on a recurring basis,  
9           staffing levels, critical competencies, and skills gaps of  
10          safety critical positions in the Flight Standards Service  
11          and Aircraft Certification Service and within other offices  
12          of the Administration that support such services.

13          (b) CONSIDERATIONS.—In completing the assessment  
14          described in subsection (a), the Administrator shall—

15                 (1) evaluate the workload at the time of the as-  
16                 sessment, historic workload, and estimated future  
17                 workload of such personnel;

18                 (2) conduct a critical competency and skills gap  
19                 analysis to determine the knowledge and skill sets  
20                 needed for work at the time of the assessment and  
21                 anticipated work, with an emphasis on work per-  
22                 taining to—

23                         (A) new and novel aircraft propulsion and  
24                         power methods;

1 (B) simplified vehicle operations and  
2 human factors; and

3 (C) autonomy, machine learning, and arti-  
4 ficial intelligence;

5 (3) compare the outcome of such analysis de-  
6 scribed in paragraph (2) to the competency and  
7 skills of the workforce at the time of the assessment;  
8 and

9 (4) review opportunities for employees of the  
10 Administration to gain or enhance expertise, knowl-  
11 edge, skills, and abilities through cooperative train-  
12 ing with appropriate companies and organizations;  
13 and

14 (5) develop hiring and recruitment plans to—

15 (A) address hard to fill positions; and

16 (B) address competency and skill gaps at  
17 various levels of experience and management  
18 within Flight Standards Service and Aircraft  
19 Certification Service.

20 (c) REPORT.—Upon completion of an assessment de-  
21 scribed in subsection (a), the Administrator shall submit  
22 to the Committee on Transportation and Infrastructure  
23 of the House of Representatives and the Committee on  
24 Commerce, Science, and Transportation of the Senate a  
25 report detailing the following:

1           (1) The methodology and findings of the assess-  
2           ment described in subsection (a), including an anal-  
3           ysis of hiring authorities of the Administration at  
4           the time of the assessment, including direct hiring  
5           authorities, by occupation series for inspector, engi-  
6           neer, and other safety critical positions within Flight  
7           Standards Service and Aircraft Certification Service.

8           (2) Action based recommendations the Adminis-  
9           tration can take to improve—

10                   (A) the Aviation Safety Workforce Plan;

11                   (B) the skill sets and competencies of in-  
12           spectors, engineers, and other safety critical po-  
13           sitions at the time of the assessment;

14                   (C) competition with industry and other  
15           non-aviation sectors for candidates with identi-  
16           fied competencies and technical skill sets; and

17                   (D) overall hiring and retention of inspec-  
18           tors, engineers, and other critical positions.

19           (3) Actions Congress can take to improve the  
20           recruitment, hiring, upskilling, and retention of in-  
21           spectors, engineers, and other safety critical posi-  
22           tions in Flight Standards Service and Aircraft Cer-  
23           tification Service and within other offices of the Ad-  
24           ministration that support such services.

1 (d) SAFETY CRITICAL POSITION DEFINED.—In this  
2 section, the term “safety critical position” means—

3 (1) an aviation safety inspector, an aviation  
4 safety specialist (denoted by the Administration as  
5 1801 series), an aviation safety technician, and an  
6 operations support position in the Flight Standards  
7 Service; and

8 (2) a manufacturing safety inspector, a pilots,  
9 an engineer, a Chief Scientist Technical Advisor, an  
10 aviation safety specialist (denoted by the Adminis-  
11 tration as 1801 series), a safety technical specialist,  
12 and an operational support position in the Aircraft  
13 Certification Service.

14 **SEC. 316. MILITARY AVIATION MAINTENANCE.**

15 (a) STREAMLINED CERTIFICATION FOR ELIGIBLE  
16 MILITARY MAINTENANCE TECHNICIANS.—Not later than  
17 1 year after the interagency working group in section 311  
18 of this Act is convened, the Administrator of the Federal  
19 Aviation Administration shall task such working group  
20 with evaluating the appropriateness of revising part 65 of  
21 title 14, Code of Federal Regulations, to—

22 (1) create a mechanic written competency test  
23 for eligible military maintenance technicians;

24 (2) develop, as necessary, a relevant Airman  
25 Certification Standard to qualify eligible military

1 maintenance technicians for a mechanic certificate  
2 issued by the Federal Aviation Administration with  
3 an airframe rating or a powerplant rating, or both;  
4 and

5 (3) allow a certificate of eligibility from the  
6 Joint Services Aviation Maintenance Technician Cer-  
7 tification Council (in this section referred to as the  
8 “JSAMTCC”) evidencing completion of a training  
9 curriculum for any rating sought to serve as a sub-  
10 stitute to fulfill the requirement under such part 65  
11 for oral and practical tests administered by a des-  
12 ignated mechanic examiner for eligible military  
13 maintenance technicians.

14 (b) FINAL RULE.—If the working group finds that  
15 revising part 65 of title 14, Code of Federal Regulations,  
16 as described in section (a) is appropriate, not later than  
17 1 year after the finding, the Administrator shall issue a  
18 final rule that revises part 65 of title 14, Code of Federal  
19 Regulations, as described in subsection (a).

20 (c) AERONAUTICAL KNOWLEDGE SUBJECT AREAS.—

21 (1) IN GENERAL.—The military mechanic writ-  
22 ten competency test and Airman Certification Stand-  
23 ard described in subsection (a)(1) and subsection  
24 (a)(2), respectively, shall focus on the aeronautical  
25 knowledge subject areas contained in the Aviation

1       Mechanic General, Airframe, and Powerplant Air-  
2       man Certificate Standards, as appropriate to the  
3       rating sought.

4               (2) IDENTIFICATION OF SUBJECT AREAS.—The  
5       aeronautical knowledge subject areas described in  
6       paragraph (1) shall be identified in consultation with  
7       industry stakeholders and the Airman Certification  
8       System Working Group.

9               (d) EXPANSION OF TESTING LOCATIONS.—The  
10      interagency working group described in subsection (a)  
11      shall determine whether an expansion of the number of  
12      active testing locations operated within military installa-  
13      tion testing centers would increase access to testing, as  
14      well as how to implement such expansion.

15              (e) OUTREACH AND AWARENESS.—The interagency  
16      working group described in subsection (a) shall develop a  
17      plan to increase outreach and awareness regarding—

18              (1) the services made available by the  
19      JSAMTCC; and

20              (2) the military mechanic written competency  
21      test described in subsection (a), if appropriate.

22              (f) ELIGIBLE MILITARY MAINTENANCE TECHNICIAN  
23      DEFINED.—In this section, the term “eligible military  
24      maintenance technician” means an individual who is a  
25      current or former military aviation maintenance techni-

1 cian who was honorably discharged or has retired from  
2 the armed forces (as such term is defined in section 101  
3 of title 10, United States Code).

4 **Subtitle C—Engaging and**  
5 **Retaining the Workforce**

6 **SEC. 321. AIRMAN’S MEDICAL BILL OF RIGHTS.**

7 (a) IN GENERAL.—

8 (1) DEVELOPMENT.—Not later than 1 year  
9 after the date of enactment of this Act, the Adminis-  
10 trator of the Federal Aviation Administration shall  
11 develop a document (in this section referred to as  
12 the “Airman’s Medical Bill of Rights”) detailing the  
13 right of an individual before, during, and after a  
14 medical exam conducted by an Aviation Medical Ex-  
15 aminer.

16 (2) CONTENTS.—The Airman’s Medical Bill of  
17 Rights required under paragraph (1) shall, at a min-  
18 imum, contain information about the right of an in-  
19 dividual to—

20 (A) bring a trusted companion or request  
21 to have a chaperone present for a medical  
22 exam;

23 (B) terminate an exam at any time and for  
24 any reason;

1 (C) receive care with respect and recogni-  
2 tion of the dignity of the individual;

3 (D) be assured of privacy and confiden-  
4 tiality;

5 (E) select an Aviation Medical Examiner  
6 without interference;

7 (F) privacy when changing, undressing,  
8 and using the restroom;

9 (G) ask questions about the health status  
10 of the individual or any suggested treatments or  
11 evaluations, and to have such questions fully  
12 answered;

13 (H) report an incident of misconduct by an  
14 Aviation Medical Examiner to the appropriate  
15 authorities, including to the State licensing  
16 board of the Aviation Medical Examiner or the  
17 Federal Aviation Administration;

18 (I) report to the Administrator an allega-  
19 tion regarding alleged Aviation Medical Exam-  
20 iner misconduct without fear of retaliation or  
21 negative action relating to an airman certificate  
22 of the individual; and

23 (J) be advised of any known conflicts of in-  
24 terest an Aviation Medical Examiner may have  
25 with respect to the care of the individual.

1           (3) PUBLIC AVAILABILITY.—The Airman’s  
2 Medical Bill of Rights required under paragraph (1)  
3 shall be—

4           (A) made available to, and acknowledged  
5 by, an individual in the MedXpress system;

6           (B) made available in a hard-copy format  
7 by an Aviation Medical Examiner at the time of  
8 exam upon request by an individual; and

9           (C) displayed in a common space in the of-  
10 fice of the Aviation Medical Examiner.

11 (b) EXPECTATIONS FOR MEDICAL EXAMINATIONS.—

12           (1) IN GENERAL.—Not later than 1 year after  
13 the date of enactment of this Act, the Administrator  
14 shall develop a simplified document explaining the  
15 standard procedures performed during a medical ex-  
16 amination conducted by an Aviation Medical Exam-  
17 iner.

18           (2) PUBLIC AVAILABILITY.—The document re-  
19 quired under paragraph (1) shall be—

20           (A) made available to, and acknowledged  
21 by, an individual in the MedXpress system;

22           (B) made available in a hard-copy format  
23 by an Aviation Medical Examiner at the time of  
24 exam upon request by an individual; and

1 (C) displayed in a common space in the of-  
2 fice of the Aviation Medical Examiner.

3 **SEC. 322. IMPROVED DESIGNEE MISCONDUCT REPORTING**  
4 **PROCESS.**

5 (a) IMPROVED DESIGNEE MISCONDUCT REPORTING  
6 PROCESS.—

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 shall estab-  
10 lish a streamlined process for individuals involved in  
11 incidents of alleged misconduct by a designee to re-  
12 port such incidents in a manner that protects the  
13 privacy and confidentiality of such individuals.

14 (2) PUBLIC ACCESS TO REPORTING PROCESS.—  
15 The process for reporting alleged misconduct by a  
16 designee shall be made available to the public on the  
17 website of the Administration, including—

18 (A) the designee locator search webpage;  
19 and

20 (B) the webpage of the Office of Audit and  
21 Evaluation of the Federal Aviation Administra-  
22 tion.

23 (3) OBLIGATION TO REPORT CRIMINAL  
24 CHARGES.—Not later than 90 days after the date of  
25 enactment of this Act, the Administrator shall revise

1 the orders and policies governing the Designee Man-  
2 agement System to clarify that designees are obli-  
3 gated to report any arrest, indictment, or conviction  
4 for violation of a local, State, or Federal law within  
5 a period of time specified by the Administrator.

6 (4) AUDIT OF REPORTING PROCESS BY INSPEC-  
7 TOR GENERAL.—

8 (A) IN GENERAL.—Not later than 3 years  
9 after the date on which the Administrator final-  
10 izes the update of the reporting process under  
11 paragraph (1), the inspector general of the De-  
12 partment of Transportation shall conduct an  
13 audit of such reporting process.

14 (B) CONTENTS.—In conducting the audit  
15 of the reporting process described in subpara-  
16 graph (A), the inspector general shall, at a min-  
17 imum—

18 (i) review the efforts of the Adminis-  
19 tration to improve the reporting process  
20 and solutions developed to respond to and  
21 investigate allegations of misconduct;

22 (ii) analyze reports of misconduct  
23 brought to the Administrator prior to any  
24 changes made to the reporting process as  
25 a result of the enactment of this Act, in-

1 cluding the ultimate outcomes of those re-  
2 ports and whether any reports resulted in  
3 the Administrator taking action against  
4 the accused designee;

5 (iii) determine whether the reporting  
6 process results in appropriate action, in-  
7 cluding reviewing, investigating, and clos-  
8 ing out reports; and

9 (iv) if applicable, make recommenda-  
10 tions to improve the reporting process.

11 (C) REPORT.—Not later than 1 year after  
12 the date of initiation of the audit described in  
13 subparagraph (A), the inspector general shall  
14 submit to the Committee on Transportation and  
15 Infrastructure of the House of Representatives  
16 and the Committee on Commerce, Science, and  
17 Transportation of the Senate a report on the  
18 results of such audit, including findings and  
19 recommendations.

20 (b) DESIGNEE DEFINED.—In this section, the term  
21 “designee” means an individual who has been designated  
22 to act as a representative of the Administrator as—

23 (1) an Aviation Medical Examiner (as described  
24 in section 183.21 of title 14, Code of Federal Regu-  
25 lations);

1           (2) a pilot examiner (as described in section  
2           183.23 of such title); or

3           (3) a technical personnel examiner (as described  
4           in section 183.25 of such title).

5 **SEC. 323. REPORT ON SAFE UNIFORM OPTIONS FOR CER-**  
6 **TAIN AVIATION EMPLOYEES.**

7           (a) IN GENERAL.—The Administrator of the Federal  
8 Aviation Administration shall conduct a review to deter-  
9 mine whether air carriers operating under part 121 of title  
10 14, Code of Federal Regulations, and repair stations cer-  
11 tificated under part 145 of such title have in place uniform  
12 policies and uniform offerings that ensure pregnant em-  
13 ployees can perform required duties safely.

14           (b) CONSULTATION.—In conducting the review re-  
15 quired under subsection (a), the Administrator shall con-  
16 sult with air carriers and repair stations described in sub-  
17 section (a) and employees of such air carriers and such  
18 stations who are required to adhere to a uniform policy.

19           (c) BRIEFING.—Not later than 2 years after the date  
20 of enactment of this Act, the Administrator shall brief the  
21 Committee on Transportation and Infrastructure of the  
22 House of Representatives and the Committee on Com-  
23 merce, Science, and Transportation of the Senate on the  
24 results of the review required under subsection (a).

1 **SEC. 324. EXTENSION OF SAMYA ROSE STUMO NATIONAL**  
2 **AIR GRANT FELLOWSHIP PROGRAM.**

3 Section 131(d) of the Aircraft Certification, Safety,  
4 and Accountability Act (49 U.S.C. 40101 note) is amend-  
5 ed by striking “fiscal years 2021 through 2025” and in-  
6 serting “fiscal years 2023 through 2028”.

7 **SEC. 325. PROMOTION OF CIVIL AERONAUTICS AND SAFETY**  
8 **OF AIR COMMERCE.**

9 Section 40104 of title 49, United States Code, is  
10 amended—

11 (1) in subsection (a) by striking “In carrying  
12 out” and all that follows through “other interested  
13 organizations.”;

14 (2) by redesignating subsection (d) as sub-  
15 section (e);

16 (3) by redesignating subsection (b) as sub-  
17 section (d); and

18 (4) by redesignating subsection (c) as sub-  
19 section (b) and reordering the subsections accord-  
20 ingly.

21 **SEC. 326. EDUCATIONAL AND PROFESSIONAL DEVELOP-**  
22 **MENT.**

23 Section 40104 of title 49, United States Code, is fur-  
24 ther amended by inserting after subsection (b) (as redesi-  
25 gnated by section 325) the following:

1       “(c) EDUCATIONAL AND PROFESSIONAL DEVELOP-  
2   MENT.—

3           “(1) IN GENERAL.—In carrying out subsection  
4   (a), the Administrator shall support and undertake  
5   efforts, including through the National Center for  
6   the Advancement of Aerospace, to promote and sup-  
7   port the education of current and future aerospace  
8   professionals.

9           “(2) EDUCATION MATERIALS.—Based on the  
10   availability of resources, the Administrator shall dis-  
11   tribute civil aviation information, and educational  
12   materials, and provide expertise to State and local  
13   school administrators, college and university offi-  
14   cials, and officers of other interested organizations  
15   and entities.

16          “(3) SUPPORT FOR PROFESSIONAL DEVELOP-  
17   MENT AND CONTINUING EDUCATION.—To the extent  
18   a nonprofit organization, association, industry  
19   group, educational institution, collective bargaining  
20   unit, governmental organization, or other entity that  
21   organizes or hosts a lecture, conference, convention,  
22   meeting, round table, or any other type of program  
23   with the purpose of sharing educational information  
24   related to aerospace with a broad audience, the Ad-  
25   ministrator shall—

1           “(A) strongly consider accepting an invita-  
2           tion to attend, present, and contribute to con-  
3           tent generation; and

4           “(B) make efforts to share information  
5           each year, putting a particular emphasis on  
6           reaching audiences consisting of representatives  
7           of the Administrator and entities regulated en-  
8           tities by the Administrator.

9           “(4) CONTENT.—In planning for the opportuni-  
10          ties under paragraph (3), the Administrator shall  
11          maintain presentations and content covering topics  
12          of broad relevance, including—

13                 “(A) ethical decision-making and the re-  
14                 sponsibilities of aerospace professionals;

15                 “(B) managing a workforce, encouraging  
16                 proper reporting of prospective safety issues,  
17                 and educating employees on safety management  
18                 systems; and

19                 “(C) responsibilities as a designee or rep-  
20                 resentative of the Administrator.”.

21 **SEC. 327. HUMAN FACTORS PROFESSIONALS.**

22           The Administrator of the Federal Aviation Adminis-  
23          tration shall establish a new work code for human factors  
24          professionals who—

1           (1) perform work involving the design and test-  
2           ing of technologies, processes, and systems which re-  
3           quire effective and safe human performance;

4           (2) generate and apply theories, principles,  
5           practical concepts, systems, and processes related to  
6           the design and testing of technologies, systems, and  
7           training programs to support and evaluate human  
8           performance in work contexts; and

9           (3) meet education or experience requirements  
10          as determined by the Administrator.

11 **SEC. 328. AEROMEDICAL INNOVATION AND MODERNIZA-**  
12 **TION WORKING GROUP.**

13          (a) ESTABLISHMENT.—Not later than 180 days after  
14 the date of enactment of this Act, the Administrator of  
15 the Federal Aviation Administration shall establish a  
16 working group (in this section referred to as the “working  
17 group”) to review the medical processes, policies, and pro-  
18 cedures of the Administration and to make recommenda-  
19 tions to the Administrator on modernizing such processes,  
20 policies, and procedures to ensure timely and efficient cer-  
21 tification of airmen.

22          (b) MEMBERSHIP.—

23           (1) IN GENERAL.—The working group shall  
24          consist of—

1 (A) 2 co-chairs described in paragraph (2);

2 and

3 (B) not less than 15 individuals appointed  
4 by the Administrator, each of whom shall have  
5 knowledge or a background in aerospace medi-  
6 cine, psychology, neurology, cardiology, or inter-  
7 nal medicine.

8 (2) CO-CHAIRS.—The working group shall be  
9 co-chaired by—

10 (A) the Federal Air Surgeon of the Fed-  
11 eral Aviation Administration; and

12 (B) a member described under paragraph  
13 (1)(A) to be selected by members of the work-  
14 ing group.

15 (3) PREFERENCE.—The Administrator, in ap-  
16 pointing members pursuant to paragraph (1)(B),  
17 shall give preference to—

18 (A) Aviation Medical Examiners (as de-  
19 scribed in section 183.21 of title 14, Code of  
20 Federal Regulations);

21 (B) licensed medical physicians;

22 (C) practitioners holding a pilot certificate;

23 (D) individuals having demonstrated re-  
24 search and expertise in aeromedical research or  
25 sciences; and

1           (E) representatives of organizations with  
2           memberships affected by the medical processes,  
3           policies, and procedures of the Administration.

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, including  
17 antidepressants;

18           (13) assess processes and protocols pertaining  
19 to recertification of an airman receiving disability in-  
20 surance post-recovery from the medical condition, in-  
21 jury, or disability that precludes an airman from ex-  
22 ercising the privileges of an airman certificate;

23           (14) assess processes and protocols pertaining  
24 to the certification of veterans reporting a disability  
25 rating from the Department of Veterans Affairs; and

1           (15) assess and evaluate the user interface and  
2 information-sharing capabilities of any online med-  
3 ical portal administered by the Federal Aviation Ad-  
4 ministration.

5           (d) PILOT MENTAL HEALTH TASK GROUP.—

6           (1) ESTABLISHMENT.—Not later than 120 days  
7 after the working group pursuant to subsection (a)  
8 is established, the co-chairs of such working groups  
9 shall establish a pilot mental health task group (re-  
10 ferred to in this subsection as the “task group”) to  
11 develop and provide recommendations related to sup-  
12 porting the mental health of aircraft pilots.

13           (2) COMPOSITION.—The co-chairs of such  
14 working group shall appoint—

15                   (A) a Chair of the task group; and

16                   (B) members of the task group from  
17 among the members of the working group ap-  
18 pointed by the Administrator under subsection  
19 (b)(1).

20           (3) DUTIES.—The duties of the task group  
21 shall include—

22                   (A) carrying out the activities described in  
23 subsection (c)(11) and subsection (c)(12);

1 (B) reviewing and evaluating guidance  
2 issued by the International Civil Aviation Orga-  
3 nization on pilot mental health;

4 (C) consider implementing the final rec-  
5 ommendations report issue by the Office of the  
6 inspector general of the Department of Trans-  
7 portation titled, “FAA Conduct Comprehensive  
8 Evaluations of Pilots With Mental Health Chal-  
9 lenges, but Opportunities Exist to Further Miti-  
10 gate Safety Risks” and published on July 12,  
11 2023; and

12 (D) providing recommendations for—

13 (i) best practices for detecting, assess-  
14 ing, and reporting mental health conditions  
15 and treatment options as part of pilot  
16 aeromedical assessments;

17 (ii) improving the training of aviation  
18 medical examiners to identify mental  
19 health conditions among pilots, including  
20 guidance on referrals to a mental health  
21 provider or other aeromedical resource;

22 (iii) expanding and improving mental  
23 health outreach, education, and assistance  
24 programs for pilots; and

1 (iv) reducing the stigma of assistance  
2 for mental health in the aviation industry.

3 (4) REPORT.—Not later than 2 years after the  
4 date of the establishment of the task group, the task  
5 group shall submit to the Secretary, the Committee  
6 on Transportation and Infrastructure of the House  
7 of Representatives, and the Committee on Com-  
8 merce, Science, and Transportation of the Senate a  
9 report detailing—

10 (A) the results of the review and evalua-  
11 tion under paragraph (3)(A); and

12 (B) recommendations developed pursuant  
13 to paragraph (3)(C).

14 (d) SUPPORT.—The Administrator shall seek to enter  
15 into one or more agreements with the National Academies  
16 to support the activities of the working group described  
17 in subsection (c).

18 (e) FINDINGS; RECOMMENDATIONS.—

19 (1) FINDINGS.—The working group shall report  
20 annually to the Administrator, 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 find-  
24 ings resulting from the activities carried out pursu-  
25 ant to subsection (c).

1           (2) RECOMMENDATIONS.—Findings reported  
2           pursuant to paragraph (1) shall be accompanied by  
3           recommendations for regulatory, policy, or legislative  
4           action to improve or modernize the medical certifi-  
5           cation and aeromedical processes, procedures, and  
6           policies of the Administration.

7           (f) IMPLEMENTATION.—Not later than 1 year after  
8           receiving recommendations outlined in the report under  
9           subsection (b), the Administrator shall take such action,  
10          as appropriate, to implement those recommendations.

11          (g) SUNSET.—The working group shall terminate on  
12          September 30, 2028.

13          **SEC. 329. FRONTLINE MANAGER WORKLOAD STUDY.**

14          (a) IN GENERAL.—Not later than 2 years after the  
15          date of enactment of this Act, the Chief Operating Officer  
16          of the Air Traffic Organization of the Federal Aviation  
17          Administration shall conduct a study on frontline manager  
18          workload challenges in air traffic control facilities.

19          (b) CONSIDERATIONS.—In conducting the study re-  
20          quired under subsection (a), the Chief Operating Officer  
21          may—

22                  (1) consider—

23                          (A) workload challenges including—

24                                  (i) the managerial tasks expected to  
25                                  be performed by frontline managers, in-

1 including employee development, manage-  
2 ment, and counseling;

3 (ii) the number of supervisory posi-  
4 tions of operations requiring watch cov-  
5 erage in each air traffic control facility;

6 (iii) the complexity of traffic and  
7 managerial responsibilities; and

8 (iv) proficiency and training require-  
9 ments;

10 (B) facility type;

11 (C) facility staffing levels; and

12 (D) any other factors as the Chief Oper-  
13 ating Officer considers appropriate; and

14 (2) describe recommendations for updates to  
15 the Frontline Manager's Quick Reference Guide that  
16 reflect current operational standards.

17 (c) BRIEFING.—Not later than 3 years after the date  
18 of enactment of this Act, the Chief Operating Officer shall  
19 brief the Committee on Transportation and Infrastructure  
20 of the House of Representatives and the Committee on  
21 Commerce, Science, and Transportation of the Senate on  
22 the results of the study conducted under subsection (a).

23 **SEC. 330. AGE STANDARDS FOR PILOTS.**

24 Section 44729 of title 49, United States Code, is  
25 amended—

1 (1) in subsection (a)—

2 (A) by striking “Subject to the limitation  
3 in subsection (c), a” and inserting “A”; and

4 (B) by striking “65” and inserting “67”;

5 (2) in subsection (b)(1) by striking “; or” and  
6 inserting “, unless the operation takes place in air-  
7 space where such operations are not permitted; or”;

8 (3) by striking subsection (c) and redesignating  
9 subsections (d) through (h) as subsections (c)  
10 through (g), respectively;

11 (4) in subsection (c), as so redesignated—

12 (A) in the heading by striking “60” and  
13 inserting “65”;

14 (B) by striking “the date of enactment of  
15 this section,” and inserting “the date of enact-  
16 ment of the Securing Growth and Robust Lead-  
17 ership in American Aviation Act,”;

18 (C) by striking “section 121.383(c)” and  
19 inserting “subsections (d) and (e) of section  
20 121.383”; and

21 (D) by inserting “(or any successor regula-  
22 tions)” after “Regulations”;

23 (5) in subsection (d), as so redesignated—

24 (A) by striking paragraph (1) and insert-  
25 ing the following:

1           “(1) RETROACTIVITY.—A person who has at-  
2           tained 65 years of age on or before the date of en-  
3           actment of the Securing Growth and Robust Leader-  
4           ship in American Aviation Act may return to service  
5           as a pilot for an air carrier engaged in covered oper-  
6           ations.”; and

7           (B) in paragraph (2) by striking “section,  
8           taken in conformance with a regulation issued  
9           to carry out this section, or taken prior to the  
10          date of enactment of this section in conform-  
11          ance with section 121.383(e) of title 14, Code  
12          of Federal Regulations (as in effect before such  
13          date of enactment), may” and inserting “sec-  
14          tion or taken in conformance with a regulation  
15          issued to carry out this section, may”; and

16          (6) by adding at the end the following:

17          “(h) SAVINGS CLAUSE.—An air carrier engaged in  
18          covered operations described in subsection (b)(1) on or  
19          after the date of enactment of the Securing Growth and  
20          Robust Leadership in American Aviation Act may not re-  
21          quire employed pilots to serve in such covered operations  
22          after attaining 65 years of age.”.

23       **SEC. 331. MEDICAL PORTAL MODERNIZATION TASK GROUP.**

24          (a) ESTABLISHMENT.—Not later than 120 days after  
25          the working group pursuant to section 328 of this Act is

1 established, the co-chairs of such working group shall es-  
2 tablish a medical portal modernization task group (re-  
3 ferred to in this subsection as the “task group”) to evalu-  
4 ate the user interface and information sharing capabilities  
5 of an online medical portal administered by the Federal  
6 Aviation Administration.

7 (b) COMPOSITION.—The co-chairs of the working  
8 group provided for in section 328 shall appoint—

9 (1) a Chair of the task group; and

10 (2) members of the task group from among the  
11 members of the working group appointed by the Ad-  
12 ministrator under section 328(b)

13 (c) ASSESSMENT; RECOMMENDATIONS.—The task  
14 group shall, at a minimum, assess and evaluate the capa-  
15 bilities of any such medical portal and provide rec-  
16 ommendations to improve the following:

17 (1) The cyber security protections and protocols  
18 of any such medical portal, including the secure ex-  
19 change of health information and records between  
20 Aviation Medical Examiners and pilots, or their des-  
21 ignee, including the ability for an airman to submit  
22 additional information requested by the Adminis-  
23 trator.

24 (2) The status of an airman’s medical applica-  
25 tion and the disclosure of how long an airman can

1 expect to wait for a final determination to be issued  
2 by the Administrator.

3 (3) The disclosure of the name and contact in-  
4 formation of the Administrator's representative  
5 managing an airman's case so that an Aviation Med-  
6 ical Examiner has a point of contact within the Ad-  
7 ministration who is familiar with an airman's appli-  
8 cation.

9 (d) CONSULTATION.—In carrying out the duties de-  
10 scribed in subsection (c), the task group may consult cy-  
11 bersecurity experts and individuals with a knowledge of  
12 securing electronic health care transactions.

13 (e) REPORT.—Not later than 1 years after the date  
14 of the establishment of the task group, the task group  
15 shall submit to the Administrator, the Committee on  
16 Transportation and Infrastructure of the House of Rep-  
17 resentatives, and the Committee on Commerce, Science,  
18 and Transportation of the Senate a report detailing activi-  
19 ties and recommendations of the task group.

20 (f) IMPLEMENTATION.—Not later than 1 year after  
21 receiving the report described in subsection (e), the Ad-  
22 ministrator shall take such action as may be necessary to  
23 implement recommendations of the task group to improve  
24 any such medical portal.

1                   **TITLE IV—AIRPORT**  
2                   **INFRASTRUCTURE**  
3       **Subtitle A—Airport Improvement**  
4                   **Program Modifications**

5       **SEC. 401. AIP DEFINITIONS.**

6           (a) IN GENERAL.—Section 47102 of title 49, United  
7 States Code, is amended—

8                   (1) by striking paragraph (1) and inserting the  
9 following:

10                   “(1) ‘air carrier’ has the meaning given the  
11 term in section 40102.”;

12                   (2) in paragraph (3)—

13                           (A) in subparagraph (A)—

14                                   (i) in clause (i) by striking “and” at  
15 the end;

16                                   (ii) in clause (ii) 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   “(iii) a secondary runway at a nonhub  
21 airport that is equivalent in size and type  
22 to the primary runway of such airport.”;

23                           (B) in subparagraph (B)(iii) by inserting  
24 “and fuel infrastructure” after “surveillance  
25 equipment”;

1 (C) in subparagraph (E) by striking “after  
2 December 31, 1991,”;

3 (D) in subparagraph (K) by striking “if  
4 the airport is located in an air quality non-  
5 attainment or maintenance area (as defined in  
6 sections 171(2) and 175A of the Clean Air Act  
7 (42 U.S.C. 7501(2); 7505a)) and if the airport  
8 would be able to receive emission credits, as de-  
9 scribed in section 47139”;

10 (E) in subparagraph (L) by striking “the  
11 airport is located in an air quality nonattain-  
12 ment or maintenance area (as defined in sec-  
13 tions 171(2) and 175A of the Clean Air Act (42  
14 U.S.C. 7501(2); 7505a)), if the airport would  
15 be able to receive appropriate emission credits  
16 (as described in section 47139), and”;

17 (F) in subparagraph (P) by striking “im-  
18 prove the reliability and efficiency of the air-  
19 port’s power supply” and inserting “improve re-  
20 liability and efficiency of the airport’s power  
21 supply or meet current and future electrical  
22 power demand”; and

23 (G) 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) improvements, or planning for im-  
10 provements, that would be necessary to sustain  
11 commercial service flight operations or permit  
12 the resumption of flight operations following a  
13 natural disaster (defined as an earthquake,  
14 flooding, high water, wildfires, hurricane, storm  
15 surge, tidal wave, tornado, tsunami, wind driven  
16 water, sea level rise, tropical storm, cyclone,  
17 land instability, or winter storm) at—

18 “(i) a primary airport; or

19 “(ii) a general aviation airport that is  
20 designated as a Federal staging area or In-  
21 cident support base by the Administrator  
22 of the Federal Emergency Management  
23 Agency.

24 “(V) a project to comply with rulemakings  
25 and recommendations on cybersecurity stand-

1           ards from the rulemaking committee convened  
2           under section 574 of the Securing Growth and  
3           Robust Leadership in American Aviation Act.

4           “(W) any other activity that the Secretary  
5           concludes will reasonably improve or contribute  
6           to the maintenance of the safety, efficiency, or  
7           capacity of the airport.”;

8           (3) in paragraph (5)—

9           (A) in subparagraph (A) by inserting “and  
10          catchment area analyses” after “planning”;

11          (B) in subparagraph (B) by striking “and”  
12          at the end;

13          (C) in subsection (C) by striking the period  
14          at the end and inserting “; and”; and

15          (D) by adding at the end the following:

16          “(D) assessing current and future elec-  
17          trical power demand for airport airside and  
18          landside activities.”;

19          (4) by redesignating paragraphs (9), (10), (11),  
20          (12), (13), (14), (15), (16), (17), (18), (19), (20),  
21          (21), (22), (23), (24), (25), (26), (27), and (28) as  
22          paragraphs (10), (11), (12), (13), (14), (15), (16),  
23          (17), (18), (19), (20), (21), (22), (23), (24), (25),  
24          (26), (27), (28), and (29), respectively;

1           (5) by inserting after paragraph (8) the fol-  
2           lowing:

3           “(9) ‘heliport’—

4                   “(A) means an area of land, water, or  
5                   structure used or intended to be used for the  
6                   landing or takeoff of aircraft capable of vertical  
7                   takeoff and landing profiles; and

8                   “(B) includes a vertiport.”;

9           (6) in paragraph (28) (as so redesignated) by  
10           striking “the Trust Territory of the Pacific Is-  
11           lands,”;

12           (7) in paragraph (29)(B) (as so redesignated)  
13           by striking “described in section 47119(a)(1)(B)”  
14           and inserting “for moving passengers and baggage  
15           between terminal facilities and between terminal fa-  
16           cilities and aircraft”; and

17           (8) by adding at the end the following:

18                   “(30) ‘vertiport’ means an area of land, water,  
19                   or structure used or intended to be used for the  
20                   landing or takeoff of powered-lift aircraft capable of  
21                   vertical takeoff and landing profiles.”.

22           (b) CONFORMING AMENDMENT.—Section 47127(a)  
23           of title 49, United States Code, is amended by striking  
24           “air carrier airport” and inserting “commercial service  
25           airport”.

1 **SEC. 402. REVENUE DIVERSION PENALTY ENHANCEMENT.**

2 (a) IN GENERAL.—Section 47107 of title 49, United  
3 States Code, is amended—

4 (1) in subsection (m)(4) by striking “an  
5 amount equal to” and inserting “an amount equal to  
6 double”; and

7 (2) in subsection (n)(1) by striking “an amount  
8 equal to” and inserting “an amount equal to dou-  
9 ble”.

10 (b) APPLICABILITY.—The amendments made by sub-  
11 section (a) shall not apply to any illegal diversion of air-  
12 port revenues (as described in section 47107(m) of title  
13 49, United States Code) that occurred prior to the date  
14 of enactment of this Act.

15 **SEC. 403. EXTENSION OF COMPETITIVE ACCESS REPORT**  
16 **REQUIREMENT.**

17 Section 47107(r)(3) of title 49, United States Code,  
18 is amended by striking “2023” and inserting “2028”.

19 **SEC. 404. RENEWAL OF CERTAIN LEASES.**

20 Section 47107(t)(2) of title 49, United States Code,  
21 is amended—

22 (1) in subparagraph (A) by striking “the date  
23 of enactment of this subsection” and inserting “Oc-  
24 tober 7, 2016”; and

25 (2) by striking subparagraph (D) and inserting  
26 the following:

1 “(D) that—

2 “(i) supports the operation of military  
3 aircraft by the Air Force or Air National  
4 Guard—

5 “(I) at the airport; or

6 “(II) remotely from the airport;

7 or

8 “(ii) is for the use of nonaeronautical  
9 land or facilities of the airport by the Na-  
10 tional Guard.”.

11 **SEC. 405. COMMUNITY USE OF AIRPORT LAND.**

12 Section 47107(v) of title 49, United States Code, is  
13 amended to read as follows:

14 “(v) COMMUNITY USE OF AIRPORT LAND.—

15 “(1) IN GENERAL.—Notwithstanding sub-  
16 sections (a)(13), (b), and (c), and section 47133,  
17 and subject to paragraph (2), the sponsor of a pub-  
18 lic-use airport shall not be considered to be in viola-  
19 tion of this subtitle, or to be found in violation of  
20 a grant assurance made under this section, or under  
21 any other provision of law, as a condition for the re-  
22 ceipt of Federal financial assistance for airport de-  
23 velopment, solely because the sponsor has—

24 “(A) entered into an agreement, including  
25 a revised agreement, with a local government

1 providing for the use of airport property for an  
2 interim compatible recreational purpose at  
3 below fair market value; or

4 “(B) permanently restricted the use of air-  
5 port property to compatible recreational and  
6 public park use without paying or otherwise ob-  
7 taining payment of fair market value for the  
8 property.

9 “(2) RESTRICTIONS.—

10 “(A) INTERIM COMPATIBLE REC-  
11 REATIONAL PURPOSE.—Paragraph (1) shall  
12 apply, with respect to a sponsor that has taken  
13 the action described in subparagraph (A) of  
14 such paragraph, only—

15 “(i) to an agreement regarding airport  
16 property that was initially entered into be-  
17 fore the publication of the Federal Aviation  
18 Administration’s Policy and Procedures  
19 Concerning the Use of Airport Revenue,  
20 dated February 16, 1999;

21 “(ii) if the agreement between the  
22 sponsor and the local government is subor-  
23 dinate to any existing or future agreements  
24 between the sponsor and the Secretary, in-

1 including agreements related to a grant as-  
2 surance under this section;

3 “(iii) to airport property that was ac-  
4 quired under a Federal airport develop-  
5 ment grant program;

6 “(iv) if the airport sponsor has pro-  
7 vided a written statement to the Adminis-  
8 trator that the property made available for  
9 a recreational purpose will not be needed  
10 for any aeronautical purpose during the  
11 next 10 years;

12 “(v) if the agreement includes a term  
13 of not more than 2 years to prepare the  
14 airport property for the interim compatible  
15 recreational purpose and not more than 10  
16 years of use for that purpose;

17 “(vi) if the recreational purpose will  
18 not impact the aeronautical use of the air-  
19 port;

20 “(vii) if the airport sponsor provides a  
21 certification that the sponsor is not respon-  
22 sible for preparation, startup, operations,  
23 maintenance, or any other costs associated  
24 with the recreational purpose; and

1           “(viii) if the recreational purpose is  
2           consistent with Federal land use compat-  
3           ibility criteria under section 47502.

4           “(B) PERMANENT RECREATIONAL USE.—  
5           Paragraph (1) shall apply, with respect to a  
6           sponsor that has taken the action described in  
7           subparagraph (B) of such paragraph, only—

8                   “(i) to airport property that was pur-  
9                   chased using funds from a Federal grant  
10                  for acquiring land issued prior to January  
11                  1, 1989;

12                  “(ii) to airport property that has been  
13                  continuously leased or licensed through a  
14                  written agreement with a governmental en-  
15                  tity or non-profit entity for recreational or  
16                  public park uses since July 1, 2003;

17                  “(iii) if the airport sponsor has pro-  
18                  vided a written statement to the Adminis-  
19                  trator that the recreational and public use  
20                  does not impact the aeronautical use of the  
21                  airport and that the property to be perma-  
22                  nently restricted for recreational and pub-  
23                  lic park use is not needed for any aero-  
24                  nautical use at the time the written state-  
25                  ment is provided and is not expected to be

1 needed for any aeronautical use at any  
2 time after such statement is provided;

3 “(iv) if the airport sponsor provides a  
4 certification to the Administrator that the  
5 sponsor is not responsible for operations,  
6 maintenance, or any other costs associated  
7 with the recreational and public park use;

8 “(v) if the recreational purpose is con-  
9 sistent with Federal land use compatibility  
10 criteria under section 47502; and

11 “(vi) if the airport sponsor will—

12 “(I) lease the property to a local  
13 government entity or non-profit entity  
14 to operate and maintain the property  
15 at no cost to the airport sponsor; or

16 “(II) sell the property to a local  
17 government entity or non-profit entity  
18 subject to a permanent deed restric-  
19 tion ensuring compatible airport use  
20 under regulations issued pursuant to  
21 section 47502.

22 “(3) REVENUE FROM CERTAIN SALES OF AIR-  
23 PORT PROPERTY.—Notwithstanding any other provi-  
24 sion of law, an airport sponsor leasing or selling a

1 portion of airport property as described in para-  
2 graph (2)(B)(vi) may—

3 “(A) lease or sell such portion of airport  
4 property for less than fair market value; and

5 “(B) subject to the requirements of sub-  
6 section (b), retain the revenue from the lease or  
7 sale of such portion of airport property.

8 “(4) STATUTORY CONSTRUCTION.—Nothing in  
9 this subsection may be construed as permitting a di-  
10 version of airport revenue for the capital or oper-  
11 ating costs associated with the community use of  
12 airport land.

13 “(5) AERONAUTICAL USE; AERONAUTICAL PUR-  
14 POSE DEFINED.—In this subsection, the terms ‘aero-  
15 nautical use’ and ‘aeronautical purpose’—

16 “(A) mean all activities that involve or are  
17 directly related to the operation of aircraft, in-  
18 cluding activities that make the operation of  
19 aircraft possible and safe;

20 “(B) include services located on an airport  
21 that are directly and substantially related to the  
22 movement of passengers, baggage, mail, and  
23 cargo; and

24 “(C) do not include any uses of an airport  
25 that are not described in subparagraph (A) or

1 (B), including any aviation-related uses that do  
2 not need to be located on an airport, such as  
3 flight kitchens and airline reservation centers.

4 “(6) ADMINISTRATOR REVIEW AND AP-  
5 PROVAL.—

6 “(A) IN GENERAL.—Notwithstanding any  
7 other provision of law and subject to the spon-  
8 sor providing any written statements or certifi-  
9 cations to the Administrator required under  
10 this subsection, no actions of or requirements  
11 on the sponsor under this subsection shall re-  
12 quire the review or approval of the Secretary of  
13 Transportation or Administrator.

14 “(B) BURDEN OF DEMONSTRATION.—The  
15 Secretary shall have the burden of dem-  
16 onstrating that a sponsor does not meet the re-  
17 quirements or restrictions of this subsection.”.

18 **SEC. 406. PRICE ADJUSTMENT PROVISIONS.**

19 Section 47108 of title 49, United States Code, is  
20 amended—

21 (1) in subsection (a) by striking  
22 “47114(d)(3)(A) of this title” and inserting  
23 “47114(d)(2)(A)”;

24 (2) by striking subsection (b) and inserting the  
25 following:

1 “(b) INCREASING GOVERNMENT SHARE.—

2 “(1) IN GENERAL.—Except as provided in para-  
3 graph (2) or (3), the amount stated in an offer as  
4 the maximum amount the Government will pay may  
5 not be increased when the offer has been accepted  
6 in writing.

7 “(2) EXCEPTION.—For a project receiving as-  
8 sistance under a grant approved under this chapter  
9 or chapter 475, the amount may be increased—

10 “(A) for an airport development project, by  
11 not more than 15 percent; and

12 “(B) to acquire an interest in land for an  
13 airport (except a primary airport), by not more  
14 than the greater of the following, based on cur-  
15 rent creditable appraisals or a court award in a  
16 condemnation proceeding:

17 “(i) 15 percent; or

18 “(ii) 25 percent of the total increase  
19 in allowable project costs attributable to  
20 acquiring an interest in land.

21 “(3) PRICE ADJUSTMENT PROVISIONS.—

22 “(A) IN GENERAL.—The Secretary may in-  
23 corporate a provision in a project grant agree-  
24 ment under which the Secretary agrees to pay  
25 more than the maximum amount otherwise

1 specified in the agreement if the Secretary finds  
2 that commodity or labor prices have increased  
3 since the agreement was made.

4 “(B) DECREASE IN COSTS.—A provision  
5 incorporated in a project grant agreement  
6 under this paragraph shall ensure that the Sec-  
7 retary realizes any financial benefit associated  
8 with a decrease in material or labor costs for  
9 the project.”;

10 (3) by striking subsection (c); and

11 (4) by redesignating subsections (d) and (e) as  
12 subsections (c) and (d), respectively.

13 **SEC. 407. ALLOWABLE PROJECT COSTS AND LETTERS OF**  
14 **INTENT.**

15 Section 47110 of title 49, United States Code, is  
16 amended—

17 (1) in subsection (c)—

18 (A) in the matter preceding paragraph (1)  
19 by striking “after May 13, 1946, and”; and

20 (B) in paragraph (1)—

21 (i) by inserting “or preparing for”  
22 after “formulating”; and

23 (ii) by inserting “utility relocation,  
24 work site preparation,” before “and admin-  
25 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 section 47114(c), 47114(d)(2)(A)(i),  
15 or 47114(d)(6), including funds appor-  
16 tioned under those sections in multiple fis-  
17 cal years pursuant to section 47117(b)(1);  
18 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 reestab-  
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 United States Virgin Islands if  
23 the Secretary determines that there are insuffi-  
24 cient qualified grant applications for projects at  
25 airports that are otherwise eligible for funding

1 under that paragraph. The Secretary shall  
2 prioritize the use of such amounts in the terri-  
3 tory the amount was originally apportioned  
4 in.”;

5 (3) in paragraph (5) by inserting “or subsection  
6 (c)(1)(D)” after “under this subsection”;

7 (4) in paragraph (6)—

8 (A) by striking “provision of this sub-  
9 section” and inserting “provision of this sec-  
10 tion”; and

11 (B) by inserting “or subsection (c)(1)(D)”  
12 after “under this subsection”;

13 (5) by striking paragraph (2); and

14 (6) by redesignating paragraphs (3) through  
15 (7) as paragraphs (2) through (6), respectively.

16 (c) CONFORMING AMENDMENT.—Section  
17 47106(a)(7) of title 49, United States Code, is amended  
18 by striking “section 47114(d)(3)(B)” and inserting “sec-  
19 tion 47114(d)(2)(B)”

20 **SEC. 412. PFC TURNBACK REDUCTION.**

21 (a) IN GENERAL.—Section 47114(f) of title 49,  
22 United States Code, is amended—

23 (1) in paragraph (1)—

24 (A) by striking “sponsor of an airport hav-  
25 ing at least .25 percent of the total number of

1 boardings each year in the United States and”  
2 and inserting “sponsor of a medium or large  
3 hub airport”;

4 (B) in subparagraph (A) by striking “50  
5 percent” and inserting “40 percent” each place  
6 it appears; and

7 (C) in subparagraph (B) by striking “75  
8 percent” and inserting “60 percent” each place  
9 it appears; and

10 (2) by striking paragraphs (2) and (3) and in-  
11 serting the following:

12 “(2) EFFECTIVE DATE OF REDUCTION.—

13 “(A) NEW CHARGE COLLECTION.—A re-  
14 duction in an apportionment under paragraph  
15 (1) shall not take effect until the first fiscal  
16 year following the year in which the collection  
17 of the charge imposed under section 40117 has  
18 begun.

19 “(B) NEW CATEGORIZATION.—A reduction  
20 in an apportionment under paragraph (1) shall  
21 only be applied to an airport if such airport has  
22 been designated as a medium or large hub air-  
23 port for 3 consecutive years.”.

24 (b) APPLICABILITY.—For an airport that increased  
25 in categorization from a small hub to a medium hub in

1 any fiscal year beginning after the date of enactment of  
2 the FAA Reauthorization Act of 2018 (Public Law 115–  
3 254) and prior to the date of enactment of this Act, the  
4 amendment to section 47114(f)(2) of title 49, United  
5 States Code, under subsection (a) shall be applied as  
6 though the airport increased in categorization from a  
7 small hub to a medium hub in the calendar year prior to  
8 the first fiscal year in which such amendment is applica-  
9 ble.

10 **SEC. 413. TRANSFER OF AIP SUPPLEMENTAL FUNDS TO**  
11 **FORMULA PROGRAM.**

12 Section 47115(j) of title 49, United States Code, is  
13 amended—

14 (1) in paragraph (3) by striking subparagraph  
15 (B) and inserting the following:

16 “(B) MINIMUM ALLOCATION.—Not more  
17 than 25 percent of the amounts available under  
18 this subsection shall be used to provide grants  
19 at nonhub and small hub airports.

20 “(C) PRIORITIZATION.—In making grants  
21 under this subsection, the Secretary shall  
22 prioritize projects that reduce runway incur-  
23 sions or increase runway or taxiway safety.”;

24 (2) in paragraph (4)(A) by striking clause (v)  
25 and inserting the following:

1                   “(v) \$1,110,000,000 for fiscal year  
2                   2023.

3                   “(vi) \$100,000,000 for fiscal year  
4                   2024.

5                   “(vii) \$100,000,000 for fiscal year  
6                   2025.

7                   “(viii) \$100,000,000 for fiscal year  
8                   2026.

9                   “(ix) \$100,000,000 for fiscal year  
10                  2027.

11                  “(x) \$100,000,000 for fiscal year  
12                  2028.”; and

13                  (3) in paragraph (4)(B) by striking “2 fiscal  
14                  years” and inserting “3 fiscal years”.

15 **SEC. 414. SMALL AIRPORT FUND.**

16                  Section 47116 of title 49, United States Code, is  
17                  amended—

18                  (1) in subsection (b) by striking paragraphs (1)  
19                  and (2) and inserting the following:

20                  “(1) Not more than 25 percent for grants for  
21                  projects at small hub airports.

22                  “(2) Not less than 25 percent for grants to  
23                  sponsors of public-use airports (except commercial  
24                  service airports).

1           “(3) Not less than 50 percent for grants to  
2           sponsors of commercial service airports that are not  
3           larger than a nonhub airport.”;

4           (2) in subsection (d)—

5                 (A) by striking paragraph (2); and

6                 (B) by redesignating paragraph (3) as  
7           paragraph (2); and

8           (3) by striking subsections (e) and (f) and in-  
9           serting the following:

10          “(e) GENERAL AVIATION HANGARS AND TRANSIENT  
11          APRONS.—In distributing amounts from the fund de-  
12          scribed in subsection (a) to sponsors described in sub-  
13          section (b)(2) and (b)(3)—

14                 “(1) 5 percent of each amount shall be used for  
15                 projects to construct aircraft hangars that are not  
16                 larger than 5,000 square feet; and

17                 “(2) 5 percent of each amount shall be used for  
18                 projects to construct or rehabilitate aprons intended  
19                 to be used for itinerant general aviation aircraft  
20                 parking.”.

21          **SEC. 415. REVISION OF DISCRETIONARY CATEGORIES.**

22          Section 47117 of title 49, United States Code, is  
23          amended—

24                 (1) in subsection (b)(2)—

- 1 (A) in subparagraph (A)(i) by striking “or  
2 (3)(A), whichever is applicable”; and  
3 (B) in subparagraph (B)—  
4 (i) by striking “section  
5 47114(d)(3)(A)” and inserting “section  
6 47114(d)(2)(A)”; and  
7 (ii) by striking “section  
8 47114(d)(3)(B)” and inserting “section  
9 47114(d)(2)(B)”;  
10 (2) in subsection (c)(2) by striking  
11 “47114(d)(3)(A)” and inserting “47114(d)(2)(A)”;  
12 (3) in subsection (d)—  
13 (A) in paragraph (1) by striking “section  
14 47114(d)(2)(A) of this title” and inserting  
15 “section 47114(d)(2)(B)(i)”; and  
16 (B) in paragraph (2)—  
17 (i) by striking “section  
18 47114(d)(2)(B) or (C)” and inserting  
19 “section 47114(d)(2)(B)(ii) or (iii)” in  
20 each place it appears; and  
21 (ii) by striking “of this title”;  
22 (4) in subsection (e)—  
23 (A) in paragraph (1)—  
24 (i) in subparagraph (A)—

1 (I) by striking “\$300,000,000”  
2 and inserting “\$200,000,000”;

3 (II) by striking “for compatible  
4 land use planning and projects carried  
5 out by State and local governments  
6 under section 47141,”;

7 (III) by striking “section  
8 47102(3)(Q)” and inserting “subpara-  
9 graphs (O) through (Q) of section  
10 47102(3)”;

11 (IV) by striking “to comply with  
12 the Clean Air Act (42 U.S.C. 7401 et  
13 seq.)”; and

14 (V) by adding at the end the fol-  
15 lowing:“The Secretary shall provide  
16 not less than two-thirds of amounts  
17 under this subparagraph and para-  
18 graph (3) for grants to sponsors of  
19 small hub, medium hub, and large  
20 hub airports.”; and

21 (ii) by striking subparagraph (C); and

22 (B) by striking paragraph (3) and insert-  
23 ing the following:

24 “(3) SPECIAL RULE.—Beginning in fiscal year  
25 2025, if the amount made available under paragraph

1 (1)(A) was not equal to or greater than  
2 \$150,000,000 in the preceding fiscal year, the Sec-  
3 retary shall issue grants for projects eligible under  
4 paragraph (1)(A) from apportionment funds made  
5 available under section 47114 that are not required  
6 during the fiscal year pursuant to subsection (b)(1)  
7 in an amount that is not less than—

8 “(A) \$150,000,000; minus

9 “(B) the amount made available under  
10 paragraph (1)(A) in the preceding fiscal year.”;

11 and

12 (5) in subsection (f)(1) by striking “Subject to  
13 paragraph (2)” and inserting “Subject to paragraph  
14 (2) and except as provided in section 47116(b)(2)”.

15 **SEC. 416. TERMINAL DEVELOPMENT.**

16 Section 47119 of title 49, United States Code, is  
17 amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1) by striking “in a non-  
20 revenue-producing public-use area of a commer-  
21 cial service airport” and all that follows through  
22 “of the Government” and inserting the fol-  
23 lowing: “at an airport if the sponsor certifies  
24 that the airport, on the date the grant applica-  
25 tion is submitted to the Secretary, has—

1           “(A) that any necessary airport develop-  
2           ment project affecting airport safety, security,  
3           or capacity will not be deferred if the Secretary  
4           approves a terminal development project under  
5           this section; and

6           “(B) provided for access by passengers to  
7           the area of the airport for boarding or exiting  
8           aircraft that are not air carrier aircraft.”; and

9           (B) in paragraph (2) by striking “parking  
10          lot if” and all that follows through “Secretary’s  
11          approval” and inserting “parking lot”;

12          (2) by striking subsections (b), (e) and (f);

13          (3) by redesignating subsection (c) and (d) as  
14          subsections (b) and (c), respectively; and

15          (4) in subsection (b) (as so redesignated) by  
16          striking paragraphs (1) through (5) and inserting  
17          the following:

18                 “(1) any part of amounts apportioned to an air-  
19                 port sponsor under subsection (c) or (d) of section  
20                 47114 to pay project costs allowable under sub-  
21                 section (a);

22                 “(2) on the approval of the Secretary, any part  
23                 of amounts that may be distributed for the fiscal  
24                 year from the discretionary fund established under

1 section 47115 to the sponsor of an airport to pay  
2 project costs allowable under subsection (a);

3 “(3) on the approval of the Secretary, any part  
4 of amounts that may be distributed for the fiscal  
5 year from the small airport fund established under  
6 section 47116 to the sponsor of an airport eligible  
7 to receive funds under section 47116 to pay project  
8 costs allowable under subsection (a);”.

9 **SEC. 417. STATE BLOCK GRANT PROGRAM.**

10 (a) **OFFSETTING ADMINISTRATIVE EXPENSES BUR-**  
11 **DEN ON STATES.**—Section 47109(a)(2) of title 49, United  
12 States Code, is amended by striking “90 percent” and in-  
13 serting “91 percent”.

14 (b) **TRAINING.**—Section 47128 of title 49, United  
15 States Code, is amended by adding at the end the fol-  
16 lowing:

17 “(e) **TRAINING FOR PARTICIPATING STATES.**—

18 “(1) **IN GENERAL.**—The Secretary shall provide  
19 to each State participating in the block grant pro-  
20 gram under this section training or updated training  
21 materials for the administrative responsibilities as-  
22 sumed by the State under such program at no cost  
23 to the State.

24 “(2) **TIMING.**—The training or updated train-  
25 ing materials provided under paragraph (1) shall be

1 provided at least once during each 2-year period and  
2 at any time there is a material change in the pro-  
3 gram.”.

4 (c) ADMINISTRATION.—Section 47128 of title 49,  
5 United States Code, is further amended by adding at the  
6 end the following:

7 “(f) ROLES AND RESPONSIBILITIES OF PARTICI-  
8 PATING STATES.—

9 “(1) AIRPORTS.—Unless a State participating  
10 in the block grant program under this section ex-  
11 pressly agrees in a memorandum of agreement, the  
12 Secretary shall not require the State to manage  
13 functions and responsibilities for airport actions or  
14 projects that do not relate to such program.

15 “(2) PROGRAM DOCUMENTATION.—Any grant  
16 agreement providing funds to be administered under  
17 such program shall be consistent with the most re-  
18 cently executed memorandum of agreement between  
19 the State and the Federal Aviation Administration.  
20 The Administrator of the Federal Aviation Adminis-  
21 tration shall provide parity to participating States  
22 and shall only require the same type of information  
23 and level of detail for any program agreements and  
24 documentation that the Administrator would per-

1 form with respect to such action if the State did not  
2 participate in the program.

3 “(3) RESPONSIBILITIES.—The Administrator  
4 shall retain responsibility for the following, unless  
5 expressly agreed to by the State:

6 “(A) Grant compliance investigations, de-  
7 terminations, and enforcement.

8 “(B) Obstruction evaluation and airport  
9 airspace analysis, determinations, and enforce-  
10 ment off airport property.

11 “(C) Non-rulemaking analysis, determina-  
12 tions, and enforcement for proposed improve-  
13 ments on airport properties not associated with  
14 this subchapter, or off airport property.

15 “(D) Land use determinations under sec-  
16 tion 163 of the FAA Reauthorization Act of  
17 2018 (49 U.S.C. 47107 note), compatibility  
18 planning, and airport layout plan review and  
19 approval for projects not funded by amounts  
20 available under this subchapter.

21 “(E) Nonaeronautical and special event  
22 recommendations and approvals.

23 “(F) Instrument approach procedure eval-  
24 uations and determinations.

1           “(G) Environmental review for projects not  
2 funded by amounts available under this sub-  
3 chapter.

4           “(H) Review and approval of land leases,  
5 land releases, changes in on-airport land-use  
6 designation, and through-the-fence agree-  
7 ments.”.

8       (d) REPORT.—The Comptroller General of the  
9 United States shall issue a report on the Office of Airports  
10 of the Federal Aviation Administration and the airport im-  
11 provement program under subchapter I of chapter 471  
12 and chapter 475 of title 49, United States Code, and in-  
13 clude in such report a description of—

14           (1) the responsibilities of States participating in  
15 the block grant program under section 47128 of title  
16 49, United States Code; and

17           (2) the impact of title VIII of division J of the  
18 Infrastructure Investment and Jobs Act (Public Law  
19 117–58) and other Federal administrative funding  
20 sources on the ability of such States to disburse and  
21 administer airport improvement program funds.

22       (e) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that Congress supports the disbursement of a per-  
24 centage of administrative funds made available under the  
25 heading “Federal Aviation Administration—Airport Infra-

1 structure Grants” in title VIII of division J of the Infra-  
2 structure Investment and Jobs Act (Public Law 117–58)  
3 to non-primary airports participating in the State’s block  
4 grant program each fiscal year of the Airport Infrastruc-  
5 ture Grants program.

6 **SEC. 418. INNOVATIVE FINANCING TECHNIQUES.**

7 Section 47135 of title 49, United States Code, is  
8 amended—

9 (1) by striking subsections (a) and (b) and in-  
10 sserting the following:

11 “(a) **AUTHORITY.**—

12 “(1) **IN GENERAL.**—The Secretary of Transpor-  
13 tation may approve an application by an airport  
14 sponsor to use grants received under this subchapter  
15 for innovative financing techniques related to an air-  
16 port development project that is located at an air-  
17 port that is not a large hub airport.

18 “(2) **APPROVAL.**—The Secretary may approve  
19 not more than 30 applications described under para-  
20 graph (1) in a fiscal year.

21 “(b) **PURPOSES.**—The purpose of grants made under  
22 this section shall be to—

23 “(1) provide information on the benefits and  
24 difficulties of using innovative financing techniques  
25 for airport development projects;

1           “(2) lower the total cost of an airport develop-  
2           ment project; or

3           “(3) expedite the delivery or completion of an  
4           airport development project without reducing safety  
5           or causing environmental harm.”; and

6           (2) in subsection (c)(2)—

7                 (A) in subparagraph (C) by striking “and”  
8                 at the end;

9                 (B) in subparagraph (D) by striking the  
10                 period at the end and inserting “; and”; and

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

12                         “(E) any other techniques that the Sec-  
13                         retary determines are consistent with the pur-  
14                         poses of this section.”.

15 **SEC. 419. LONG-TERM MANAGEMENT PLANS.**

16           Section 47136(c) of title 49, United States Code is  
17           amended—

18                 (1) by striking “applicants that will” and in-  
19                 serting the following: “applicants that—

20                         “(1) will”;

21                 (2) by striking the period at the end and insert-  
22                 ing “; and”; and

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

24                         “(2) provide a long-term management plan for  
25                         eligible vehicles and equipment that includes the ex-

1       isting and future infrastructure requirements of the  
2       airport related to such vehicles and equipment.”.

3       **SEC. 420. ALTERNATIVE PROJECT DELIVERY.**

4       (a) IN GENERAL.—Section 47142 of title 49, United  
5 States Code, is amended—

6               (1) in the section heading by striking “**De-**  
7       **sign-build contracting**” and inserting “**Alter-**  
8       **native project delivery**”;

9               (2) in subsection (a)—

10                       (A) in the matter preceding paragraph

11                       (1)—

12                               (i) by striking “Administrator of the  
13       Federal Aviation Administration” and in-  
14       serting “Secretary of Transportation”; and

15                               (ii) by striking “award a design-build”  
16       and inserting “award a covered project de-  
17       livery”;

18                       (B) in paragraph (2) by striking “design-  
19       build” and inserting “covered project delivery”;  
20       and

21                       (C) in paragraph (4) by striking “design-  
22       build contract will” and inserting “covered  
23       project delivery contract is projected to”; and

24               (3) by striking subsection (c) and inserting the  
25       following:

1       “(c) COVERED PROJECT DELIVERY CONTRACT DE-  
2 FINED.—In this section, the term ‘covered project delivery  
3 contract’ means—

4           “(1) an agreement that provides for both design  
5 and construction of a project by a contractor  
6 through alternative project delivery methods, includ-  
7 ing construction manager-at-risk and progressive de-  
8 sign build; or

9           “(2) a single contract for the delivery of a  
10 whole project that—

11           “(A) includes, at a minimum, the sponsor,  
12 builder, and architect-engineer as parties that  
13 are subject to the terms of the contract;

14           “(B) aligns the interests of all the parties  
15 to the contract with respect to the project costs  
16 and project outcomes; and

17           “(C) includes processes to ensure trans-  
18 parency and collaboration among all parties to  
19 the contract relating to project costs and  
20 project outcomes.”.

21       (b) CLERICAL AMENDMENT.—The analysis for chap-  
22 ter 471 of title 49, United States Code, is amended by  
23 striking the item relating to section 47142 and inserting  
24 the following:

“47142. Alternative project delivery.”.

1 **SEC. 421. NONMOVEMENT AREA SURVEILLANCE SURFACE**  
2 **DISPLAY SYSTEMS PILOT PROGRAM.**

3 Section 47143(c) of title 49, United States Code, is  
4 amended by striking “2023” and inserting “2028”.

5 **SEC. 422. REPEAL OF OBSOLETE CRIMINAL PROVISIONS.**

6 Section 47306 of title 49, United States Code, and  
7 the item relating to such section in the analysis for chap-  
8 ter 473 of such title, are repealed.

9 **SEC. 423. LIMITATION ON CERTAIN ROLLING STOCK PRO-**  
10 **CUREMENTS.**

11 (a) IN GENERAL.—Section 50101 of title 49, United  
12 States Code, is amended—

13 (1) by striking “(except section 47127)” each  
14 place it appears; and

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

16 “(d) LIMITATION ON CERTAIN ROLLING STOCK PRO-  
17 CUREMENTS.—

18 “(1) IN GENERAL.—Financial assistance made  
19 available under the provisions described in sub-  
20 section (a) shall not be used in awarding a contract  
21 or subcontract to an entity on or after the date of  
22 enactment of this subsection for the procurement of  
23 rolling stock for use in an airport-related project if  
24 the manufacturer of the rolling stock—

25 “(A) is incorporated in or has manufac-  
26 turing facilities in the United States; and

1           “(B) is owned or controlled by, is a sub-  
2           sidiary of, or is otherwise related legally or fi-  
3           nancially to a corporation based in a country  
4           that—

5                   “(i) is identified as a nonmarket econ-  
6                   omy country (as defined in section 771(18)  
7                   of the Tariff Act of 1930 (19 U.S.C.  
8                   1677(18))) as of the date of enactment of  
9                   this subsection;

10                   “(ii) was identified by the United  
11                   States Trade Representative in the most  
12                   recent report required by section 182 of  
13                   the Trade Act of 1974 (19 U.S.C. 2242)  
14                   as a foreign country included on the pri-  
15                   ority watch list defined in subsection (g)(3)  
16                   of that section; and

17                   “(iii) is subject to monitoring by the  
18                   Trade Representative under section 306 of  
19                   the Trade Act of 1974 (19 U.S.C. 2416).

20           “(2) EXCEPTION.—

21                   “(A) IN GENERAL.—For purposes of para-  
22                   graph (1), the term ‘otherwise related legally or  
23                   financially’ does not include—

24                   “(i) a minority relationship or invest-  
25                   ment; or

1           “(ii) relationship with or investment  
2           in a subsidiary, joint venture, or other en-  
3           tity based in a country described in para-  
4           graph (1)(B) that does not export rolling  
5           stock or components of rolling stock for  
6           use in the United States.

7           “(B) CORPORATION BASED IN PEOPLE’S  
8           REPUBLIC OF CHINA.—Notwithstanding sub-  
9           paragraph (A)(i), for purposes of paragraph  
10          (1), the term ‘otherwise related legally or finan-  
11          cially’ includes a minority relationship or invest-  
12          ment if the relationship or investment involves  
13          a corporation based in the People’s Republic of  
14          China.

15          “(3) INTERNATIONAL AGREEMENTS.—This sub-  
16          section shall be applied in a manner consistent with  
17          the obligations of the United States under inter-  
18          national agreements.”.

19          (b) CONFORMING AMENDMENTS.—

20                 (1) RESTRICTING CONTRACT AWARDS BECAUSE  
21                 OF DISCRIMINATION AGAINST UNITED STATES  
22                 GOODS OR SERVICES.—Section 50102 of title 49,  
23                 United States Code, is amended by striking “(except  
24                 section 47127)”.

1           (2) RESTRICTION ON AIRPORT PROJECTS USING  
2           PRODUCTS OR SERVICES OF FOREIGN COUNTRIES  
3           DENYING FAIR MARKET OPPORTUNITIES.—Section  
4           50104(b) of title 49, United States Code, is amend-  
5           ed by striking “(except section 47127)”.

6           (3) FRAUDULENT USE OF MADE IN AMERICA  
7           LABEL.—Section 50105 of title 49, United States  
8           Code, is amended by striking “(except section  
9           47127)”.

10 **SEC. 424. REGULATORY APPLICATION.**

11           Section 40113(f) of title 49, United States Code, is  
12           amended—

13           (1) by inserting “or in administering the Air-  
14           port Improvement Program under chapter 471”  
15           after “Code of Federal Regulations,”; and

16           (2) by inserting “or administrative” after “reg-  
17           ulatory”.

18 **SEC. 425. NATIONAL PRIORITY SYSTEM FORMULAS.**

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 review and update the National Priority Sys-  
22           tem prioritization formulas contained in Federal Aviation  
23           Administration Order 5090.5 to account for the amend-  
24           ments to chapter 471 of title 49, United States Code,  
25           made by this Act.

1 (b) REQUIRED CONSULTATION.—In revising the for-  
2 mulas under subsection (a), the Secretary shall consult  
3 with representatives of the following:

4 (1) Primary airports, including large, medium,  
5 small, and nonhub airports.

6 (2) Non-primary airports, including general  
7 aviation airports.

8 (3) Airport trade associations, including trade  
9 associations representing airport executives.

10 (4) State aviation officials, including associa-  
11 tions representing such officials.

12 (5) Air carriers, including mainline, regional,  
13 and low cost air carriers.

14 (6) Associations representing air carriers.

15 (c) PRIORITY PROJECTS.—In revising the formulas  
16 under subsection (a), the Secretary shall assign the high-  
17 est priority to projects that increase or maintain the safe-  
18 ty, efficiency, and capacity of the aviation system.

19 **SEC. 426. MINORITY AND DISADVANTAGED BUSINESS PAR-**  
20 **TICIPATION.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) While significant progress has occurred due  
23 to the establishment of the airport disadvantaged  
24 business enterprise program and the airport conces-  
25 sions disadvantaged business enterprise program

1 under sections 47113 and 47107(e) of title 49,  
2 United States Code, respectively, discrimination and  
3 related barriers continue to pose significant obstacles  
4 for minority- and women-owned businesses seeking  
5 to do business in airport-related markets across the  
6 Nation.

7 (2) Congress has received and reviewed testi-  
8 mony and documentation of race and gender dis-  
9 crimination from numerous sources, including con-  
10 gressional hearings and roundtables, scientific re-  
11 ports, reports issued by public and private agencies,  
12 news stories, reports of discrimination by organiza-  
13 tions and individuals, and discrimination lawsuits.  
14 Such testimony and documentation show that race-  
15 and gender-neutral efforts alone are insufficient to  
16 address the problem.

17 (3) The testimony and documentation described  
18 in paragraph (2) demonstrate that race and gender  
19 discrimination poses a barrier to full and fair par-  
20 ticipation in airport-related businesses of women  
21 business owners and minority business owners in the  
22 racial groups detailed in parts 23 and 26 of title 49,  
23 Code of Federal Regulations, and has impacted firm  
24 development and other aspects of airport-related  
25 business in the public and private markets.

1           (4) The testimony and documentation described  
2           in paragraph (2) provide a strong basis that there  
3           is a compelling need for the continuation of the air-  
4           port disadvantaged business enterprise program and  
5           the airport concessions disadvantaged business en-  
6           terprise program to address race and gender dis-  
7           crimination in airport-related business.

8           (b) SUPPORTIVE SERVICES.—Section 47113 of title  
9 49, United States Code, is amended by adding at the end  
10 the following:

11           “(f) SUPPORTIVE SERVICES.—

12           “(1) IN GENERAL.—The Secretary of Transpor-  
13           tation, in coordination with the Administrator of the  
14           Federal Aviation Administration, may, at the re-  
15           quest of an airport sponsor, provide assistance under  
16           a grant issued under this subchapter to develop, con-  
17           duct, and administer training programs and assist-  
18           ance programs in connection with any airport im-  
19           provement project subject to part 26 of title 49,  
20           Code of Federal Regulations, for small business con-  
21           cerns referred to in subsection (b) to achieve pro-  
22           ficiency to compete, on an equal basis for contracts  
23           and subcontracts related to such projects.

24           “(2) ELIGIBLE ENTITIES.—An entity eligible to  
25           receive assistance under this section is—

- 1           “(A) a State;
- 2           “(B) a political subdivision of a State or
- 3           local government;
- 4           “(C) a Tribal government;
- 5           “(D) an airport sponsor;
- 6           “(E) a metropolitan planning organization;
- 7           “(F) a group of entities described in sub-
- 8           paragraphs (A) through (E); or
- 9           “(G) any other organization considered ap-
- 10          propriate by the Secretary.”.

11 **SEC. 427. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.**

12          Section 162 of the FAA Reauthorization Act of 2018

13 (49 U.S.C. 47102 note) is amended in the matter pre-

14 ceding paragraph (1) by striking “2023” and inserting

15 “2028”.

16 **SEC. 428. LIMITED REGULATION OF NONFEDERALLY SPON-**

17 **SORED PROPERTY.**

18          Section 163 of the FAA Reauthorization Act of 2018

19 (49 U.S.C. 47107 note) is amended—

20           (1) by striking subsection (a) and inserting the

21           following:

22           “(a) IN GENERAL.—

23           “(1) LIMITED REGULATION.—Except as pro-

24           vided in subsection (b), the Secretary of Transpor-

25           tation may not require an airport to seek approval

1 for (including in the submission of an airport layout  
2 plan), or directly or indirectly regulate (including  
3 through any grant assurance)—

4 “(A) the acquisition, use, lease, encum-  
5 brance, transfer, or disposal of land (including  
6 any portion of such land) by an airport sponsor;  
7 or

8 “(B) the construction, development, im-  
9 provement, use, or removal of any facility (in-  
10 cluding any portion of such facility) upon such  
11 land.

12 “(2) BURDEN OF DEMONSTRATING APPLICA-  
13 BILITY.—The burden of demonstrating the non-  
14 applicability of paragraph (1), or the applicability of  
15 an exception under subsection (b), shall be on the  
16 Secretary.”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)—

19 (i) in the matter preceding subpara-  
20 graph (A) by striking “regulation” and in-  
21 serting “law, regulation, or grant assur-  
22 ance”; and

23 (ii) in subparagraph (A) by striking  
24 “aircraft operations” and inserting “air-  
25 craft operations that occur or are projected

1 to occur at an airport as described in an  
2 airport’s master plan”;

3 (B) in paragraph (2) by striking “facility”  
4 and inserting “facility that the Secretary dem-  
5 onstrates was”; and

6 (C) in paragraph (3) by striking “con-  
7 tained” and inserting “that the Secretary dem-  
8 onstrates is contained”; and

9 (3) by striking subsection (c) and inserting the  
10 following:

11 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion shall be construed—

13 “(1) to affect the applicability of sections  
14 47107(b) or 47133 of title 49, United States Code,  
15 to revenues generated by the use, lease, encum-  
16 brance, transfer, or disposal of land under sub-  
17 section (a), facilities upon such land, or any portion  
18 of such land or facilities; or

19 “(2) to limit the Secretary’s authority to ap-  
20 prove or regulate airport projects (or portions of air-  
21 port projects) that are not subject to the provisions  
22 of subsection (a).”.

23 **SEC. 429. MOTORCOACH ENPLANEMENT PILOT PROGRAM.**

24 With respect to fiscal years 2024 through 2028, pas-  
25 sengers who board a motorcoach at an airport that is char-

1 tered or provided by an air carrier to transport such pas-  
2 sengers to another airport at which the passengers board  
3 an aircraft in service in air commerce, that entered the  
4 sterile area of the airport at which such passengers ini-  
5 tially boarded the motorcoach, shall be deemed to be in-  
6 cluded under the term “passenger boardings” in section  
7 47102 of title 49, United States Code.

8 **SEC. 430. POPULOUS COUNTIES WITHOUT AIRPORTS.**

9 Notwithstanding any other provision of law, the Sec-  
10 retary of Transportation may not deny inclusion in the  
11 national plan of integrated airport systems maintained  
12 under section 47103 of title 49, United States Code, to  
13 an airport or proposed airport if the airport or proposed  
14 airport—

15 (1) is located in the most populous county (as  
16 such term is defined in section 2 of title 1, United  
17 States Code) of a State that does not have an air-  
18 port listed in the national plan;

19 (2) has an airport sponsor that was established  
20 before January 1, 2017;

21 (3) is located more than 15 miles away from  
22 another airport listed in the national plan;

23 (4) demonstrates how the airport will meet the  
24 operational activity required, through a forecast vali-



1 airport improvement program under subchapter I of chap-  
2 ter 471 and chapter 475 of title 49, United States Code.

3 (c) AVIATION GASOLINE DEFINED.—In this section,  
4 the term “aviation gasoline” means a gasoline on which  
5 a tax is imposed under section 4081(a)(2)(A)(ii) of the  
6 Internal Revenue Code of 1986 (including a leaded or un-  
7 leaded gasoline).

8 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
9 tion may be construed to—

10 (1) affect any airport sponsor under an inves-  
11 tigation initiated by the Administrator under part  
12 13 or 16 of title 14, Code of Federal Regulations,  
13 relating to the availability of aviation gasoline found  
14 to be out of compliance with the grant assurance de-  
15 scribed in subsection (b) before the date of enact-  
16 ment of this Act;

17 (2) require any particular action by the Admin-  
18 istrator if the Administrator determines through  
19 such investigation that such airport sponsor has vio-  
20 lated a grant assurance; or

21 (3) prevent an airport or any retail fuel seller  
22 at such airport from making available for purchase  
23 and resale an unleaded aviation gasoline that has  
24 been approved by the Federal Aviation Administra-  
25 tion and has an industry consensus standard for use

1 in lieu of leaded aviation gasoline if such unleaded  
2 aviation gasoline is certified for use in all aircraft  
3 spark ignition piston engine models.

4 **SEC. 432. AIP HANDBOOK UPDATE.**

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 revise the Airport  
8 Improvement Program Handbook (Order 5100.38D) (in  
9 this section referred to as the “Handbook”) to account  
10 for legislative changes to the airport improvement pro-  
11 gram under subchapter I of chapter 471 and chapter 475  
12 of title 49, United States Code, and to make such other  
13 changes as the Administrator determines necessary.

14 (b) REQUIREMENTS.—In updating the Handbook,  
15 the Administrator may not impose any additional require-  
16 ments or restrictions on the use of Airport Improvement  
17 Program funds except as specifically directed by legisla-  
18 tion.

19 (c) CONSULTATION AND PUBLIC COMMENT.—

20 (1) CONSULTATION.—In developing the revised  
21 Handbook under this section, the Administrator  
22 shall consult with aviation stakeholders, including  
23 airports and air carriers.

24 (2) PUBLIC COMMENT.—

1           (A) IN GENERAL.—Not later than 30  
2 months after the date of enactment of this Act,  
3 the Administrator shall publish a draft revision  
4 of the Handbook and make such draft available  
5 for public comment for a period of not less than  
6 90 days.

7           (B) REVIEW.—The Administrator shall re-  
8 view all comments submitted during the public  
9 comment period described under subparagraph  
10 (A) and, as the Administrator considers appro-  
11 priate, incorporate changes based on such com-  
12 ments into the final revision of the Handbook.

13       (d) INTERIM IMPLEMENTATION OF CHANGES.—Not  
14 later than 1 year after the date of enactment of this Act,  
15 the Administrator shall issue program guidance letters to  
16 provide for the interim implementation of amendments to  
17 the Airport Improvement Program made by this Act.

18 **SEC. 433. GAO AUDIT OF AIRPORT FINANCIAL REPORTING**  
19 **PROGRAM.**

20       (a) AUDIT.—Not later than 18 months after the date  
21 of enactment of this Act, the Comptroller General of the  
22 United States shall complete an audit of the airport finan-  
23 cial reporting program of the Federal Aviation Adminis-  
24 tration and provide recommendations to the Administrator

1 of the Federal Aviation Administration on improvements  
2 to such program.

3 (b) REQUIREMENTS.—In conducting the audit re-  
4 quired under subsection (a), the Comptroller General  
5 shall, at a minimum—

6 (1) review relevant Administration guidance to  
7 airports, including the version of Advisory Circular  
8 150/5100–19, titled “Operating and Financial Sum-  
9 mary”, that is in effect on the date of enactment of  
10 this Act;

11 (2) evaluate the information requested or re-  
12 quired by the Administrator from airports for com-  
13 pleteness and usefulness by the Administration and  
14 the public;

15 (3) assess the costs associated with collecting,  
16 reporting, and maintaining such information for air-  
17 ports and the Administration;

18 (4) determine if such information provided is—

19 (A) updated on a regular basis to make  
20 such information useful; and

21 (B) audited and verified in an appropriate  
22 manner;

23 (5) assess if the Administration has addressed  
24 the issues the Administration discovered during the  
25 apportionment and disbursement of relief funds to

1 airports under the Coronavirus Aid, Relief, and Eco-  
2 nomic Security Act (Public Law 116–136) using in-  
3 accurate and aged airport financial data; and

4 (6) determine whether the airport financial re-  
5 porting program as structured as of the date of en-  
6 actment provides value to the Administration, the  
7 aviation industry, or the public.

8 (c) REPORT TO CONGRESS.—Not later than 3  
9 months after the completion of the audit 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 of such audit and any rec-  
15 ommendations provided to the Administrator to improve  
16 or alter the airport financial reporting program.

17 **SEC. 434. GAO REVIEW OF NONAERONAUTICAL REVENUE**  
18 **STREAMS AT AIRPORTS.**

19 (a) REVIEW.—Not later than 2 years after the date  
20 of enactment of this Act, the Comptroller General of the  
21 United States shall initiate a review of non-aeronautical  
22 revenue streams currently used by hub airports of varying  
23 size, assess the impact of nonaeronautical revenue on air-  
24 ports, and evaluate opportunities for revenue that are un-  
25 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 nonaeronautical revenue  
5 streams at a variety of public-use airports in the  
6 United States;

7 (2) examine nonaeronautical 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 nonaeronautical  
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 of title 14, Code of Federal Regu-  
7 lations.

8           (c) REPORT.—Not later than 1 year after completing  
9 the review under subsection (b), the Administrator shall  
10 submit to the Committee on Transportation and Infra-  
11 structure of the House of Representatives and the Com-  
12 mittee on Commerce, Science, and Transportation of the  
13 Senate a report containing the results of the review.

14 **SEC. 436. GAO STUDY OF ONSITE AIRPORT GENERATION.**

15           (a) STUDY.—Not later than 1 year after the date of  
16 enactment of this Act, the Comptroller General of the  
17 United States shall initiate a study on the feasibility of  
18 installation and adoption of certain power generation  
19 property at airports which receive funding from the Fed-  
20 eral Government.

21           (b) CONTENT.—In carrying out the study required  
22 under subsection (a), the Comptroller General shall exam-  
23 ine—

24                   (1) any safety impacts of the installation and  
25                   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) upfront and long-term costs, both fore-  
17 seen 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 **SEC. 439. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.**

18       Section 47134(b) of title 49, United States Code, is  
19 amended by adding at the end the following:

20           “(4) BENEFIT-COST ANALYSIS.—Prior to ap-  
21 proving an application submitted under subsection  
22 (a), the Secretary may require a benefit-cost anal-  
23 ysis. If a benefit-cost analysis is required, the Sec-  
24 retary shall issue a preliminary and conditional find-  
25 ing, which shall—

1           “(A) be issued not later than 60 days after  
2           the date on which the sponsor submits all infor-  
3           mation required by the Secretary;

4           “(B) be based upon a collaborative review  
5           process that includes the sponsor or sponsor’s  
6           representative;

7           “(C) not constitute the issuance of a Fed-  
8           eral grant or obligation to issue a grant under  
9           this chapter or other provision of law; and

10           “(D) not constitute any other obligation on  
11           the part of the Federal Government until the  
12           conditions specified in the final benefit-cost  
13           analysis are met.”.

14 **SEC. 440. GAO STUDY ON PER-TRIP AIRPORT FEES FOR TNC**  
15 **CONSUMERS.**

16           (a) **STUDY.**—Not later than 90 days after the date  
17 of enactment of this Act, the Comptroller General of the  
18 United States shall conduct a study of fees that airports  
19 assess against customers of transportation network com-  
20 panies.

21           (b) **CONTENTS.**—In carrying out the study required  
22 under subsection (a), the Comptroller General shall ad-  
23 dress—

24                   (1) the methodology used by airports to set a  
25           fee for customers of TNCs;

1           (2) expenditures by airports of fees assessed  
2           against customers of TNCs; and

3           (3) a comparison of the fees imposed by air-  
4           ports on customers of TNCs and other comparable  
5           modes of for-hire transportation, such as taxi.

6           (c) REPORT.—Not later than 12 months after the  
7           date of enactment of this Act, the Comptroller General  
8           shall submit to the Committee on Transportation and In-  
9           frastructure of the House of Representatives and the Com-  
10          mittee on Commerce, Science, and Transportation of the  
11          Senate a report on the results of the study.

12          (d) TRANSPORTATION NETWORK COMPANY DE-  
13          FINED; TNC DEFINED.—In this section, the term “trans-  
14          portation network company” or “TNC”—

15               (1) means a corporation, partnership, sole pro-  
16               prietorship, or other entity that uses a digital net-  
17               work to connect riders to drivers affiliated with the  
18               entity in order for the driver to transport the rider  
19               using a vehicle owned, leased, or otherwise author-  
20               ized for use by the driver to a point chosen by the  
21               rider; and

22               (2) does not include a shared-expense carpool or  
23               vanpool arrangement that is not intended to gen-  
24               erate profit for the driver.

1 **SEC. 441. SPECIAL RULE FOR RECLASSIFICATION OF CER-**  
2 **TAIN UNCLASSIFIED AIRPORTS.**

3 (a) REQUEST FOR RECLASSIFICATION.—

4 (1) IN GENERAL.—Not later than September  
5 30, 2024, a privately owned reliever airport (as such  
6 term is defined in section 47102 of title 49, United  
7 States Code) that is identified as unclassified in the  
8 National Plan of Integrated Airport Systems, 2021–  
9 2025 (as published under section 47103 of title 49,  
10 United States Code) may submit to the Secretary of  
11 Transportation a request to reclassify the airport ac-  
12 cording to the criteria used to classify a publicly  
13 owned airport.

14 (2) REQUIRED INFORMATION.—In submitting a  
15 request under paragraph (1), a privately owned re-  
16 liever airport shall include the following information:

17 (A) A sworn statement and accompanying  
18 documentation that demonstrates how the air-  
19 port would satisfy the requirements of Federal  
20 Aviation Administration Order 5090.5, titled  
21 “Formulation of the NPIAS and ACIP” (or  
22 any successor guidance), to be classified as  
23 “Local” or “Basic” if the airport was publicly  
24 owned.

25 (B) A report that—

1 (i) identifies the role of the airport to  
2 the aviation system; and

3 (ii) describes the long-term fiscal via-  
4 bility of the airport based on demonstrated  
5 aeronautical activity and associated reve-  
6 nues relative to ongoing operating and  
7 maintenance costs.

8 (b) ELIGIBILITY REVIEW.—

9 (1) IN GENERAL.—Not later than 60 days after  
10 receiving a request from a privately owned reliever  
11 airport under subsection (a), the Secretary shall per-  
12 form an eligibility review with respect to the airport,  
13 including an assessment of the airport’s safety, secu-  
14 rity, capacity, access, compliance with Federal grant  
15 assurances, and protection of natural resources and  
16 the quality of the environment, as prescribed by the  
17 Secretary.

18 (2) PUBLIC SPONSOR.—In performing the eligi-  
19 bility review under paragraph (1), the Secretary—

20 (A) may require the airport requesting re-  
21 classification to provide information regarding  
22 the outlook (whether positive or negative) for  
23 obtaining a public sponsor; and

24 (B) may not require the airport to obtain  
25 a public sponsor.

1 (c) RECLASSIFICATION BY THE SECRETARY.—

2 (1) IN GENERAL.—Not later than 60 days after  
3 receiving a request from a privately owned reliever  
4 airport under subsection (a)(1), the Secretary shall  
5 grant such request if the following criteria are met:

6 (A) The request includes the required in-  
7 formation under subsection (a)(2).

8 (B) The privately owned reliever airport, to  
9 the satisfaction of the Secretary—

10 (i) passes the eligibility review per-  
11 formed under subsection (b); or

12 (ii) submits a corrective action plan in  
13 accordance with paragraph (2).

14 (2) CORRECTIVE ACTION PLAN.—With respect  
15 to a privately owned reliever airport that does not,  
16 to the satisfaction of the Secretary, pass the eligi-  
17 bility review performed under subsection (b), such  
18 airport may resubmit to the Secretary a reclassifica-  
19 tion request along with a corrective action plan  
20 that—

21 (A) resolves any shortcomings identified in  
22 such eligibility review; and

23 (B) proves that any necessary corrective  
24 action has been completed by the airport.

1 (d) EFFECTIVE DATE.—The reclassification of any  
2 privately owned reliever airport under this section shall  
3 take effect not later than—

4 (1) September 30, 2026, for any request grant-  
5 ed under subsection (c)(1); and

6 (2) September 30, 2027, for any request grant-  
7 ed after the submission of a corrective action plan  
8 under subsection (c)(2).

9 **SEC. 442. PERMANENT SOLAR POWERED TAXIWAY EDGE**  
10 **LIGHTING SYSTEMS.**

11 Not later than 18 months after the date of enactment  
12 of this Act, the Administrator of the Federal Aviation Ad-  
13 ministration shall produce an engineering brief that de-  
14 scribes the acceptable use of permanent solar powered  
15 taxiway edge lighting systems at regional, local, and basic  
16 nonprimary airports (as categorized in the most recent  
17 National Plan of Integrated Airport Systems).

18 **SEC. 443. SECONDARY RUNWAYS.**

19 In approving grants for projects with funds made  
20 available pursuant to title VIII of division J of the Infra-  
21 structure Investment and Jobs Act (Public Law 117–58)  
22 under the heading “Federal Aviation Administration—  
23 Airport Infrastructure Grants”, the Administrator of the  
24 Federal Aviation Administration shall consider permitting  
25 a nonhub or small hub airport to use such funds to extend

1 secondary runways, notwithstanding the level of oper-  
2 ational activity as such airport.

3 **SEC. 444. INCREASING THE ENERGY EFFICIENCY OF AIR-**  
4 **PORTS AND MEETING CURRENT AND FUTURE**  
5 **ENERGY POWER DEMANDS.**

6 (a) IN GENERAL.—Section 47140 of title 49, United  
7 States Code, is amended to read as follows:

8 **“§ 47140. Meeting current and future energy power**  
9 **demand**

10 “(a) IN GENERAL.—The Secretary of Transportation  
11 shall establish a program under which the Secretary  
12 shall—

13 “(1) encourage the sponsor of each public-use  
14 airport to—

15 “(A) conduct airport planning that as-  
16 sesses the airport’s—

17 “(i) current and future energy power  
18 requirements, including—

19 “(I) heating and cooling;

20 “(II) on-road airport vehicles and  
21 ground support equipment;

22 “(III) gate electrification;

23 “(IV) electric aircraft charging;

24 and

1                   “(V) vehicles and equipment used  
2                   to transport passengers and employees  
3                   between the airport and—

4                   “(aa) nearby facilities owned  
5                   or controlled by the airport or  
6                   which otherwise directly support  
7                   the functions or services provided  
8                   by the airport; or

9                   “(bb) an intermodal surface  
10                  transportation facility adjacent to  
11                  the airport; and

12                  “(ii) existing energy infrastructure  
13                  condition, location and capacity, including  
14                  base load and backup power, to meet the  
15                  current and future electrical power demand  
16                  as identified in this subparagraph; and

17                  “(B) conduct airport development to in-  
18                  crease energy efficiency or meet future electrical  
19                  power demands as identified in subparagraph  
20                  (A); and

21                  “(2) reimburse the airport sponsor for the costs  
22                  incurred in conducting the assessment under para-  
23                  graph (1).

24                  “(b) GRANTS.—



1 chapter 471 or section 48103 of title 49, United States  
2 Code, for use at up to 10 airports to carry out—

3           (1) activities associated with the acquisition, by  
4 purchase or lease, operation, and installation of  
5 equipment to support the operations of electric air-  
6 craft, including interoperable electric vehicle charg-  
7 ing equipment; and

8           (2) the construction or modification of infra-  
9 structure to facilitate the delivery of power or serv-  
10 ices necessary for the use of electric aircraft, includ-  
11 ing—

12                   (A) on airport utility upgrades; and

13                   (B) associated design costs.

14       (b) ELIGIBILITY.—A public-use airport is eligible for  
15 participation in the pilot program under this section if the  
16 Secretary finds that funds made available under sub-  
17 section (a) would support—

18           (1) electric aircraft operators at such airport, or  
19 using such airport; or

20           (2) electric aircraft operators planning to oper-  
21 ate at such airport with an associated agreement in  
22 place.

23       (c) SUNSET.—The pilot program established under  
24 subsection (a) shall sunset 5 years after the date of enact-  
25 ment of this Act.

1 **SEC. 446. CURB MANAGEMENT PRACTICES.**

2 Nothing in this Act shall be construed to—

3 (1) prevent airports from engaging in curb  
4 management practices, including determining and  
5 assigning curb designations, regulations, and to in-  
6 stall and maintain upon any of the roadways or  
7 parts of roadways as many curb zones as necessary  
8 to aid in the regulation, control, and inspection of  
9 passenger loading and unloading; or

10 (2) prevent airports from enforcing curb zones  
11 using sensor, camera, automated license plate rec-  
12 ognition, and software technologies and issuing cita-  
13 tions by mail to the registered owner of the vehicle.

14 **SEC. 447. NOTICE OF FUNDING OPPORTUNITY.**

15 Notwithstanding part 200 of title 2, Code of Federal  
16 Regulations, or any other provision of law, funds made  
17 available as part of the airport improvement program  
18 under subchapter I of chapter 471 or chapter 475 of title  
19 49, United States Code, shall not be subject to any public  
20 notice of funding opportunity requirement.

21 **SEC. 448. SPECIAL CARRYOVER ASSUMPTION RULE.**

22 Section 47115 of title 49, United States Code, is  
23 amended by adding at the end the following:

24 “(1) SPECIAL CARRYOVER ASSUMPTION RULE.—In  
25 addition to amounts made available under paragraphs (1)  
26 and (2) of subsection (a), the Secretary may add to the

1 discretionary fund an amount equal to one-third of the  
2 apportionment funds made available under section 47114  
3 that were not required during the previous fiscal year pur-  
4 suant to section 47117(b)(1) out of the anticipated  
5 amount of apportionment funds made available under sec-  
6 tion 47114 that will not be required during the current  
7 fiscal year pursuant to section 47117(b)(1).”.

8 **SEC. 449. RUNWAY SAFETY PROJECTS.**

9 In awarding grants under section 47115 of title 49,  
10 United States Code, for runway safety projects, the Ad-  
11 ministrator of the Federal Aviation Administration shall,  
12 to the maximum extent practicable—

13 (1) reduce unnecessary or undesirable project  
14 segmentation; and

15 (2) complete the entire project in an expeditious  
16 manner.

17 **Subtitle B—Passenger Facility**  
18 **Charges**

19 **SEC. 461. 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. 462. 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 nonattainment 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 “projects, terminal development projects,  
18 general aviation airport construction or im-  
19 provement projects, and aviation safety  
20 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                         the following:

1 “(1) IN GENERAL.—For any”; and

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

3 “(2) DEADLINE.—The Administrator shall de-  
4 fine the purpose and need of a project not later than  
5 45 days after receipt of a draft purpose and need  
6 statement (or revision thereof that materially affects  
7 a statement previously prepared or accepted by the  
8 Administrator) from an airport sponsor. The Admin-  
9 istrator shall provide airport sponsors with appro-  
10 priate guidance to implement any applicable require-  
11 ments.”;

12 (9) in subsection (k)—

13 (A) by striking “an airport capacity en-  
14 hancement project at a congested airport or a  
15 project designated under subsection (b)(3)” and  
16 inserting “a project described or designated  
17 under subsection (b)”;

18 (B) by striking “project shall consider”  
19 and inserting the following:

20 “project shall—

21 “(1) consider”;

22 (C) by striking the period at the end and  
23 inserting “; and”; and

24 (D) by adding at the end the following:

25 “(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) CLOUD-BASED, INTERACTIVE DIGITAL  
2 PLATFORMS.—The Administrator is encouraged  
3 to utilize cloud-based, interactive digital plat-  
4 forms to meet community engagement and  
5 agency coordination requirements under sub-  
6 paragraph (A).

7           “(C) SCHEDULE.—

8           “(i) IN GENERAL.—The Administra-  
9 tion shall establish as part of such coordi-  
10 nation plan, after consultation with and  
11 the concurrence of each participating agen-  
12 cy for the project and with the State in  
13 which the project is located (and, if the  
14 State is not the project sponsor, with the  
15 project sponsor), a schedule for—

16           “(I) interim milestones and dead-  
17 lines for agency activities necessary to  
18 complete the environmental review;  
19 and

20           “(II) completion of the environ-  
21 mental review process for the project.

22           “(ii) FACTORS FOR CONSIDER-  
23 ATION.—In establishing the schedule under  
24 clause (i), the Administration shall con-  
25 sider factors such as—

1           “(I) the responsibilities of par-  
2           ticipating agencies under applicable  
3           laws;

4           “(II) resources available to the  
5           cooperating agencies;

6           “(III) overall size and complexity  
7           of the project;

8           “(IV) the overall time required  
9           by an agency to conduct an environ-  
10          mental review and make decisions  
11          under applicable Federal law relating  
12          to a project (including the issuance or  
13          denial of a permit or license) and the  
14          cost of the project; and

15          “(V) the sensitivity of the natural  
16          and historic resources that could be  
17          affected by the project.

18          “(iii) MAXIMUM PROJECT SCHED-  
19          ULE.—To the maximum extent practicable  
20          and consistent with applicable Federal law,  
21          the Administrator shall develop, in concur-  
22          rence with the project sponsor, a maximum  
23          schedule for the project described or des-  
24          ignated under subsection (b) that is not  
25          more than 2 years for the completion of

1 the environmental review process for such  
2 projects, as measured from, as applicable  
3 the date of publication of a notice of intent  
4 to prepare an environmental impact state-  
5 ment to the record of decision.

6 “(iv) DISPUTE RESOLUTION.—

7 “(I) IN GENERAL.—Any issue or  
8 dispute that arises between the Ad-  
9 ministrator and participating agencies  
10 (or amongst participating agencies)  
11 during the environmental review proc-  
12 ess will be addressed expeditiously to  
13 avoid delay.

14 “(II) RESPONSIBILITIES.—The  
15 Administrator and participating agen-  
16 cies shall—

17 “(aa) implement the require-  
18 ments of this section consistent  
19 with any dispute resolution proc-  
20 ess established in an applicable  
21 law, regulation, or legally binding  
22 agreement to the maximum ex-  
23 tent permitted by law; and

24 “(bb) seek to resolve issues  
25 or disputes at the earliest pos-

1           sible time at the project level  
2           through agency employees who  
3           have day-to-day involvement in  
4           the project.

5           “(III) ELEVATION FOR MISSED  
6           MILESTONE.—If a dispute between  
7           the Administrator and participating  
8           agencies (or amongst participating  
9           agencies) causes a milestone to be  
10          missed or extended, or the Adminis-  
11          trator anticipates that a permitting  
12          timetable milestone will be missed or  
13          will need to be extended, then the dis-  
14          pute shall be elevated to an official  
15          designated by the relevant agency for  
16          resolution. Such elevation should take  
17          place as soon as practicable after the  
18          Administrator becomes aware of the  
19          dispute or potential missed milestone.

20          “(IV) EXCEPTION.—Disputes  
21          that do not impact the ability of an  
22          agency to meet a milestone may be  
23          elevated as appropriate.

24          “(V) FURTHER EVALUATION.—  
25          Once a dispute has been elevated to

1 the designated official, if no resolution  
2 has been reached at the end of 30  
3 days after the relevant milestone date  
4 or extension date, then the relevant  
5 agencies shall elevate the dispute to  
6 senior agency leadership for resolu-  
7 tion.

8 “(D) CONSISTENCY WITH OTHER TIME PE-  
9 RIODS.—A schedule under subparagraph (B)  
10 shall be consistent with any other relevant time  
11 periods established under Federal law.

12 “(E) MODIFICATION.—

13 “(i) IN GENERAL.—Except as pro-  
14 vided in clause (ii), the Administrator may  
15 lengthen or shorten a schedule established  
16 under subparagraph (B) for good cause. A  
17 decision by a project sponsor to change,  
18 modify, expand, or reduce the scope of a  
19 project may be considered as good cause  
20 for lengthening or shortening of such  
21 schedule as appropriate and based on the  
22 nature and extent of the proposed project  
23 adjustment.

24 “(ii) LIMITATIONS.—

1                   “(I) LENGTHENED SCHEDULE.—

2                   The Administrator may lengthen a  
3                   schedule under clause (i) for a cooper-  
4                   ating Federal agency by not more  
5                   than 1 year after the latest deadline  
6                   established for the project described  
7                   or designated under subsection (b) by  
8                   the Administration.

9                   “(II) SHORTENED SCHEDULE.—

10                  The Administrator may not shorten a  
11                  schedule under clause (i) if doing so  
12                  would impair the ability of a cooper-  
13                  ating Federal agency to conduct nec-  
14                  essary analyses or otherwise carry out  
15                  relevant obligations of the Federal  
16                  agency for the project.

17                  “(F) FAILURE TO MEET DEADLINE.—If a  
18                  cooperating Federal agency fails to meet a  
19                  deadline established under subparagraph  
20                  (D)(ii)(I)—

21                  “(i) the cooperating Federal agency  
22                  shall, not later than 10 days after meeting  
23                  the deadline, submit to the Administrator  
24                  a report that describes the reasons why the  
25                  deadline was not met; and

1 “(ii) the Secretary shall—

2 “(I) submit to the Committee on  
3 Transportation and Infrastructure of  
4 the House of Representatives and the  
5 Committee on Commerce, Science,  
6 and Transportation of the Senate a  
7 copy of the report under clause (i);  
8 and

9 “(II) make the report under  
10 clause (i) publicly available on the  
11 website of the agency.

12 “(G) DISSEMINATION.—A copy of a sched-  
13 ule under subparagraph (B), and of any modi-  
14 fications to the schedule, shall be—

15 “(i) provided to all participating agen-  
16 cies and to the State transportation de-  
17 partment of the State in which the project  
18 is located (and, if the State is not the  
19 project sponsor, to the project sponsor);  
20 and

21 “(ii) made available to the public.

22 “(2) COMMENT DEADLINES.—The Adminis-  
23 trator shall establish the following deadlines for com-  
24 ment during the environmental review process for a  
25 project:

1           “(A) For comments by agencies and the  
2 public on a draft environmental impact state-  
3 ment, a period of not more than 60 days after  
4 publication in the Federal Register of notice of  
5 the date of public availability of such statement,  
6 unless—

7           “(i) a different deadline is established  
8 by agreement of the lead agency, the  
9 project sponsor, and all participating agen-  
10 cies; or

11           “(ii) the deadline is extended by the  
12 lead agency for good cause.

13           “(B) For all other comment periods estab-  
14 lished by the lead agency for agency or public  
15 comments in the environmental review process,  
16 a period of no more than 30 days from avail-  
17 ability of the materials on which comment is re-  
18 quested, unless—

19           “(i) a different deadline is established  
20 by agreement of the Administrator, the  
21 project sponsor, and all participating agen-  
22 cies; or

23           “(ii) the deadline is extended by the  
24 lead agency for good cause.

1           “(3) DEADLINES FOR DECISIONS UNDER  
2 OTHER LAWS.—In any case in which a decision  
3 under any Federal law relating to a project de-  
4 scribed or designated under subsection (b) (including  
5 the issuance or denial of a permit or license) is re-  
6 quired to be made by the later of the date that is  
7 180 days after the date on which the Administrator  
8 made all final decisions of the lead agency with re-  
9 spect to the project, or 180 days after the date on  
10 which an application was submitted for the permit  
11 or license, the Administrator shall submit to the  
12 Committee on Transportation and Infrastructure of  
13 the House of Representatives and the Committee on  
14 Commerce, Science, and Transportation of the Sen-  
15 ate, and publish on the website of the Administra-  
16 tion—

17                   “(A) as soon as practicable after the 180-  
18 day period, an initial notice of the failure of the  
19 Federal agency to make the decision; and

20                   “(B) every 60 days thereafter until such  
21 date as all decisions of the Federal agency re-  
22 lating to the project have been made by the  
23 Federal agency, an additional notice that de-  
24 scribes the number of decisions of the Federal

1           agency that remain outstanding as of the date  
2           of the additional notice.

3           “(4) INVOLVEMENT OF THE PUBLIC.—Nothing  
4           in this subsection shall reduce any time period pro-  
5           vided for public comment in the environmental re-  
6           view process under existing Federal law, including a  
7           regulation.

8           “(n) CONCURRENT REVIEWS AND SINGLE NEPA  
9           DOCUMENT.—

10           “(1) CONCURRENT REVIEWS.—Each partici-  
11           pating agency and cooperating agency under the ex-  
12           pedited and coordinated environmental review proc-  
13           ess established under this section shall—

14                   “(A) carry out the obligations of that  
15                   agency under other applicable law concurrently,  
16                   and in conjunction, with the review required  
17                   under the National Environmental Policy Act of  
18                   1969 (42 U.S.C. 4321 et seq.), unless doing so  
19                   would impair the ability of the Federal agency  
20                   to conduct needed analysis or otherwise carry  
21                   out such obligations; and

22                   “(B) formulate and implement administra-  
23                   tive, policy, and procedural mechanisms to en-  
24                   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 this paragraph,  
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 no-  
2 tice of intent is published in the Federal  
3 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; and

4 (B) in subparagraph (B)—

5 (i) by striking “(B)”; and

6 (ii) by redesignating clauses (i) and

7 (ii) as subparagraphs (B) and (C), respec-

8 tively;

9 (3) by striking paragraph (5);

10 (4) by redesignating paragraphs (3), (1), (4),

11 (2), (6), and (8) as paragraphs (1), (2), (3), (4),

12 (5), and (6), respectively; and

13 (5) by adding at the end the following:

14 “(8) **TERMINAL DEVELOPMENT.**—The term

15 ‘terminal development’ has the same meaning given

16 such term in section 47102.”.

17 **SEC. 475. PILOT PROGRAM EXTENSION.**

18 Section 190(i) of the FAA Reauthorization Act of

19 2018 (49 U.S.C. 47104 note) is amended by striking “5

20 years” and all that follows through the period at the end

21 and inserting “on October 1, 2028.”.

22 **SEC. 476. PART 150 NOISE STANDARDS UPDATE.**

23 (a) **IN GENERAL.**—Not later than 1 year after the

24 date of enactment of this Act, the Administrator of the

25 Federal Aviation Administration shall review and revise

1 part 150 of title 14, Code of Federal Regulations, to re-  
2 flect all relevant laws and regulations, including part 161  
3 of title 14, Code of Federal Regulations.

4 (b) OUTREACH.—As part of the review conducted  
5 under subsection (a), the Administrator shall clarify exist-  
6 ing and future noise policies and standards and seek feed-  
7 back from airports, airport users, and individuals living  
8 in the vicinity of airports and in overflight communities  
9 before implementing any changes to any noise policies or  
10 standards.

11 (c) BRIEFING.—Not later than 90 days after the date  
12 of enactment of this Act, and every 6 months thereafter,  
13 the Administrator shall brief the Committee on Transpor-  
14 tation and Infrastructure of the House of Representatives  
15 and the Committee on Commerce, Science, and Transpor-  
16 tation of the Senate regarding the review conducted under  
17 subsection (a).

18 (d) SUNSET.—The requirement under subsection (c)  
19 shall terminate on September 30, 2028.

20 (e) OVERFLIGHT COMMUNITY DEFINED.—In this  
21 section, the term “overflight community” means an  
22 area—

23 (1) located under the flight paths of aircraft;

24 (2) that experiences noise annoyance from such  
25 aircraft or airports; and



1 prove, permit, finance, or otherwise authorize any airport  
2 project that is undertaken by the sponsor, owner, or oper-  
3 ator of a public-use airport shall be presumed to be cov-  
4 ered by a categorical exclusion under Federal Aviation Ad-  
5 ministration Order 1050.1F, or any successor document,  
6 if such project—

7           (1) receives less than \$6,000,000 (as adjusted  
8           annually by the Administrator to reflect any in-  
9           creases in the Consumer Price Index prepared by  
10          the Department of Labor) of Federal funds or funds  
11          from charges collected under section 40117 of title  
12          49, United States Code; or

13          (2) with a total estimated cost of not more than  
14          \$35,000,000 (as adjusted annually by the Adminis-  
15          trator to reflect any increases in the Consumer Price  
16          Index prepared by the Department of Labor) and  
17          Federal funds comprising less than 15 percent of the  
18          total estimated project cost.

19          (b) CATEGORICAL EXCLUSION IN EMERGENCIES.—  
20 An action by the Administrator to approve, permit, fi-  
21 nance, or otherwise authorize an airport project that is  
22 undertaken by the sponsor, owner, or operator of a public-  
23 use airport shall be presumed to be covered by a categor-  
24 ical exclusion under Federal Aviation Administration

1 Order 1050.1F, or any successor document, if such project  
2 is—

3           (1) for the repair or reconstruction of any air-  
4 port facility, runway, taxiway, or similar structure  
5 that is in operation or under construction when  
6 damaged by an emergency declared by the Governor  
7 of the State and concurred in by the Administrator,  
8 or for a disaster or emergency declared by the Presi-  
9 dent pursuant to the Robert T. Stafford Disaster  
10 Relief and Emergency Assistance Act (42 U.S.C.  
11 5121 et seq.);

12           (2) in the same location with the same capacity,  
13 dimensions, and design as the original airport facil-  
14 ity, runway, taxiway, or similar structure as before  
15 the declaration described in this section; and

16           (3) commenced within a 2-year period begin-  
17 ning on the date of a declaration described in this  
18 section.

19           (c) EXTRAORDINARY CIRCUMSTANCES.—The pre-  
20 sumption that an action is covered by a categorical exclu-  
21 sion under subsections (a) and (b) shall not apply if the  
22 Administrator determines that extraordinary cir-  
23 cumstances exist with respect to such action.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed to impact any aviation safety au-  
3 thority of the Administrator.

4 (e) DEFINITIONS.—In this section:

5 (1) CATEGORICAL EXCLUSION.—The term “cat-  
6 egorical exclusion” has the meaning given the term  
7 in section 1508.1(d) of title 40, Code of Federal  
8 Regulations.

9 (2) PUBLIC-USE AIRPORT; SPONSOR.—The  
10 terms “public-use airport” and “sponsor” have the  
11 meaning given such terms in section 47102 of title  
12 49, United States Code.

13 **SEC. 479. CRITICAL HABITAT ON OR NEAR AIRPORT PROP-**  
14 **ERTY.**

15 (a) FEDERAL AGENCY REQUIREMENTS.—The Ad-  
16 ministrator of the Federal Aviation Administration, to the  
17 maximum extent practicable, shall collaborate with the  
18 heads of appropriate Federal agencies to ensure that des-  
19 ignations of critical habitat, as such term is defined in  
20 section 3 of the Endangered Species Act of 1973 (16  
21 U.S.C. 1532), on or near airport property do not—

22 (1) result in conflicting statutory, regulatory, or  
23 Federal grant assurance requirements for airports or  
24 aircraft operators;

1 (2) interfere with the safe operation of aircraft;

2 or

3 (3) occur on airport-owned lands that have be-  
4 come attractive habitat for a threatened or endan-  
5 gered species because such lands—

6 (A) have been prepared for future develop-  
7 ment;

8 (B) have been designated as noise buffer  
9 land; or

10 (C) are held by the airport to prevent en-  
11 croachment of uses that are incompatible with  
12 airport operations.

13 (b) STATE REQUIREMENTS.—In a State in which a  
14 State agency is authorized to designate land on or near  
15 airport property for the conservation of a threatened or  
16 endangered species in the State, the Administrator, to the  
17 maximum extent practicable, shall collaborate with the  
18 State in the same manner as the Administrator collabo-  
19 rates with the heads of Federal agencies under subsection  
20 (a).

21 **SEC. 480. UPDATING PRESUMED TO CONFORM LIMITS.**

22 Not later than 24 months after the date of enactment  
23 of this Act, the Administrator of the Federal Aviation Ad-  
24 ministration shall take such actions as are necessary to  
25 update the Administration's list of actions that are pre-

1 sumed to conform to a State implementation plan pursu-  
2 ant to section 93.153(f) of title 40, Code of Federal Regu-  
3 lations, to include projects relating to the construction of  
4 aircraft hangars.

5 **SEC. 481. RECOMMENDATIONS ON REDUCING ROTORCRAFT**  
6 **NOISE IN DISTRICT OF COLUMBIA.**

7 (a) STUDY.—The Comptroller General of the United  
8 States shall conduct a study on reducing rotorcraft noise  
9 in the District of Columbia.

10 (b) CONTENTS.—The study conducted under sub-  
11 section (a) shall consider—

12 (1) the extent to which military operators con-  
13 sider operating over unpopulated areas outside of  
14 the District of Columbia for training missions;

15 (2) the extent to which vehicles or aircraft other  
16 than conventional rotorcraft (such as unmanned air-  
17 craft) could be used for emergency and law enforce-  
18 ment response; and

19 (3) the extent to which relevant operators and  
20 entities have assessed and addressed, as appropriate,  
21 the noise impacts of various factors of operating  
22 rotorcraft, including, at a minimum—

23 (A) altitude;

24 (B) the number of flights;

25 (C) flight paths;

- 1 (D) time of day of flights;
- 2 (E) types of aircraft;
- 3 (F) operating procedures; and
- 4 (G) pilot training.

5 (c) REPORT.—Not later than 1 year after the date  
6 of enactment of this Act, the Comptroller General of the  
7 United States shall brief the Committee on Transportation  
8 and Infrastructure of the House of Representatives and  
9 the Committee on Commerce, Science, and Transportation  
10 of the Senate on preliminary observations with a report  
11 to follow at a date agreed upon at the time of the briefing  
12 containing—

13 (1) the contents of the study conducted under  
14 subsection (a); and

15 (2) any recommendations for the reduction of  
16 rotorcraft noise in the District of Columbia.

17 (d) RELEVANT OPERATORS AND ENTITIES DE-  
18 FINED.—In this section, the term “relevant operators and  
19 entities” means—

20 (1) the Chief of Police of the Metropolitan Po-  
21 lice Department of the District of Columbia;

22 (2) any medical rotorcraft operator that rou-  
23 tinely flies a rotorcraft over the District of Colum-  
24 bia; and

1           (3) any other operator that routinely flies a  
2 rotorcraft over the District of Columbia.

3 **SEC. 482. UFP STUDY.**

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 enter into an agree-  
7 ment with the National Academies under which the Na-  
8 tional Research Council shall carry out a study examining  
9 airborne ultrafine particles and the effect of such particles  
10 on human health.

11          (b) SCOPE OF STUDY.—The study conducted under  
12 subsection (a) shall—

13           (1) summarize the relevant literature and stud-  
14 ies done on airborne UFPs worldwide;

15           (2) focus on large hub airports;

16           (3) examine airborne UFPs and their potential  
17 effect on human health, including—

18           (A) characteristics of UFPs present in the  
19 air;

20           (B) spatial and temporal distributions of  
21 UFP concentrations;

22           (C) primary sources of UFPs;

23           (D) the contribution of aircraft and airport  
24 operations to the distribution of UFP con-  
25 centrations compared to other sources;

1           (E) potential health effects associated with  
2           elevated UFP exposures, including outcomes re-  
3           lated to cardiovascular disease, respiratory in-  
4           fection and disease, degradation of  
5           neurocognitive functions, and other health ef-  
6           fects; and

7           (F) potential UFP exposures, especially to  
8           susceptible groups;

9           (4) identify measures intended to reduce the re-  
10          lease of UFPs; and

11          (5) identify information gaps related to under-  
12          standing potential relationships between UFP expo-  
13          sures and health effects, contributions of aviation-re-  
14          lated emissions to UFP exposures, and the effective-  
15          ness of mitigation measures.

16          (c) COORDINATION.— The Administrator may coordi-  
17          nate with the heads of such other agencies that the Ad-  
18          ministrator considers appropriate to provide data and  
19          other assistance necessary for the study.

20          (d) REPORT.—Not later than 180 days after the Na-  
21          tional Research Council submits of the results of the study  
22          to the Administrator, the Administrator shall submit to  
23          the Committee on Transportation and Infrastructure of  
24          the House of Representatives and the Committee on Com-  
25          merce, Science, and Transportation of the Senate a report

1 containing the results of the study carried out under sub-  
2 section (a), including any recommendations based on such  
3 study.

4 (e) DEFINITION OF ULTRAFINE PARTICLE.—In this  
5 section, the terms “ultrafine particle” and “UFP” mean  
6 particles with diameters less than or equal to 100 nano-  
7 meters.

8 **SEC. 483. AVIATION AND AIRPORT COMMUNITY ENGAGE-**  
9 **MENT.**

10 (a) ESTABLISHMENT OF TASK FORCE.—

11 (1) IN GENERAL.—Not later than 90 days after  
12 the date of enactment of this Act, the Administrator  
13 of the Federal Aviation Administration shall estab-  
14 lish an airport community of interest task force (in  
15 this section referred to as the “Task Force”) to  
16 evaluate and improve existing processes and mecha-  
17 nisms for engaging communities impacted by airport  
18 development and aviation operations.

19 (2) ACTIVITIES.—The Task Force shall—

20 (A) review research on aircraft noise im-  
21 pacts to identify potential actions the Adminis-  
22 trator could take;

23 (B) review processes and practices of the  
24 Administration for engaging communities prior  
25 to or after air traffic pattern changes that im-

1 pact such communities, including with how such  
2 processes and practices compare to best prac-  
3 tices from organizations with expertise in grass-  
4 roots community organizing and collaboration;

5 (C) assess Federal efforts to mitigate noise  
6 impacts on communities, including costs and  
7 benefits of such efforts;

8 (D) assess the various actions that State  
9 and local government officials and community  
10 planners could take when considering changes  
11 to airport infrastructure, including planned air-  
12 port projects or surrounding airport community  
13 developments;

14 (E) identify potential improvements to  
15 Federal, State, and local airport development  
16 policy and planning processes to better balance  
17 which communities experience negative  
18 externalities as a result of airport operations;

19 (F) consider guidance to airports and air-  
20 port communities to improve engagement with  
21 the Administration, as recommended by the  
22 document titled “Aircraft Noise: FAA Could  
23 Improve Outreach Through Enhanced Noise  
24 Metrics, Communication, and Support to Com-

1 communities”, issued in September 2021 (GAO–  
2 21–103933);

3 (G) consider mechanisms and opportunities  
4 for the Administration to facilitate better ex-  
5 change of helicopter noise information with op-  
6 erators in communities adversely impacted by  
7 helicopter noise, as recommended by the Comp-  
8 troller General in the document titled “Aircraft  
9 Noise: Better Information Sharing Could Im-  
10 prove Responses to Washington, D.C. Area Hel-  
11 icopter Noise Concerns” (GAO–21–200); and

12 (H) review air traffic controller guidance  
13 on use and development of noise abatement pro-  
14 cedures of the Administration to identify areas  
15 for improvement or efficiency that do not ad-  
16 versely impact aviation safety.

17 (3) COMPOSITION.—

18 (A) APPOINTMENT.—The Administrator  
19 shall appoint the members of the Task Force.

20 (B) CHAIRPERSON.—The Task Force shall  
21 be chaired by the Administrator’s executive  
22 level designee.

23 (C) REPRESENTATION.—The Task Force  
24 shall be comprised of representatives from—

- 1 (i) multiple airport communities and  
2 communities in the vicinity of airports;  
3 (ii) airport operators;  
4 (iii) airlines;  
5 (iv) experts with specific knowledge of  
6 air traffic planning;  
7 (v) aircraft manufacturers;  
8 (vi) local government officials; and  
9 (vii) such other representatives as the  
10 Administrator considers appropriate.

11 (4) COMPENSATION.—Members of the Task  
12 Force shall serve without compensation.

13 (5) NONAPPLICABILITY OF FACA.—Chapter 10  
14 of title 5, United States Code, shall not apply to the  
15 Task Force established under this section.

16 (6) CONSULTATION.—The Task Force shall, as  
17 appropriate, consult with relevant experts and stake-  
18 holders not listed in paragraph (3)(C) in conducting  
19 the activities described in paragraph (2).

20 (7) REPORTS.—

21 (A) RECOMMENDATIONS.—Not later than  
22 1 year after the date of the establishment of the  
23 Task Force and every year thereafter through  
24 fiscal year 2028, the Task Force shall provide  
25 to the Committee on Transportation and Infra-

1 structure of the House of Representatives, the  
2 Committee on Commerce, Science, and Trans-  
3 portation of the Senate, and the Administrator  
4 recommendations to improve the processes and  
5 mechanisms for engaging communities impacted  
6 by airport development and aviation operations.

7 (B) BRIEFING.—Not later than 60 days  
8 after the submission of the annual rec-  
9 ommendations under subparagraph (A), the Ad-  
10 ministrator shall brief the committees described  
11 in such subparagraph on any plans of the Ad-  
12 ministration to implement the recommendations  
13 of the Task Force, including explanations for  
14 each of the recommendations the Administrator  
15 does not intend to adopt.

16 (b) ENGAGEMENT EVENTS.—

17 (1) ANNUAL EVENT.—The Administrator shall  
18 seek to convene at least 2 annual events in each geo-  
19 graphic region of the Administration to engage with  
20 aviation communities on issues of regional import.

21 (2) PURPOSE.—The purpose of the engagement  
22 events described under paragraph (1) shall be to fos-  
23 ter open and transparent communication between  
24 the Federal Government and aviation-impacted com-

1 communities prior to, during, and after decision making  
2 at the Federal level.

3 (3) TOPICS OF CONSIDERATION.—The topics of  
4 consideration of such engagement events shall be ap-  
5 proved by the Regional Administrator or the Re-  
6 gional Community Engagement Officer of the appli-  
7 cable region, in consultation with regional interest  
8 groups. Topic areas shall be driven by local and re-  
9 gional feedback and may focus on—

10 (A) noise concerns from low-flying com-  
11 mercial aircraft;

12 (B) purchase and installation of aircraft  
13 noise reduction measures;

14 (C) new development projects in close  
15 proximity to airports and realistic noise expec-  
16 tations for such projects;

17 (D) proposed airport expansion projects  
18 and the potential noise implications of such  
19 projects;

20 (E) the establishment of new, or changes  
21 to existing, approach and departure routes and  
22 the community impacts of such changes;

23 (F) upcoming events with an aviation com-  
24 ponent; or

1 (G) any other topic or issue considered rel-  
2 evant by an aviation-impacted community.

3 (4) PARTICIPATION.—

4 (A) COORDINATION.—All events described  
5 in paragraph (3) shall be convened by or in co-  
6 ordination with the regional offices of the Ad-  
7 ministration.

8 (B) ATTENDANCE BY REPRESENTA-  
9 TIVES.—The Administrator shall ensure rep-  
10 resentatives from relevant program offices of  
11 the Administration are in attendance at such  
12 events.

13 (C) APPROPRIATE PARTICIPATION.—The  
14 Administrator shall collaborate with community  
15 groups at the State, municipal, city, or local  
16 government level to ensure appropriate partici-  
17 pation by as many relevant parties on a given  
18 issue as practicable. Such relevant parties may  
19 include—

20 (i) State or local government officials;

21 (ii) local or municipal planning and  
22 zoning officials;

23 (iii) neighborhood representatives;

1 (iv) aircraft operators, flight school  
2 representatives, or other local aviation enti-  
3 ties;

4 (v) airport operators; and

5 (vi) any other parties as appropriate.

6 (D) COORDINATION.—The Administrator  
7 shall coordinate Federal participation that is  
8 not under the Administration through the Fed-  
9 eral Interagency Committee on Aviation Noise  
10 to encourage appropriate Federal representa-  
11 tion at all such events, based on the topic areas  
12 of consideration.

13 **SEC. 484. COMMUNITY COLLABORATION PROGRAM.**

14 (a) ESTABLISHMENT.—Not later than 90 days after  
15 the date of enactment of this Act, the Administrator of  
16 the Federal Aviation Administration shall establish a  
17 Community Collaboration Program (in this section re-  
18 ferred to as the “Program”) within the Office for Policy,  
19 International Affairs, and Environment of the Administra-  
20 tion.

21 (b) STAFF.—The Program shall be comprised of rep-  
22 resentatives from—

23 (1) the Office for Policy, International Affairs,  
24 and Environment of the Administration;

25 (2) the Office of Airports of the Administration;

1           (3) the Air Traffic Organization of the Admin-  
2           istration; and

3           (4) other entities as considered appropriate by  
4           the Administrator.

5           (c) RESPONSIBILITIES.—

6           (1) IN GENERAL.—The Program shall facilitate  
7           and harmonize, as appropriate, policies and proce-  
8           dures carried out by the entities listed in subsection  
9           (b) pertaining to community engagement relating  
10          to—

11                   (A) airport planning and development;

12                   (B) noise and environmental policy;

13                   (C) NextGen implementation;

14                   (D) air traffic route changes;

15                   (E) integration of new and emerging en-  
16          trants; and

17                   (F) other topics with respect to which com-  
18          munity engagement is critical to program suc-  
19          cess.

20          (2) SPECIFIED RESPONSIBILITIES.—The re-  
21          sponsibilities of the Program lead shall include—

22                   (A) the establishment of, and membership  
23          selection for, the Airport Community of Interest  
24          Task Force, established under section 483;

1           (B) joint execution with Federal Aviation  
2           Administration Regional Administrators of re-  
3           gional community engagement events, as de-  
4           scribed in section 483;

5           (C) updating the internal guidance of the  
6           Administration for community engagement  
7           based on recommendations from such Task  
8           Force, best practices of other Federal agencies  
9           interviews with impacted residents, and external  
10          organizations with expertise in community en-  
11          gagement, and recommendations solicited from  
12          individuals and local government officials in  
13          communities adversely impacted by aircraft  
14          noise;

15          (D) coordinating with the Air Traffic Or-  
16          ganization on community engagement efforts  
17          related to air traffic procedure changes to en-  
18          sure that impacted communities are consulted  
19          in a meaningful way;

20          (E) oversight of Regional Ombudsmen of  
21          the Administration;

22          (F) oversight, streamlining, and increasing  
23          the responsiveness of the noise complaint proc-  
24          ess of the Administration by—

- 1 (i) centralizing noise complaint data  
2 and improving data collection methodolo-  
3 gies;
- 4 (ii) increasing public accessibility to  
5 such Regional Ombudsmen;
- 6 (iii) ensuring such Regional Ombuds-  
7 men are consulted in local air traffic proce-  
8 dure development decisions;
- 9 (iv) collecting feedback from such Re-  
10 gional Ombudsmen to inform national pol-  
11 icymaking efforts; and
- 12 (v) other recommendations made by  
13 the Airport Community of Interest Task  
14 Force;
- 15 (G) timely implementation of the rec-  
16 ommendations, as appropriate, made by the  
17 Comptroller General of the United States to the  
18 Secretary of Transportation contained in the re-  
19 port titled “Aircraft Noise: FAA Could Improve  
20 Outreach Through Enhanced Noise Metrics,  
21 Communication, and Support to Communities”,  
22 issued in September 2021 (GAO–21–103933)  
23 to improve the outreach of the FAA to local  
24 communities impacted by aircraft noise, includ-  
25 ing—

- 1 (i) any recommendations to—
- 2 (I) identify appropriate supple-
- 3 mental metrics for assessing noise im-
- 4 pacts and circumstances for their use
- 5 to aid in the internal assessment of
- 6 the Administration of noise impacts
- 7 related to proposed flight path
- 8 changes;
- 9 (II) update guidance to incor-
- 10 porate additional tools to more clearly
- 11 convey expected impacts, such as
- 12 other noise metrics and visualization
- 13 tools; and
- 14 (III) improve guidance to air-
- 15 ports and communities on effectively
- 16 engaging with the Administration; and
- 17 (ii) 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;
- 21 (H) ensuring engagement with local com-
- 22 munity groups as appropriate in conducting the
- 23 other responsibilities described in this section;
- 24 and

1 (I) other responsibilities as considered ap-  
2 propriate by the Administrator.

3 (d) REPORT.—Not later than 2 years after the Ad-  
4 ministrator implements the recommendations described in  
5 subsection (c)(2)(H), the Administrator shall brief the  
6 Committee on Transportation and Infrastructure of the  
7 House of Representatives and the Committee on Com-  
8 merce, Science, and Transportation of the Senate describ-  
9 ing—

10 (1) the implementation of each such rec-  
11 ommendation;

12 (2) how any recommended actions are assisting  
13 the Administrator in improving outreach to commu-  
14 nities affected by aircraft noise and other commu-  
15 nity engagement concerns; and

16 (3) any challenges or barriers that limit or pre-  
17 vent the ability of the Administrator to take such ac-  
18 tions.

19 **SEC. 485. THIRD PARTY STUDY ON AVIATION NOISE**  
20 **METRICS.**

21 (a) STUDY.—Not later than 180 days after the date  
22 of enactment of this Act, the Administrator of the Federal  
23 Aviation Administration shall enter into an agreement  
24 with the National Academies to conduct a study on avia-  
25 tion noise metrics.

1 (b) CONTENTS.—The study required under sub-  
2 section (a) shall include an assessment of—

3 (1) the efficacy of the day-night average sound  
4 level (in this section referred to as “DNL”) noise  
5 metric compared to other alternative models;

6 (2) the disadvantages of the DNL noise metric  
7 in effect as of the date of enactment of this Act  
8 compared to other alternative models;

9 (3) any potential changes that should be made  
10 to the DNL noise metric in effect as of the date of  
11 enactment of this Act; and

12 (4) the data collected by the Neighborhood En-  
13 vironmental Survey of the Administration using al-  
14 ternative noise metrics.

15 (c) REPORT TO CONGRESS.—Not later than 2 years  
16 after the date of enactment of this Act, the National Acad-  
17 emies shall submit to the Administrator, the Committee  
18 on Transportation and Infrastructure of the House of  
19 Representatives, and the Committee on Commerce,  
20 Science, and Transportation of the Senate a report—

21 (1) on the results of the study described in sub-  
22 section (a); and

23 (2) containing recommendations regarding the  
24 most appropriate metric to adequately assess the  
25 public health impacts of aircraft noise.

1 **SEC. 486. INFORMATION SHARING REQUIREMENT.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date of enactment of this Act, the Secretary of Transpor-  
4 tation, acting through the Administrator of the Federal  
5 Aviation Administration, shall establish a mechanism to  
6 make helicopter noise complaint data accessible to the  
7 Federal Aviation Administration, to helicopter operators  
8 operating in the Washington, D.C. area, and to the public  
9 on a website of the Administration, based on the rec-  
10 ommendation of the Government Accountability Office in  
11 the report published on January 7, 2021, titled “Aircraft  
12 Noise: Better Information Sharing Could Improve Re-  
13 sponses to Washington, D.C. Area Helicopter Noise Con-  
14 cerns”.

15 (b) COOPERATION.—Any helicopter operator oper-  
16 ating in the Washington, D.C. area shall provide heli-  
17 copter noise complaint data to the Federal Aviation Ad-  
18 ministration through the mechanism established under  
19 subsection (a).

20 (c) DEFINITIONS.—In this section:

21 (1) HELICOPTER NOISE COMPLAINT DATA.—

22 The term “helicopter noise complaint data”—

23 (A) means general data relating to a com-  
24 plaint made by an individual about helicopter  
25 noise in the Washington, D.C. area and may in-  
26 clude—

- 1 (i) the location and description of the  
2 event that is the subject of the complaint;  
3 (ii) the start and end time of such  
4 event;  
5 (iii) a description of the aircraft that  
6 is the subject of the complaint; and  
7 (iv) the airport name associated with  
8 such event; and  
9 (B) does not include the personally identi-  
10 fiable information of the individual who sub-  
11 mitted the complaint.

12 (2) WASHINGTON, D.C. AREA.—The term  
13 “Washington, D.C. area” means the area inside of  
14 a 30-mile radius surrounding Ronald Reagan Wash-  
15 ington National Airport.

16 **TITLE V—AVIATION SAFETY**  
17 **Subtitle A—General Provisions**

18 **SEC. 501. ZERO TOLERANCE FOR NEAR MISSES, RUNWAY**  
19 **INCURSIONS, AND SURFACE SAFETY RISKS.**

20 (a) POLICY.—

21 (1) IN GENERAL.—Section 47101(a) of title 49,  
22 United States Code, is amended—

23 (A) by redesignating paragraphs (2)  
24 through (13) as paragraphs (3) through (14),  
25 respectively; and

1 (B) by inserting after paragraph (1) the  
2 following:

3 “(2) that projects, activities, and actions that  
4 prevent runway incursions serve to—

5 “(A) improve airport surface surveillance;  
6 and

7 “(B) mitigate surface safety risks that are  
8 essential to ensuring the safe operation of the  
9 airport and airway system;”.

10 (2) CONFORMING AMENDMENTS.—Section  
11 47101 of title 49, United States Code, is amended—

12 (A) in subsection (g) by striking “sub-  
13 section (a)(5)” and inserting “subsection  
14 (a)(6)”; and

15 (B) in subsection (h) by striking “sub-  
16 section (a)(6)” and inserting “subsection  
17 (a)(7)”.

18 (3) CONTINUOUS EVALUATION.—In carrying  
19 out section 47101(a) of title 49, United States Code,  
20 as amended by this subsection, the Administrator of  
21 the Federal Aviation Administration shall establish a  
22 process to continuously track and evaluate ground  
23 traffic and air traffic activity and related incidents  
24 at airports.

25 (b) RUNWAY SAFETY COUNCIL.—

1           (1) IN GENERAL.—Not later than 6 months  
2 after the date of enactment of this Act, the Adminis-  
3 trator of the Federal Aviation Administration shall  
4 establish a council, to be known as the “Runway  
5 Safety Council” (in this section referred to as the  
6 “Council”), to develop a systematic proactive man-  
7 agement strategy to address surface safety risks.

8           (2) DUTIES.—The duties of the Council shall  
9 include, at a minimum, advancing the development  
10 of risk-based, data driven, integrated systems solu-  
11 tions and strategies to enhance surface safety risk  
12 mitigation.

13           (3) MEMBERSHIP.—

14           (A) IN GENERAL.—In establishing the  
15 Council, the Administrator shall appoint at  
16 least 1 member from each of the following:

17                   (i) Airport operators.

18                   (ii) Air carriers.

19                   (iii) Aircraft operators.

20                   (iv) Avionics manufacturers.

21                   (v) Flight schools.

22                   (vi) The certified bargaining rep-  
23 resentative of aviation safety inspectors for  
24 the Administration.

1 (vii) The exclusive bargaining rep-  
2 resentative of the air traffic controllers cer-  
3 tified under section 7111 of title 5, United  
4 States Code.

5 (viii) Other safety experts the Admin-  
6 istrator determines appropriate.

7 (B) ADDITIONAL MEMBERS.—The Admin-  
8 istrator may appoint members representing any  
9 other stakeholder organization that the Admin-  
10 istrator determines appropriate to the Runway  
11 Safety Council.

12 (c) AIRPORT SURFACE SURVEILLANCE.—

13 (1) IDENTIFICATION.—Not later than 180 days  
14 after the date of enactment of this Act, the Adminis-  
15 trator shall, in coordination with the Council, con-  
16 sult with relevant stakeholders to identify tech-  
17 nologies, equipment, and systems that—

18 (A) may provide airport surface surveil-  
19 lance capabilities at airports lacking such capa-  
20 bilities;

21 (B) may augment existing airport surface  
22 surveillance systems; or

23 (C) may provide onboard situational  
24 awareness to pilots.

1           (2) CRITERIA.—Not later than 1 year after the  
2 date of enactment of this Act, the Administrator  
3 shall—

4           (A) based on the information obtained pur-  
5 suant to paragraph (1), identify airport surface  
6 surveillance systems that meet the standards of  
7 the Administration and may be able to—

8           (i) provide airport surface surveillance  
9 capabilities at airports lacking such capa-  
10 bilities; or

11           (ii) augment existing airport surface  
12 surveillance systems; and

13           (B) establish clear and quantifiable criteria  
14 relating to operational factors, including ground  
15 traffic and air traffic activity and the rate of  
16 runway and terminal airspace safety events (in-  
17 cluding runway incursions), that determine  
18 when the installation and deployment of an air-  
19 port surface surveillance system, or other run-  
20 way safety system (including runway status  
21 lights), at an airport is required.

22           (3) DEPLOYMENT.—Not later than 5 years  
23 after the date of enactment of this Act, the Adminis-  
24 trator shall ensure that airport surface surveillance  
25 systems are deployed and operational at—

1 (A) all airports described in paragraph  
2 (2)(A); and

3 (B) all medium and large hub airports.

4 (4) REPORT.—Not later than 4 years after the  
5 date of enactment of this Act, the Administrator  
6 shall brief the Committee on Transportation and In-  
7 frastructure of the House of Representatives and the  
8 Committee on Commerce, Science, and Transpor-  
9 tation of the Senate on the progress of the deploy-  
10 ment described in paragraph (3).

11 (d) FOREIGN OBJECT DEBRIS DETECTION.—

12 (1) IN GENERAL.—Not later than 3 years after  
13 the date of enactment of this Act, the Administrator  
14 shall assess, in coordination with the Council, auto-  
15 mated foreign object debris monitoring and detection  
16 systems at not less than 3 airports that are using  
17 such systems.

18 (2) CONSIDERATIONS.—In conducting the as-  
19 sessment under paragraph (1), the Administrator  
20 shall consider the following:

21 (A) The categorization of an airport.

22 (B) The potential frequency of foreign ob-  
23 ject debris incidents on airport runways or ad-  
24 jacent ramp areas.

1           (C) The availability of funding for the in-  
2           stallation and maintenance of foreign object de-  
3           bris monitoring and detection systems.

4           (D) The impact of such systems on the air-  
5           field operations of an airport.

6           (E) The effectiveness of available foreign  
7           object debris monitoring and detection systems.

8           (F) Any other factors relevant to assessing  
9           the return on investment of foreign object de-  
10          bris monitoring and detection systems.

11          (3) CONSULTATION.—In carrying out this sub-  
12          section, the Administrator and the Council shall con-  
13          sult with manufacturers and suppliers of foreign ob-  
14          ject debris detection technology and any other rel-  
15          evant stakeholders.

16          (e) RUNWAY SAFETY STUDY.—

17           (1) IN GENERAL.—Not later than 2 years after  
18           the date of enactment of this Act, the Administrator  
19           shall seek to enter into an agreement with a feder-  
20           ally funded research and development center to con-  
21           duct a study of runway incursions, surface incidents,  
22           operational errors, or losses of standard separation  
23           of aircraft in the approach or departure phase of  
24           flight to determine how advanced technologies and  
25           future airport development projects may be able to

1 reduce the frequency of such events and enhance  
2 aviation safety.

3 (2) CONSIDERATIONS.—In conducting the study  
4 under paragraph (1), the federally funded research  
5 and development center shall—

6 (A) examine data relating to recurring  
7 runway incursions, surface incidents, oper-  
8 ational errors, or losses of standard separation  
9 of aircraft in the approach or departure phase  
10 of flight at airports to identify the underlying  
11 factors that caused such events;

12 (B) assess metrics used to identify when  
13 such events are increasing at an airport;

14 (C) assess available and developmental  
15 technologies, including and beyond such tech-  
16 nologies considered in subsection (c), that may  
17 augment existing air traffic management capa-  
18 bilities of surface surveillance and terminal air-  
19 space equipment;

20 (D) consider growth trends in airport size,  
21 staffing and communication complexities to  
22 identify—

23 (i) future gaps in information ex-  
24 change between aerospace stakeholders;  
25 and

1 (ii) methods for meeting future near  
2 real-time information sharing needs; and

3 (E) examine airfield safety training pro-  
4 grams used by airport tenants and other stake-  
5 holders operating on airfields of airports, in-  
6 cluding airfield familiarization training pro-  
7 grams for employees, to assess scalability to  
8 handle future growth in airfield capacity and  
9 traffic.

10 (3) RECOMMENDATIONS.—In conducting the  
11 study required by paragraph (1), the federally fund-  
12 ed research and development center shall develop  
13 recommendations for the strategic planning efforts  
14 of the Administration to appropriately maintain sur-  
15 face safety considering future increases in air traffic  
16 and based on the considerations described in para-  
17 graph (2).

18 (4) REPORT TO CONGRESS.—Not later than 90  
19 days after the completion of the study required by  
20 paragraph (1), the Administrator shall submit to the  
21 Committee on Transportation and Infrastructure of  
22 the House of Representatives and the Committee on  
23 Commerce, Science, and Transportation of the Sen-  
24 ate a report on the findings of such study and any  
25 recommendations developed under paragraph (3).

1 (f) AIRPORT SURFACE DETECTION AND SURVEIL-  
2 LANCE SYSTEM DEFINED.—In this section, the term “air-  
3 port surface detection and surveillance system” means an  
4 airport surveillance system that is—

5 (1) designed to track surface movement of air-  
6 craft and vehicles; and

7 (2) capable of alerting air traffic controllers or  
8 flight crew members of a possible runway incursion,  
9 misaligned approach, or other safety event.

10 **SEC. 502. GLOBAL AVIATION SAFETY.**

11 (a) IN GENERAL.—Section 40104(d) of title 49,  
12 United States Code, (as redesignated by section 325) is  
13 amended—

14 (1) in the subsection heading by inserting “AND  
15 ASSISTANCE” after “INTERNATIONAL ROLE”;

16 (2) in paragraph (1) by striking “The Adminis-  
17 trator” and inserting “In carrying out subsection  
18 (a), the Administrator”;

19 (3) by redesignating paragraph (2) as para-  
20 graph (4); and

21 (4) by inserting after paragraph (1) the fol-  
22 lowing:

23 “(2) INTERNATIONAL PRESENCE.—The Admin-  
24 istrator shall maintain an international presence  
25 to—

1           “(A) assist foreign civil aviation authorities  
2           in—

3                   “(i) establishing robust aviation over-  
4                   sight practices and policies;

5                   “(ii) training staff, to include inspec-  
6                   tors and accident investigators;

7                   “(iii) harmonizing international avia-  
8                   tion standards for air traffic management,  
9                   operator certification, aircraft certification,  
10                  airports, and certificated or credentialed  
11                  individuals;

12                  “(iv) validating and accepting foreign  
13                  aircraft design and production approvals;

14                  “(v) maintaining appropriate levels of  
15                  air navigation services;

16                  “(vi) preparing for new aviation tech-  
17                  nologies; and

18                  “(vii) appropriately adopting con-  
19                  tinuing airworthiness information, such as  
20                  airworthiness directives;

21           “(B) encourage the adoption of United  
22           States standards, regulations, and policies;

23           “(C) establish, maintain, and update bilat-  
24           eral or multilateral aviation safety agreements

1 and the aviation safety information contained  
2 within such agreements;

3 “(D) engage in bilateral and multilateral  
4 discussions and provide technical assistance as  
5 described in paragraph (5);

6 “(E) validate foreign aviation products and  
7 ensure reciprocal validation of products for  
8 which the United States is the state of design  
9 or production;

10 “(F) support accident and incident inves-  
11 tigation, particularly such investigations that  
12 involve United States persons and certified  
13 products and such investigations where the Na-  
14 tional Transportation Safety Board is sup-  
15 porting an investigation pursuant to annex 13  
16 of the International Civil Aviation Organization;

17 “(G) support the international activities of  
18 the United States aviation sector;

19 “(H) maintain valuable relationships with  
20 entities with aviation equities, including civil  
21 aviation authorities, other governmental bodies,  
22 non-governmental organizations, and foreign  
23 manufacturers; and

24 “(I) perform other activities as determined  
25 necessary by the Administrator.”.

1 (b) REVIEW OF INTERNATIONAL FIELD OFFICES.—  
2 Section 40104(d) of title 49, United States Code, (as re-  
3 designated by section 325) is further amended by inserting  
4 after paragraph (2) the following:

5 “(3) INTERNATIONAL OFFICES.—In carrying  
6 out the responsibilities described in subsection (a),  
7 the Administrator shall—

8 “(A) maintain international offices of the  
9 Administration;

10 “(B) every 3 years, review existing inter-  
11 national offices to determine—

12 “(i) the effectiveness of such offices in  
13 fulfilling the mission described in para-  
14 graph (2); and

15 “(ii) the adequacy of resources and  
16 staffing to achieve the mission described in  
17 paragraph (2);

18 “(C) establish offices to address gaps iden-  
19 tified by the review under subparagraph (B)  
20 and in furtherance of the mission described in  
21 paragraph (2), putting an emphasis on estab-  
22 lishing such offices—

23 “(i) where international civil aviation  
24 authorities are located;

1                   “(ii) where regional intergovernmental  
2                   organizations are located;

3                   “(iii) in countries that have difficulty  
4                   maintaining a category 1 classification  
5                   through the International Aviation Safety  
6                   Assessment program; and

7                   “(iv) in regions that have experienced  
8                   substantial growth in aviation operations  
9                   or manufacturing.”.

10           (c) BILATERAL AVIATION SAFETY AGREEMENTS.—

11                   (1) ESTABLISHMENT.—Section 40104(d) of  
12                   title 49, United States Code, (as redesignated by  
13                   section 325) is further amended by inserting after  
14                   paragraph (4) the following:

15                   “(5) BILATERAL AVIATION SAFETY AGREE-  
16                   MENTS.—

17                   “(A) IN GENERAL.—The Administrator  
18                   shall negotiate, enter into, promote, enforce,  
19                   evaluate the effectiveness of, and seek to update  
20                   bilateral or multilateral aviation safety agree-  
21                   ments, and the parts of such agreements, with  
22                   international aviation authorities.

23                   “(B) PURPOSE.—The Administrator shall  
24                   seek to enter into bilateral aviation safety

1 agreements under this section to, at a min-  
2 imum—

3 “(i) improve global aviation safety;

4 “(ii) increase harmonization of, and  
5 reduce duplicative, requirements, processes,  
6 and approvals to advance the aviation in-  
7 terests of the United States;

8 “(iii) ensure access to international  
9 markets for operators, service providers,  
10 and manufacturers from the United States;  
11 and

12 “(iv) put in place procedures for re-  
13 course when a party to such agreements  
14 fails to meet the obligations of such party  
15 under such agreements.

16 “(C) SCOPE.—The scope of a bilateral  
17 aviation safety agreement entered into under  
18 this section shall, as appropriate, cover existing  
19 aviation users and concepts and establish a  
20 process by which bilateral aviation safety agree-  
21 ments can be updated to include new and novel  
22 concepts on an ongoing basis.

23 “(D) CONTENTS.—Bilateral aviation safety  
24 agreements entered into under this section  
25 shall, as appropriate and consistent with United

1 States law and regulation, include topics such  
2 as—

3 “(i) airworthiness, certification, and  
4 validation;

5 “(ii) maintenance;

6 “(iii) operations and pilot training;

7 “(iv) airspace access, efficiencies, and  
8 navigation services;

9 “(v) transport category aircraft;

10 “(vi) fixed-wing aircraft, rotorcraft,  
11 and powered-lift aircraft;

12 “(vii) aerodrome certification;

13 “(viii) unmanned aircraft and associ-  
14 ated elements of such aircraft;

15 “(ix) flight simulation training de-  
16 vices;

17 “(x) new or emerging technologies and  
18 technology trends; and

19 “(xi) other topics as determined ap-  
20 propriate by the Administrator.

21 “(E) RULE OF CONSTRUCTION.—Bilateral  
22 or multilateral aviation safety agreements en-  
23 tered into under this subsection shall not be  
24 construed to diminish or alter any authority of

1 the Administrator under any other provision of  
2 law.”.

3 (2) AUDIT OF VALIDATION ACTIVITIES UNDER  
4 BILATERAL AVIATION SAFETY AGREEMENTS.—

5 (A) IN GENERAL.—Not later than 2 years  
6 after the date of enactment of this Act, the in-  
7 spector general of the Department of Transpor-  
8 tation shall initiate an audit of bilateral compli-  
9 ance with respect to the validation of aircraft  
10 and aircraft parts as set forth in bilateral or  
11 multilateral aviation safety agreements between  
12 the Federal Aviation Administration and the  
13 civil aviation authorities of—

- 14 (i) the European Union;  
15 (ii) Canada;  
16 (iii) Brazil;  
17 (iv) China;  
18 (v) the United Kingdom; and  
19 (vi) any other country as determined  
20 by the inspector general.

21 (B) REVIEW CONTENTS.—As part of the  
22 review required under this subsection, the in-  
23 spector general shall evaluate the performance  
24 of validation programs by assessing—

1 (i) validation timelines and milestones  
2 for individual projects;

3 (ii) trends relating to the repeated use  
4 of nonbasic criteria to review systems and  
5 methods of compliance that have been vali-  
6 dated previously in similar contexts;

7 (iii) the extent to which implementa-  
8 tion tools such as validation workplans and  
9 safety emphasis items have addressed vali-  
10 dation issues;

11 (iv) the perspective of Administration  
12 employees;

13 (v) the perspective of employees of  
14 other civil aviation authorities, who wish to  
15 provide such perspective, on the validation  
16 of products certified in the United States  
17 and the validation of products by the  
18 United States of products certified abroad;  
19 and

20 (vi) the perspective of domestic and  
21 foreign industry applicants seeking valida-  
22 tion of aircraft and aircraft parts.

23 (C) REPORT AND RECOMMENDATIONS.—

24 Not later than 14 months after beginning the  
25 audit under paragraph (2), the inspector gen-

1           eral shall provide to the Administrator of the  
2           Federal Aviation Administration, the Com-  
3           mittee on Transportation and Infrastructure of  
4           the House of Representatives and the Com-  
5           mittee on Commerce, Science, and Transpor-  
6           tation of the Senate a report summarizing the  
7           findings of the audit and any recommendations  
8           to increase compliance and improve the valida-  
9           tion timeframes of aircraft and aircraft parts.

10       (d) INTERNATIONAL ENGAGEMENT STRATEGY.—

11       Section 40104(d) of title 49, United States Code, (as re-  
12       designated by section 325) is further amended by inserting  
13       after paragraph (5) the following:

14           “(6) STRATEGIC PLAN.—The Administrator  
15           shall maintain a strategic plan for the international  
16           engagement of the Administration that includes—

17               “(A) all elements of the report required in  
18               section 243(b)(1) of the FAA Reauthorization  
19               Act of 2018 (49 U.S.C. 44701 note);

20               “(B) measures to fulfill the mission de-  
21               scribed in paragraph (2);

22               “(C) initiatives to attain greater expertise  
23               among employees of the Federal Aviation Ad-  
24               ministration in issues related to dispute resolu-

1           tion, intellectual property, and expert control  
2           laws;

3           “(D) policy regarding the future direction  
4           and strategy of the United States engagement  
5           with the International Civil Aviation Organiza-  
6           tion;

7           “(E) procedures for acceptance of manda-  
8           tory airworthiness information, such as air-  
9           worthiness directives, and other safety-related  
10          regulatory documents, including procedures to  
11          implement the requirements of section  
12          44701(e)(5);

13          “(F) all factors, including funding and  
14          resourcing, necessary for the Administration to  
15          maintain leadership in the global activities re-  
16          lated to aviation safety and air transportation;  
17          and

18          “(G) establishment of, and a process to  
19          regularly track and update, metrics to measure  
20          the effectiveness of, and foreign civil aviation  
21          authority compliance with, bilateral aviation  
22          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 “(f) 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, and other aviation standards and regulations  
16 adopted by the United States;

17 “(2) facilitating the adoption of United States  
18 approaches on standards and recommended practices  
19 at the International Civil Aviation Organization;

20 “(3) promoting environmental standards adopt-  
21 ed by the United States and standards promulgated  
22 under section 44714;

23 “(4) supporting the acceptance of Administra-  
24 tion design and production approvals by other civil  
25 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 “(4) 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 subsection, the term  
5 “extraterritorial repair station” means a repair sta-  
6 tion that performs heavy maintenance work on an  
7 aircraft (including on-wing engines) and that is lo-  
8 cated outside of the territory of the country of the  
9 civil aviation authority which certificated the repair  
10 station.

11 (c) ALCOHOL AND DRUG TESTING AND BACK-  
12 GROUND CHECKS.—

13 (1) IN GENERAL.—Not later than 2 years after  
14 the date of enactment of this Act, and annually  
15 thereafter, the Administrator shall submit to the  
16 Committee on Transportation and Infrastructure of  
17 the House of Representatives and the Committee on  
18 Commerce, Science, and Transportation of the Sen-  
19 ate a report updating Congress on the progress and  
20 challenges involved with carrying out the require-  
21 ments of subsection (b) of section 2112 of the FAA  
22 Extension, Safety, and Security Act of 2016 (49  
23 U.S.C. 44733).

24 (2) SUNSET.—The reporting requirement under  
25 paragraph (1) shall cease to be effective after a final

1 rule carrying out the requirements of such sub-  
2 section (b) has been published in the Federal Reg-  
3 ister.

4 (3) RULEMAKING ON ASSESSMENT REQUIRE-  
5 MENT.—With respect to any employee not covered  
6 under the requirements of section 1554.101 of title  
7 49, Code of Federal Regulations, the Administrator  
8 shall initiate a rulemaking or request the head of an-  
9 other Federal agency to initiate a rulemaking that  
10 requires a covered repair station to confirm that any  
11 such employee has successfully completed an assess-  
12 ment commensurate with a security threat assess-  
13 ment described in subpart C of part 1540 of such  
14 title.

15 (d) DEFINITIONS.—In this section:

16 (1) FAA.—The term “FAA” means the Fed-  
17 eral Aviation Administration.

18 (2) ADMINISTRATOR.—The term “Adminis-  
19 trator” means the Administrator of the FAA.

20 (3) COVERED REPAIR STATION; HEAVY MAINTEN-  
21 NANCE WORK.—The terms “covered repair station”  
22 and “heavy maintenance work” have the meaning  
23 given those terms in section 44733(j) of title 49,  
24 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 **THORIZATION 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 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, including  
14 the requirement to not disclose voluntarily provided  
15 safety-related information under section 1114.”.

16 **SEC. 509. EXTENSION OF AIRCRAFT CERTIFICATION, SAFE-**  
17 **TY, AND ACCOUNTABILITY ACT REPORTING**  
18 **REQUIREMENTS.**

19 (a) APPEALS OF CERTIFICATION DECISIONS.—Sec-  
20 tion 44704(g)(1)(C)(ii) of title 49, United States Code,  
21 is amended by striking “2025” and inserting “2028”.

22 (b) OVERSIGHT OF ORGANIZATION DESIGNATION  
23 AUTHORIZATION UNIT MEMBERS.—Section 44741(f)(2)  
24 of title 49, United States Code, is amended by striking  
25 “Not later than 90 days” and all that follows through “the

1 Administrator shall provide a briefing” and inserting “The  
2 Administrator shall provide an annual briefing each fiscal  
3 year through fiscal year 2028”.

4 (c) INTEGRATED PROJECT TEAMS.—Section 108(f)  
5 of the Aircraft Certification, Safety, and Accountability  
6 Act (49 U.S.C. 44704 note) is amended by striking  
7 “2023” and inserting “2028”.

8 (d) VOLUNTARY SAFETY REPORTING PROGRAM.—  
9 Section 113(f) of the Aircraft Certification, Safety, and  
10 Accountability Act (49 U.S.C. 44701 note) is amended by  
11 striking “2023” and inserting “2028”.

12 (e) CHANGED PRODUCT RULE.—Section 117(b)(1)  
13 of the Aircraft Certification, Safety, and Accountability  
14 Act (49 U.S.C. 44704 note) is amended by striking  
15 “2023” and inserting “2028”.

16 **SEC. 510. DON YOUNG ALASKA AVIATION SAFETY INITIA-**  
17 **TIVE.**

18 (a) IN GENERAL.—Chapter 447 of title 49, United  
19 States Code, is amended by adding at the end the fol-  
20 lowing:

21 **“§ 44745. Don Young Alaska Aviation Safety Initiative**

22 “(a) IN GENERAL.—The Administrator of the Fed-  
23 eral Aviation Administration shall redesignate the FAA  
24 Alaska Aviation Safety Initiative of the Administration as  
25 the Don Young Alaska Aviation Safety Initiative (in this

1 section referred to as the ‘Initiative’), under which the Ad-  
2 ministrator shall carry out the provisions of this section  
3 and take such other actions as the Administrator deter-  
4 mines appropriate to improve aviation safety in covered  
5 locations.

6 “(b) OBJECTIVE.—The objective of the Initiative  
7 shall be to work cooperatively with aviation stakeholders  
8 and other stakeholders towards the goal of—

9 “(1) reducing the rate of fatal aircraft acci-  
10 dents in covered locations by 90 percent from 2019  
11 to 2033; and

12 “(2) by January 1, 2033, eliminating fatal acci-  
13 dents of aircraft operated by an air carrier that op-  
14 erates under part 135 of title 14, Code of Federal  
15 Regulations.

16 “(c) LEADERSHIP.—

17 “(1) IN GENERAL.—The Administrator shall  
18 designate the Regional Administrator for the Alas-  
19 kan Region of the Administration to serve as the Di-  
20 rector of the Initiative.

21 “(2) REPORTING CHAIN.—In all matters relat-  
22 ing to the Initiative, the Director of the Initiative  
23 shall report directly to the Administrator.

24 “(3) COORDINATION.—The Director of the Ini-  
25 tiative shall coordinate with the heads of other of-

1       fices and lines of business of the Administration, in-  
2       cluding the other regional administrators, to carry  
3       out the Initiative.

4       “(d) AUTOMATED WEATHER SYSTEMS.—

5             “(1) REQUIREMENT.—The Administrator shall  
6       ensure, to the greatest extent practicable, that a cov-  
7       ered automated weather system is installed and op-  
8       erated at each covered airport not later than Decem-  
9       ber 31, 2030.

10            “(2) WAIVER.—In complying with the require-  
11       ment under paragraph (1), the Administrator may  
12       waive any positive benefit-cost ratio requirement for  
13       the installation and operation of a covered auto-  
14       mated weather system.

15            “(3) PRIORITIZATION.—In developing the in-  
16       stallation timeline of a covered automated weather  
17       system at a covered airport pursuant to this sub-  
18       section, the Administrator shall—

19             “(A) coordinate and consult with the gov-  
20       ernments with jurisdiction over covered loca-  
21       tions, covered airports, air carriers operating in  
22       covered locations, private pilots based in cov-  
23       ered locations, and such other members of the  
24       aviation community in covered locations; and

1           “(B) prioritize early installation at covered  
2 airports that would enable the greatest number  
3 of instrument flight rule operations by air car-  
4 riers operating under part 121 or 135 of title  
5 14, Code of Federal Regulations.

6           “(4) RELIABILITY.—

7           “(A) IN GENERAL.—Pertaining to both  
8 Federal and non-Federal systems, the Adminis-  
9 trator shall be responsible for ensuring—

10           “(i) the reliability of covered auto-  
11 mated weather systems; and

12           “(ii) the availability of weather infor-  
13 mation from such systems.

14           “(B) SPECIFICATIONS.—The Adminis-  
15 trator shall establish data availability and  
16 equipment reliability specifications for covered  
17 automated weather systems.

18           “(C) SYSTEM RELIABILITY AND RESTORA-  
19 TION PLAN.—Not later than 2 years after the  
20 date of enactment of this section, the Adminis-  
21 trator shall establish an automated weather sys-  
22 tem reliability and restoration plan. Such plan  
23 shall document the Administrator’s strategy for  
24 ensuring covered automated weather system re-  
25 liability, including the availability of weather in-

1           formation from such system, and for restoring  
2           service in as little time as possible.

3           “(D) TELECOMMUNICATIONS OR OTHER  
4           FAILURES.—If a covered automated weather  
5           system is unable to broadly disseminate weather  
6           information due to a telecommunications failure  
7           or a failure other than an equipment failure,  
8           the Administrator shall take such actions as  
9           may be necessary to restore the full  
10          functionality and connectivity of the covered  
11          automated weather system. The Administrator  
12          shall take actions under this subparagraph with  
13          the same urgency as the Administrator would  
14          take an action to repair a covered automated  
15          weather system equipment failure or data fidel-  
16          ity issue.

17          “(E) RELIABILITY DATA.—In tabulating  
18          data relating to the operational status of cov-  
19          ered automated weather systems (including in-  
20          dividually or collectively), the Administrator  
21          may not consider a covered automated weather  
22          system that is functioning nominally but is un-  
23          able to broadly disseminate weather information  
24          telecommunications failure or a failure other

1           than an equipment failure as functioning reli-  
2           ably.

3           “(5) INVENTORY.—The Administrator shall  
4           consider storing excess inventory necessary for air  
5           traffic control equipment, including commonly re-  
6           quired replacement parts, in covered locations to re-  
7           duce the amount of time necessary to acquire such  
8           equipment or such parts necessary to replace or re-  
9           pair air traffic control system components.

10           “(6) VISUAL WEATHER OBSERVATION SYS-  
11           TEM.—Not later than 1 year after the date of enact-  
12           ment of this section, the Administrator shall take  
13           such actions as may be necessary to—

14                   “(A) deploy visual weather observation sys-  
15                   tems; and

16                   “(B) ensure that such systems are capable  
17                   of meeting the definition of covered automated  
18                   weather systems.

19           “(e) WEATHER CAMERAS.—

20                   “(1) IN GENERAL.—The Director shall continu-  
21                   ously assess the state of the weather camera systems  
22                   in covered locations to ensure the operational suffi-  
23                   ciency and reliability of such systems.

24                   “(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 United States Virgin Islands.

12          “(1) CONFORMITY.—The Administrator shall conduct  
13          all activities required under this section in conformity with  
14          section 44720.”.

15          (b) REMOTE POSITIONS.—Section 40122(g) of title  
16          49, United States Code, is amended by adding at the end  
17          the following:

18                 “(7) REMOTE POSITIONS.—

19                         “(A) IN GENERAL.—If the Administrator  
20                         determines that a covered position has not been  
21                         filled after multiple vacancy announcements and  
22                         that there are unique circumstances affecting  
23                         the ability of the Administrator to fill such posi-  
24                         tion, the Administrator may consider, in con-  
25                         sultation with the appropriate labor union, ap-

1           plicants for the covered position who apply  
2           under a vacancy announcement recruiting from  
3           the State or territory in which the position is  
4           based.

5           “(B) COVERED POSITION DEFINED.—In  
6           this paragraph, the term ‘covered position’  
7           means a safety-critical position based in Alaska,  
8           Hawaii, Puerto Rico, American Samoa, Guam,  
9           the Northern Mariana Islands, and the Virgin  
10          Islands.”.

11          (c) RUNWAY LENGTH.—Notwithstanding any other  
12          provision of law, the Secretary of Transportation may not  
13          require an airport to shorten a runway or prevent airport  
14          improvement grants made by the Secretary to be used for  
15          rehabilitating, reconstructing, or extending a primary run-  
16          way on the basis that the airport does not have a sufficient  
17          number of aircraft operations requiring a certain runway  
18          length if—

19                 (1) the airport is located in a covered location;

20                 (2) the airport is not connected to the road  
21          transportation network; and

22                 (3) the runway length is utilized by aircraft to  
23          deliver necessary cargo, including heating fuel and  
24          gasoline, for the community served by the airport.

25          (d) ALASKAN REGIONAL ADMINISTRATOR.—

1           (1) SENSE OF CONGRESS.—It is the sense of  
2 Congress that—

3           (A) the Regional Administrator for the  
4 Alaskan Region is a uniquely important position  
5 that contributes to aviation safety in the State  
6 of Alaska;

7           (B) vacancies in any Federal Aviation Ad-  
8 ministration office have a deleterious effect on  
9 the efficacy of the Alaskan Region office;

10          (C) a prolonged vacancy in the position of  
11 Regional Administrator for the Alaskan Region  
12 may be detrimental to the effective administra-  
13 tion of such region and the Don Young Alaska  
14 Aviation Safety Initiative; and

15          (D) the Administrator of the Federal Avia-  
16 tion Administration should ensure that any va-  
17 cancy in the position of Regional Administrator  
18 for the Alaskan Region is filled with a highly  
19 qualified candidate as expeditiously as possible.

20          (2) VACANCY NOTIFICATION REQUIREMENTS.—

21          (A) INITIAL VACANCY.—The Administrator  
22 of the Federal Aviation Administration shall no-  
23 tify the appropriate committees of Congress  
24 when there is a vacancy for the position of Re-  
25 gional Administrator for the Alaskan Region.

1 (B) STATUS UPDATES.—Not later than 90  
2 days after the notification under subparagraph  
3 (A) (and every 30 days thereafter until the va-  
4 cancy described under subparagraph (A) is  
5 filled), the Administrator shall notify the appro-  
6 priate committees of Congress of any vacancy  
7 of such position, if so, provide an estimated  
8 timeline for filling such vacancy.

9 (C) APPROPRIATE COMMITTEES OF CON-  
10 GRESS DEFINED.—In this paragraph, the term  
11 “appropriate committees of Congress” means  
12 the Committee on Transportation and Infra-  
13 structure of the House of Representatives and  
14 the Committee on Commerce, Science, and  
15 Transportation of the Senate.

16 (D) SUNSET.—This paragraph shall cease  
17 to be effective after September 30, 2028.

18 (e) IMPLEMENTATION OF NTSB RECOMMENDA-  
19 TIONS.—

20 (1) IN GENERAL.—Not later than 3 years after  
21 the date of enactment of this Act, the Administrator  
22 shall take such actions as may be necessary to im-  
23 plement National Transportation Safety Board rec-  
24 ommendations A–22–25 and A–22–26 (as contained

1 in Aviation Investigation Report AIR–22–09, adopt-  
2 ed November 16, 2022).

3 (2) COORDINATION.—In taking actions under  
4 paragraph (1), the Administrator shall coordinate  
5 with the State of Alaska, airports in Alaska, air car-  
6 riers operating in Alaska, private pilots (including  
7 tour operators) based in Alaska, and such other  
8 members of the Alaska aviation community or other  
9 stakeholders as the Administrator determines appro-  
10 priate.

11 (f) CLERICAL AMENDMENT.—The analysis for chap-  
12 ter 447 of title 49, United States Code, is amended by  
13 adding at the end the following:

“44745. Don Young Alaska Aviation Safety Initiative.”.

14 **SEC. 511. CONTINUED OVERSIGHT OF FAA COMPLIANCE**  
15 **PROGRAM.**

16 Section 122 of the Aircraft Certification, Safety, and  
17 Accountability Act (Public Law 116–260; 134 Stat. 2344)  
18 is amended—

19 (1) in subsection (b) by striking paragraph (2)  
20 and inserting the following:

21 “(2) conduct an annual agency-wide evaluation  
22 of the Compliance Program through fiscal year 2028  
23 to assess the functioning and effectiveness of such  
24 program and to determine—

1           “(A) the need for long-term metrics that,  
2           to the maximum extent practicable, apply to all  
3           program offices to assess the effectiveness of  
4           the program;

5           “(B) if the program ensures the highest  
6           level of compliance with safety standards; and

7           “(C) if the program has met its stated  
8           safety goals and purpose;”;

9           (2) in subsection (c)(4) by striking “2023” and  
10          inserting “2028”; and

11          (3) in subsection (d) by striking “2023” and in-  
12          serting “2028”.

13 **SEC. 512. SCALABILITY OF SAFETY MANAGEMENT SYSTEMS.**

14          In conducting any rulemaking to require, or imple-  
15          menting a regulation requiring, a safety management sys-  
16          tem, the Administrator of the Federal Aviation Adminis-  
17          tration shall consider the scalability of such safety man-  
18          agement system requirements to the full range of entities  
19          in terms of size or complexity that may be affected by such  
20          rulemaking or regulation, including—

21                 (1) how an entity can demonstrate compliance  
22                 using various documentation, tools, and methods, in-  
23                 cluding, as appropriate, systems with multiple small  
24                 operators collectively monitoring for and addressing  
25                 risks;

1           (2) a review of traditional safety management  
2 techniques and the suitability of such techniques for  
3 small entities;

4           (3) the applicability of existing safety manage-  
5 ment system programs implemented by an entity;

6           (4) the suitability of existing requirements  
7 under part 5 of title 14, Code of Federal Regula-  
8 tions, for small entities; and

9           (5) other unique challenges relating to small en-  
10 tities the Administrator determines appropriate to  
11 consider.

12 **SEC. 513. FINALIZE SAFETY MANAGEMENT SYSTEM RULE-**  
13 **MAKING.**

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 issue a final rule  
17 relating to the Notice of Proposed Rulemaking of the Fed-  
18 eral Aviation Administration titled “Safety Management  
19 Systems”, issued on January 11, 2023.

20           (b) **APPLICABILITY.**—In issuing a final rule under  
21 subsection (a), the Administrator shall ensure that the  
22 safety management system requirement under the Notice  
23 of Proposed Rulemaking described in subsection (a) is ap-  
24 plied to all certificate holders operating under the rules  
25 for commuter and on-demand operations under part 135



1           (5) establish guidance to encourage regular  
2 safety inspector review of non-confidential aviation  
3 safety and performance data;

4           (6) identify industry segments not yet included  
5 and conduct outreach to such industry segments to  
6 increase the rate of participation, including—

7                   (A) general aviation;

8                   (B) rotorcraft;

9                   (C) air ambulance; and

10                   (D) maintenance facilities; and

11           (7) establish processes for obtaining and ana-  
12 lyzing comprehensive and aggregate data for new  
13 and future industry segments.

14           (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
15 tion shall be construed—

16                   (1) to require the Administrator to share con-  
17 fidential or proprietary information and data to safe-  
18 ty inspectors for purposes of enforcement; or

19                   (2) to limit the applicability of section 44735 of  
20 title 49, United States Code, to the Aviation Safety  
21 Information Analysis and Sharing Program.

22           (d) BRIEFING.—Not later than 180 days after the  
23 date of enactment of this Act, and every 6 months there-  
24 after until the improvements under subsection (a) are  
25 made, the Administrator shall brief the Committee on

1 Transportation and Infrastructure of the House of Rep-  
2 resentatives and the Committee on Commerce, Science,  
3 and Transportation of the Senate on the progress of im-  
4 plementation of the Aviation Safety Information Analysis  
5 and Sharing Program and steps taken to make improve-  
6 ments under subsection (a).

7 **SEC. 515. IMPROVEMENT OF CERTIFICATION PROCESSES.**

8 (a) IN GENERAL.—The Administrator of the Federal  
9 Aviation Administration shall continually look for opportu-  
10 nities and methods to improve the processing of applica-  
11 tions, consideration of applications, communication with  
12 applicants, and quality of feedback provided to applicants,  
13 for aircraft certification projects.

14 (b) CERTIFICATION IMPROVEMENTS.—Not later than  
15 270 days after the date of enactment of this Act, the Ad-  
16 ministrator shall enter into an appropriate arrangement  
17 with a qualified third-party organization or consortium to  
18 identify and assess digital tools and software systems to  
19 allow for efficient and virtual evaluation of an applicant  
20 design, associated documentation, and software or systems  
21 engineering product, including in digital 3 dimensional  
22 formats or using model-based systems engineering design  
23 techniques for aircraft certification projects.

24 (c) PARTIES TO REVIEW.—In identifying digital tools  
25 and software systems as described in subsection (b), the

1 Administrator shall ensure that the qualified third-party  
2 organization or consortium entering into an arrangement  
3 under this section shall, throughout the review, consult  
4 with—

5           (1) the aircraft certification and flight stand-  
6           ards offices or services of the Administration; and

7           (2) at least 3 industry members representing  
8           aircraft and aircraft part manufacturing interests.

9           (d) **DIGITAL TOOL AND SOFTWARE SYSTEM RE-**  
10 **QUIREMENTS.**—In identifying digital tools and software  
11 systems under subsection (b), the qualified third-party or-  
12 ganization or consortium shall—

13           (1) consider the interoperability of such systems  
14           to the extent practicable;

15           (2) consider the scalability and usability of such  
16           systems for differing use-cases by aircraft manufac-  
17           turers, aircraft operators, and the Administration,  
18           including cross-office use-cases within the Adminis-  
19           tration;

20           (3) consider such systems currently in use by  
21           United States manufacturers or other civil aviation  
22           authorities for certification and engineering pur-  
23           poses;

24           (4) consider the—

1 (A) available technology support for such  
2 systems; and

3 (B) ability for such systems to be updated  
4 and adapted over time to improve user inter-  
5 faces, including providing additional  
6 functionalities and addressing gaps;

7 (5) consider the ability of digital tools and soft-  
8 ware systems to aid in the electronic review of soft-  
9 ware components of aircraft and aircraft systems;

10 (6) consider the ability of the Administration  
11 and aircraft designers to use digital tools and soft-  
12 ware systems for corrective actions and modifica-  
13 tions in a more rapid fashion;

14 (7) determine if each system provides adequate  
15 protections for the exchange of information between  
16 governmental and nongovernmental entities, includ-  
17 ing—

18 (A) intellectual property protections;

19 (B) cyber and network security protec-  
20 tions; and

21 (C) the ability for governmental and non-  
22 governmental entities to control what is accept-  
23 able and what is restricted for other parties;

1           (8) evaluate the estimated ease of adoption and  
2           any impediments to adoption for personnel of the  
3           Federal Aviation Administration; and

4           (9) evaluate the ability for nongovernmental or-  
5           ganizations of various sizes to adopt and utilize the  
6           digital and software systems identified under sub-  
7           section (b) to improve the aircraft certification appli-  
8           cation and coordination processes with the Adminis-  
9           tration.

10          (e) ASSESSMENT.—After reviewing digital and soft-  
11         ware systems under subsection (b), the qualified third-  
12         party organization or consortium shall provide an assess-  
13         ment to the Administrator as to—

14                 (1) whether or not digital and software systems  
15                 and tools would improve the coordination of the Ad-  
16                 ministration with industry;

17                 (2) whether or not such systems and tools  
18                 would improve the ability of the Administration to  
19                 validate and verify aircraft and software designs in  
20                 non-paper formats; and

21                 (3) the potential safety benefits or safety risks  
22                 of using such systems and tools.

23          (f) CONTENT OF ASSESSMENT.—In the event the  
24         qualified third-party organization or consortium finds that  
25         digital and software systems and tools would assist the

1 work of the Administration and improve certification  
2 projects processing, the assessment described under sub-  
3 section (e) shall also include—

4           (1) a prioritization, expected costs, and timeline  
5           of acquisitions and training based on immediate and  
6           future needs and benefits; and

7           (2) suggest actions the Administration could  
8           take in order to institutionalize the use of such tech-  
9           nologies at the headquarters and field offices of the  
10          Administration, and to protect information shared  
11          through such technologies, including recommended  
12          updates to orders issued by the Administration.

13          (g) IMPLEMENTATION.—Based on the assessment re-  
14          quired in subsections (e) and (f), if the qualified third-  
15          party organization finds that the use of digital software  
16          systems and tools would assist the work of the agency,  
17          the Administrator shall—

18               (1) provide the Committee on Transportation  
19               and Infrastructure of the House of Representatives  
20               and the Committee on Commerce, Science, and  
21               Transportation of the Senate with a briefing on the  
22               intended actions of the Administrator;

23               (2) not later than 60 days after receiving such  
24               assessment develop a plan to—

1 (A) work towards the acquisition of the  
2 systems and tools recommended, subject to the  
3 availability of appropriations;

4 (B) update any applicable orders and guid-  
5 ance to allow for the use of these new systems  
6 and tools by personnel of the Administration  
7 and nongovernmental entities applying to or co-  
8 ordinating with the Administration on certifi-  
9 cation related activities, at the discretion of the  
10 applicant or nongovernmental entity;

11 (C) on an ongoing basis review and modify  
12 orders and guidance to improve the use of these  
13 systems and tools as well as addressing any in-  
14 tellectual property vulnerabilities; and

15 (h) BRIEFING.—Not later than 30 months after re-  
16 ceiving such assessment, the Administrator shall provide  
17 the committees described in paragraph (1) with a briefing  
18 on the use, benefits, and any drawbacks of the systems  
19 and tools, including comparisons between certification pro-  
20 grams using and not using digital and software systems  
21 and tools.

22 **SEC. 516. INSTRUCTIONS FOR CONTINUED AIRWORTHINESS**  
23 **AVIATION RULEMAKING COMMITTEE.**

24 (a) IN GENERAL.—Not later than 90 days after the  
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall convene an aviation  
2 rulemaking committee to review, and develop findings and  
3 recommendations regarding, instructions for continued  
4 airworthiness (as described in section 21.50 of title 14,  
5 Code of Federal Regulations), and provide to the Adminis-  
6 trator a report on such findings and recommendations and  
7 for other related purposes as determined by the Adminis-  
8 trator.

9 (b) COMPOSITION.—The aviation rulemaking com-  
10 mittee established pursuant to subsection (a) shall consist  
11 of members appointed by the Administrator, including  
12 representatives of—

13 (1) holders of type certificates (as described in  
14 subpart B of part 21, title 14, Code of Federal Reg-  
15 ulations);

16 (2) holders of production certificates (as de-  
17 scribed in subpart G of part 21, title 14, Code of  
18 Federal Regulations);

19 (3) holders of parts manufacturer approvals (as  
20 described in subpart K of part 21, title 14, Code of  
21 Federal Regulations);

22 (4) holders of technical standard order author-  
23 izations (as described in subpart O of part 21, title  
24 14, Code of Federal Regulations);

1           (5) operators under parts 121, 125, or 135 of  
2 title 14, Code of Federal Regulations;

3           (6) holders of repair station certificates (as de-  
4 scribed in section 145 of title 14, Code of Federal  
5 Regulations) that are not also type certificate hold-  
6 ers as included under paragraph (1), production cer-  
7 tificate holders as included under paragraph (2), or  
8 aircraft operators as included under paragraph (5)  
9 (or associated with any such entities);

10          (7) the certified bargaining representative of  
11 aviation safety inspectors and engineers for the Ad-  
12 ministration;

13          (8) general aviation operators;

14          (9) mechanics certificated under part 65 of title  
15 14, Code of Federal Regulations;

16          (10) holders of supplemental type certificates  
17 (as described in subpart E of part 21 of title 14,  
18 Code of Federal Regulations);

19          (11) designated engineering representatives em-  
20 ployed by repair stations described in paragraph (6);  
21 and

22          (12) aviation safety experts with specific knowl-  
23 edge of instructions for continued airworthiness poli-  
24 cies and regulations.

1           (c) CONSIDERATIONS.—The aviation rulemaking  
2 committee established pursuant to subsection (a) shall  
3 consider—

4           (1) existing standards, regulations, certifi-  
5 cations, assessments, and guidance related to in-  
6 structions for continued airworthiness and the clar-  
7 ity of such standards, regulations, certifications, as-  
8 sessments, and guidance to all parties;

9           (2) the sufficiency of safety data used in pre-  
10 paring instructions for continued airworthiness;

11           (3) the sufficiency of maintenance data used in  
12 preparing instructions for continued airworthiness;

13           (4) the protection of proprietary information  
14 and intellectual property in instructions for contin-  
15 ued airworthiness;

16           (5) the availability of instructions for continued  
17 airworthiness, as needed, for maintenance activities;

18           (6) the need to harmonize or deconflict pro-  
19 posed and existing regulations with other Federal  
20 regulations, guidance, and policies;

21           (7) international collaboration, where appro-  
22 priate and consistent with the interests of safety in  
23 air commerce and national security, with other civil  
24 aviation authorities, international aviation and

1 standards organizations, and any other appropriate  
2 entities; and

3 (8) any other matter the Administrator deter-  
4 mines appropriate.

5 (d) DUTIES.—The Administrator shall—

6 (1) not later than 1 year after the date of en-  
7 actment of this Act, submit to the Committee on  
8 Transportation and Infrastructure of the House of  
9 Representatives and the Committee on Commerce,  
10 Science, and Transportation of the Senate a copy of  
11 the aviation rulemaking committee report under sub-  
12 section (a); and

13 (2) not later than 180 days after the date of  
14 submission of the report under paragraph (1), ini-  
15 tiate a rulemaking activity or make such policy and  
16 guidance updates necessary to address any con-  
17 sensus recommendations reached by the aviation  
18 rulemaking committee established pursuant to sub-  
19 section (a), as determined appropriate by the Ad-  
20 ministrator.

21 **SEC. 517. CLARITY FOR SUPPLEMENTAL TYPE CERTIFI-**  
22 **CATE REQUIREMENTS.**

23 (a) IN GENERAL.—The Administrator of the Federal  
24 Aviation Administration shall issue or update guidance,  
25 policy documents, orders, job aids, or regulations to clarify

1 the conditions under which a major alteration will require  
2 a supplemental type certificate under part 21 of title 14,  
3 Code of Federal Regulations.

4 (b) CONTENTS.—Issuances or updates under sub-  
5 section (a) shall include providing clarity around—

6 (1) the terms “might appreciatively effect” and  
7 “no appreciable effect pursuant to sections 1.1 and  
8 21.93 of title 14, Code of Federal Regulations, re-  
9 spectively”; and

10 (2) whether the term “other approved design”,  
11 as such term appears in part 21.1 of title 14, Code  
12 of Federal Regulations, includes engineering data  
13 approved by the Administrator by means other than  
14 through a supplemental type certificate.

15 (c) CONSIDERATIONS.—In satisfying subsection (a),  
16 the Administrator shall make such updates as necessary  
17 to provide consideration for the level of effort required by  
18 an applicant to make a major alteration and the associated  
19 level of risk to the national airspace system for a single  
20 aircraft or multiple aircraft using such alteration.

21 **SEC. 518. USE OF ADVANCED TOOLS IN CERTIFYING AERO-**  
22 **SPACE PRODUCTS.**

23 (a) IN GENERAL.—Not later than 30 months after  
24 the date of enactment of this Act, the Administrator of  
25 the Federal Aviation Administration shall complete an as-

1 assessment of the use of advanced tools during the testing,  
2 analysis, and verification stages of aerospace certification  
3 projects to reduce the risks associated with high-risk flight  
4 profiles and performing limit testing.

5 (b) CONSIDERATIONS.—In carrying out the assess-  
6 ment under subsection (a), the Administrator shall con-  
7 sider—

8 (1) instances where high risk flight profiles and  
9 limit testing have already occurred in the certifi-  
10 cation process and the applicability of such test data  
11 for use in other aspects of flight testing;

12 (2) the safety of pilots during such testing;

13 (3) the value and accuracy of data collected  
14 using such advanced tools;

15 (4) the ability to produce more extensive data  
16 sets using such advanced tools;

17 (5) any aspects of testing for which the use of  
18 such tools would not be valuable or applicable;

19 (6) the cost of using such advanced tools; and

20 (7) the best practices of other civil aviation au-  
21 thorities that permit the use of advanced tools dur-  
22 ing aerospace certification projects.

23 (c) CONSULTATION.—In carrying out the assessment  
24 under subsection (a), the Administrator shall consult  
25 with—

1           (1) aircraft manufacturers, including manufac-  
2           turers that have designed and certified aircraft  
3           under—

4                   (A) part 23 of title 14, Code of Federal  
5           Regulations;

6                   (B) part 25 of such title; or

7                   (C) part 27 of such title;

8           (2) aircraft manufacturers that have designed  
9           and certified, or are in the process of certifying, air-  
10          craft with a novel design under part 21.17(b) of  
11          such title;

12          (3) associations representing aircraft manufac-  
13          turers;

14          (4) researchers and academics in related fields;  
15          and

16          (5) pilots who are experts in flight testing.

17          (d) CONGRESSIONAL REPORT.—Not later than 60  
18          days after the completion of the assessment under sub-  
19          section (a), the Administrator shall brief the Committee  
20          on Transportation and Infrastructure of the House of  
21          Representatives and the Committee on Commerce,  
22          Science, and Transportation of the Senate on—

23                   (1) the results of the assessment conducted  
24          under subsection (a); and

1           (2) how the Administrator plans to implement  
2           the findings of the assessment and any changes  
3           needed to Administration policy, guidance, and regu-  
4           lations to allow for and optimize the use of advanced  
5           tools during the certification of aerospace products  
6           in order to reduce risk and improve safety outcomes.

7 **SEC. 519. TRANSPORT AIRPLANE AND PROPULSION CER-**  
8 **TIFICATION MODERNIZATION.**

9           Not later than 1 year after the date of enactment  
10          of this Act, the Administrator of the Federal Aviation Ad-  
11          ministration shall publish a notice of proposed rulemaking  
12          for the rulemaking activity titled “Transport Airplane and  
13          Propulsion Certification Modernization”, published in Fall  
14          2022 in the Unified Agenda of Federal Regulatory and  
15          Deregulatory Actions (RIN 2120–AL42).

16 **SEC. 520. ENGINE FIRE PROTECTION STANDARDS.**

17          (a) **IN GENERAL.**—Not later than 2 years after the  
18          date of enactment of this Act, the Administrator of the  
19          Federal Aviation Administration shall establish an inter-  
20          nal regulatory review team to review and compare domes-  
21          tic and international airworthiness standards and guid-  
22          ance for aircraft engine firewalls.

23          (b) **REVIEW.**—In completing the review under sub-  
24          section (a), the regulatory review team shall—

1           (1) identify any significant differences in stand-  
2           ards or guidance with respect to test article selec-  
3           tion, fire test boundaries, and pass-fail criteria;

4           (2) consider if alternative international stand-  
5           ards used by peer civil aviation authorities reflect  
6           best practices that should be adopted by the Admin-  
7           istration;

8           (3) recommend updates, if appropriate, to the  
9           Significant Standards List of the Administration  
10          based on any findings;

11          (4) assess whether a selection of aircraft engine  
12          firewalls certified by other civil aviation authorities,  
13          which were validated by the Administration, comply  
14          with the requirements of the Administration;

15          (5) recommend actions the Administration  
16          should take during future validation activities or  
17          with other civil aviation authorities to address any  
18          gaps in requirements; and

19          (6) consult with industry stakeholders during  
20          such review.

21          (c) BRIEFING.—Not later than 120 days after the  
22          completion of the review under subsection (a), the Admin-  
23          istrator shall brief the Committee on Transportation and  
24          Infrastructure of the House of Representatives and the  
25          Committee on Commerce, Science, and Transportation of

1 the Senate on the findings and recommendations stem-  
2 ming from such review.

3 **SEC. 521. RISK MODEL FOR PRODUCTION FACILITY INSPEC-**  
4 **TIONS.**

5 (a) IN GENERAL.—Not later than 18 months after  
6 the date of enactment of this Act and periodically there-  
7 after, the Administrator of the Federal Aviation Adminis-  
8 tration shall—

9 (1) conduct a review of the risk-based model  
10 used by Federal Aviation Administration certifi-  
11 cation management offices to inform the frequency  
12 of aircraft manufacturing or production facility in-  
13 spections; and

14 (2) update the model to ensure such model ade-  
15 quately accounts for risk at facilities during periods  
16 of increased production.

17 (b) BRIEFINGS.—Not later than 60 days after the  
18 date on which the review is conducted under subsection  
19 (a), the Administrator shall brief the Committee on Trans-  
20 portation and Infrastructure of the House of Representa-  
21 tives and the Committee on Commerce, Science, and  
22 Transportation of the Senate on—

23 (1) the results of the review;

24 (2) any changes made to the risk-based model  
25 described in subsection (a); and

1           (3) how such changes would help improve the  
2           in-plant inspection process.

3 **SEC. 522. SECONDARY COCKPIT BARRIERS.**

4           (a) IN GENERAL.—Not later than 6 months after the  
5 issuance of a final rule on the proposed rule of the Federal  
6 Aviation Administration titled “Installation and Operation  
7 of Flightdeck Installed Physical Secondary Barriers on  
8 Transport Category Airlines in Part 121 Service”, and  
9 issued on August 1, 2022 (87 Fed. Reg. 46892), the Ad-  
10 ministrator of the Federal Aviation Administration shall  
11 convene an aviation rulemaking committee to review and  
12 develop findings and recommendations to require installa-  
13 tion of a secondary cockpit barrier on commercial pas-  
14 senger aircraft operated under the provisions of part 121  
15 of title 14, Code of Federal Regulations, that are not cap-  
16 tured under another regulation or proposed regulation.

17           (b) MEMBERSHIP.—The Administrator shall chair  
18 and appoint the members of the rulemaking committee  
19 convened under subsection (a), which shall be comprised  
20 of at least 1 representative from the constituencies of—

21           (1) mainline air carriers;

22           (2) regional air carriers;

23           (3) aircraft manufacturers;

24           (4) passenger aircraft pilots represented by a  
25           labor group;

1           (5) flight attendants represented by a labor  
2 group;

3           (6) airline passengers; and

4           (7) other stakeholders the Administrator deter-  
5 mines appropriate.

6       (c) CONSIDERATIONS.—The aviation rulemaking  
7 committee convened under subsection (a) shall consider—

8           (1) minimum dimension requirements for sec-  
9 ondary barriers on all aircraft types operated under  
10 part 121 of title 14, Code of Federal Regulations;

11          (2) secondary barrier performance standards  
12 manufacturers and air carriers must meet for such  
13 aircraft types;

14          (3) the availability of certified secondary bar-  
15 riers suitable for use on such aircraft types;

16          (4) the development, certification, testing, man-  
17 ufacturing, installation, and training for secondary  
18 barriers for such aircraft types;

19          (5) flight duration and stage length;

20          (6) the location of lavatory on such aircraft as  
21 related to operational complexities;

22          (7) operational complexities;

23          (8) any risks to safely evacuate passengers of  
24 such aircraft; and

1           (9) other considerations the Administrator de-  
2           termines appropriate.

3           (d) REPORT TO CONGRESS.—Not later than 12  
4 months after the convening of the aviation rulemaking  
5 committee described in subsection (a), the Administrator  
6 shall submit to the Committee on Transportation and In-  
7 frastructure of the House of Representatives and the Com-  
8 mittee on Commerce, Science, and Transportation of the  
9 Senate, a report based on the findings and recommenda-  
10 tions of the aviation rulemaking committee convened  
11 under subsection (a), to include—

12           (1) if applicable, any dissenting positions on the  
13 findings and the rationale for each position; and

14           (2) any disagreements, including the rationale  
15 for each position and the reasons for the disagree-  
16 ment.

17           (e) INSTALLATION OF SECONDARY COCKPIT BAR-  
18 RIERS OF EXISTING AIRCRAFT.—Not later than 36  
19 months after the date of the submission of the report of  
20 subsection (d), the Administrator of the Federal Aviation  
21 Administration shall, taking into consideration the final  
22 reported findings and recommendations of the aviation  
23 rulemaking committee, issue a final rule requiring installa-  
24 tion of a secondary cockpit barrier on each commercial

1 passenger aircraft operated under the provisions of part  
2 121 of title 14, Code of Federal Regulations.

3 **SEC. 523. REVIEW OF FAA USE OF AVIATION SAFETY DATA.**

4 (a) IN GENERAL.—Not later than 1 year after the  
5 date of enactment of this Act, the Administrator of the  
6 Federal Aviation Administration shall enter into an appro-  
7 priate arrangement with a qualified third-party organiza-  
8 tion or consortium to evaluate the Administration’s collec-  
9 tion, collation, analysis, and use of aviation data across  
10 the Administration.

11 (b) CONSULTATION.—In completing the evaluation  
12 under subsection (a), the qualified third-party organiza-  
13 tion or consortium shall—

14 (1) seek the input of experts in data analytics,  
15 including at least 1 expert in the commercial data  
16 services or analytics solutions sector;

17 (2) consult with the National Transportation  
18 Safety Board and the Transportation Research  
19 Board; and

20 (3) consult with appropriate federally funded  
21 research and development centers, to the extent that  
22 such centers are not already involved in the evalua-  
23 tion.

1           (c) SUBSTANCE OF EVALUATION.—In completing the  
2 evaluation under subsection (a), the qualified third-party  
3 organization or consortium shall—

4           (1) compile a list of internal and external  
5 sources, databases, and streams of information the  
6 Administration receives or has access to that provide  
7 the Administration with operational or safety infor-  
8 mation and data about the national airspace system,  
9 its users, and other regulated entities of the Admin-  
10 istration;

11           (2) review data sets to determine completeness  
12 and accuracy of relevant information;

13           (3) identify gaps in information that the Ad-  
14 ministration could fill through sharing agreements,  
15 partnerships, or other means that would add value  
16 during safety trend analysis;

17           (4) assess the Administration’s capabilities, in-  
18 cluding analysis systems and workforce skillsets, to  
19 analyze relevant data and information to make in-  
20 formed decisions;

21           (5) review data and information for proper stor-  
22 age, identification controls, and data privacy—

23                   (A) as required by law; and

24                   (B) consistent with best practices for data  
25 collection, storage, and use;

1           (6) review the format of such data and identify  
2 methods to improve the usefulness of such data;

3           (7) assess internal and external access to data  
4 for—

5           (A) appropriateness based on data type  
6 and level of detail;

7           (B) proper data access protocols and pre-  
8 cautions; and

9           (C) maximizing availability of safety-re-  
10 lated data that could support the improvement  
11 of safety management systems of and trend  
12 identification by regulated entities and the Ad-  
13 ministration;

14          (8) examine the collation and dissemination of  
15 data within offices and between offices of the Ad-  
16 ministration;

17          (9) review and recommend improvements to the  
18 data analysis techniques of the Administration; and

19          (10) recommend investments the Administra-  
20 tion should consider to better collect, manage, and  
21 analyze data sets, including within and between of-  
22 fices of the Administration.

23          (d) ACCESS TO INFORMATION.—The Administration  
24 shall provide the qualified third-party organization or con-  
25 sortium and the experts described in subsection (b) with

1 adequate access to safety and operational data collected  
2 by and held by the agency across all offices of the Admin-  
3 istration, except if specific access is otherwise prohibited  
4 by law.

5 (e) NONDISCLOSURE.—Prior to participating in the  
6 review, the Administrator shall ensure that each person  
7 participating in the evaluation under this section enters  
8 into an agreement with the Administrator in which the  
9 person shall be prohibited from disclosing at any time, ex-  
10 cept as required by law, to any person, foreign or domes-  
11 tic, any non-public information made accessible to the fed-  
12 erally funded research and development center under this  
13 section.

14 (f) REPORT.—The qualified third-party organization  
15 or consortium carrying out the evaluation under this sec-  
16 tion shall provide a report of the findings of the center  
17 to the Administrator and include recommendations to im-  
18 prove the Administration’s collection, collation, analysis,  
19 and use of aviation data, including recommendations to—

20 (1) improve data access across offices within  
21 the Administration, as necessary, to support efficient  
22 execution of safety analysis and programs across  
23 such offices;

24 (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 (k) RULE OF CONSTRUCTION.—Nothing in this sec-  
14 tion shall be construed to permit the public disclosure of  
15 information submitted under a voluntary safety reporting  
16 program or that is otherwise protected under section  
17 44735 of title 49, United States Code.

18 **SEC. 524. PART 135 DUTY AND REST.**

19 (a) PART 91 TAIL-END FERRY RULEMAKING.—Not  
20 later than 3 years after the date of enactment of this Act,  
21 the Administrator of the Federal Aviation Administration  
22 shall require that any operation conducted by a flightcrew  
23 member during an assigned duty period under the oper-  
24 ational control of an operator holding a certificate under  
25 part 135 of title 14, Code of Federal Regulations, before,

1 during, or after the duty period (including any operations  
2 under part 91 of title 14, Code of Federal Regulations),  
3 without an intervening rest period, shall count towards the  
4 flight time and duty period limitations of such flightcrew  
5 member under part 135 of title 14, Code of Federal Regu-  
6 lations.

7 (b) RECORD KEEPING.—Not later than 1 year after  
8 the date of enactment of this Act, the Administrator shall  
9 update any Administration policy and guidance regarding  
10 complete and accurate record keeping practices for opera-  
11 tors holding a certificate under part 135 of title 14, Code  
12 of Federal Regulations, in order to properly document, at  
13 a minimum—

- 14 (1) flightcrew assignments;
- 15 (2) flightcrew prospective rest notifications;
- 16 (3) compliance with flight and duty times limi-  
17 tations and post-duty rest requirements; and
- 18 (4) duty period start and end times.

19 (c) SAFETY MANAGEMENT SYSTEM OVERSIGHT.—  
20 The Administrator, in performing oversight of the safety  
21 management system of an operator holding a certificate  
22 under part 135 of title 14, Code of Federal Regulations,  
23 following the implementation of the final rule issued based  
24 on the rulemaking titled “Safety Management Systems”,  
25 and published on January 11, 2023 (88 Fed. Reg 1932),

1 shall ensure such operator is evaluating and appropriately  
2 mitigating aviation safety risks, including, at minimum,  
3 risks associated with—

4 (1) inadequate flightcrew member duty and rest  
5 periods; and

6 (2) incomplete records pertaining to flightcrew  
7 rest, duty, and flight times.

8 (d) ORGAN TRANSPORTATION FLIGHTS.—In updat-  
9 ing guidance and policy pursuant to subsection (b), the  
10 Administrator shall consider and allow for appropriate ac-  
11 commodations, including accommodations related to sub-  
12 sections (b)(2) and (b)(4) for operators—

13 (1) performing organ transportation operations;  
14 and

15 (2) who have in place a means by which to  
16 identify and mitigate risks associated with flightcrew  
17 duty and rest.

18 **SEC. 525. COCKPIT VOICE RECORDERS.**

19 (a) IN GENERAL.—Chapter 447 of title 49, United  
20 States Code, is further amended by adding at the end the  
21 following:

22 **“§ 44746. Cockpit recording device**

23 “(a) IN GENERAL.—Not later than 18 months after  
24 the date of enactment of this section, the Administrator

1 of the Federal Aviation Administration shall complete a  
2 rulemaking proceeding to—

3 “(1) require that, not later than 4 years after  
4 the date of enactment of this section, all applicable  
5 aircraft are fitted with a cockpit voice recorder and  
6 a flight data recorder that are each capable of re-  
7 cording the most recent 25 hours of data;

8 “(2) prohibit any person from deliberately eras-  
9 ing or tampering with any recording on such a cock-  
10 pit voice recorder or flight data recorder following a  
11 National Transportation Safety Board reportable  
12 event under part 830 of title 49, Code of Federal  
13 Regulations, or where crew would reasonably believe  
14 an aircraft lined up on an incorrect runway or incor-  
15 rect taxiway, the aircraft landing at the wrong air-  
16 port, the aircraft significantly overpassed the des-  
17 tination airport, or the crew have been alerted of a  
18 possible pilot deviation and provide for civil and  
19 criminal penalties for such deliberate erasing or tam-  
20 pering, which may be assessed in accordance with  
21 section 1155 and section 32 of title 18;

22 “(3) require that such a cockpit voice recorder  
23 has the capability for an operator to use an erasure  
24 feature, such as an installed bulk erase function,  
25 consistent with applicable law and regulations;

1           “(4) require that, in the case of such a cockpit  
2 voice recorder or flight data recorder that uses a  
3 solid state recording medium in which activation of  
4 a bulk erase function assigns a random discrete code  
5 to the deleted recording, only the manufacturer of  
6 the recorder and National Transportation Safety  
7 Board have access to the software necessary to de-  
8 termine the code in order to extract the deleted re-  
9 corded data; and

10           “(5) ensure that data on such a cockpit voice  
11 recorder or a flight data recorder, through technical  
12 means other than encryption (such as overwriting or  
13 the substitution of a blank recording medium before  
14 the recorder is returned to the owner) is not dis-  
15 closed for use other than for accident or incident in-  
16 vestigation purposes.

17           “(b) PROHIBITED USE.—A cockpit voice recorder re-  
18 cording shall not be used by the Administrator or any em-  
19 ployer for any certificate action, civil penalty, or discipli-  
20 nary proceedings against flight crewmembers.

21           “(c) APPLICABLE AIRCRAFT DEFINED.—In this sec-  
22 tion, the term ‘applicable aircraft’ means an aircraft that  
23 is—

24           “(1) operated under part 121 of title 14, Code  
25 of Federal Regulations; and

1           “(2) required by regulation to have a cockpit  
2 voice recorder or a flight data recorder.

3           “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
4 tion shall be construed to affect—

5           “(1) the confidentiality of recordings and tran-  
6 scriptions under section 1114(c);

7           “(2) the ban on recordings for civil penalty or  
8 certificate action under section 121.359(h) of title  
9 14, Code of Federal Regulations; or

10           “(3) the prohibition against use of data from  
11 flight operational quality assurance programs for en-  
12 forcement purposes under section 13.401 of 14,  
13 Code of Federal Regulations.”.

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. Cockpit recording device.”.

17 **SEC. 526. FLIGHT DATA RECOVERY FROM OVERWATER OP-**  
18 **ERATIONS.**

19           (a) IN GENERAL.—The Administrator of the Federal  
20 Aviation Administration shall direct the Aviation Rule-  
21 making Advisory Committee (hereinafter referred to as  
22 the “Committee” in this section) to review regulations re-  
23 garding flight data recovery for aircraft—

24           (1) operated under part 121 of title 14, Code  
25 of Federal Regulations; and

1           (2) used in extended overwater operations.

2           (b) CONSIDERATIONS.—In carrying out the review  
3 pursuant to subsection (a), the Committee shall provide  
4 to the Administrator any consensus recommendations for  
5 the equipage of aircraft described in subsection (a) with  
6 a cockpit voice recorder and a flight data recorder that—

7           (1) provide a means, in the event of an acci-  
8 dent, to recover mandatory flight data parameters in  
9 a manner that does not require the underwater re-  
10 trieval of the cockpit voice recorder or flight data re-  
11 corder;

12           (2) is equipped with a tamper-resistant method  
13 to broadcast sufficient information to a ground sta-  
14 tion to establish the location where an aircraft ter-  
15 minates flight as the result of an accident within 6  
16 nautical miles of the point of impact of the aircraft;  
17 and

18           (3) is equipped with an airframe low-frequency  
19 underwater locating device that functions for at least  
20 90 days and that can be detected by appropriate  
21 equipment.

22           (c) RECOMMENDATIONS.—Not later than 18 months  
23 after tasking the aviation rulemaking advisory committee  
24 under subsection (a), the committee shall submit to the

1 Administrator any consensus recommendations developed  
2 under subsection (b).

3 (d) RULEMAKING.—Not later than 1 year after re-  
4 ceiving any recommendations pursuant to subsection (c),  
5 the Administrator shall initiate a rulemaking activity  
6 based on such consensus recommendations, if determined  
7 appropriate.

8 (e) BRIEFING.—If the Administrator decides not to  
9 issue a final rule with respect to the rulemaking initiated  
10 under subsection (d), the Administrator shall brief 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 on the  
14 justification for such decision.

15 **SEC. 527. EMERGENCY MEDICAL EQUIPMENT ON PAS-**  
16 **SENGER AIRCRAFT.**

17 (a) IN GENERAL.—Not later than 12 months after  
18 date of enactment of this Act, the Administrator of the  
19 Federal Aviation Administration shall review and update,  
20 as appropriate, part 121 of title 14, Code of Federal Regu-  
21 lations, regarding emergency medical equipment, including  
22 the contents of emergency medical kits, and training re-  
23 quired for flight crew.

24 (b) CONSIDERATION.—In carrying out subsection (a),  
25 the Administrator shall consider—

1           (1) the benefits and costs (including the costs  
2 of flight diversions and emergency landings) of re-  
3 quiring any new medications or equipment necessary  
4 to be included in approved emergency medical kits  
5 under part 121 of title 14, Code of Federal Regula-  
6 tions;

7           (2) whether the contents of the emergency med-  
8 ical kits include the appropriate medications and  
9 equipment that can practicably be administered to  
10 address—

11                   (A) the emergency medical needs of chil-  
12 dren and pregnant women;

13                   (B) opioid overdose;

14                   (C) anaphylaxis; and

15                   (D) cardiac arrest; and

16           (3) what contents of the emergency medical kits  
17 should be readily available, to the extent practicable,  
18 for use by flight crews without prior approval by a  
19 medical professional.

20           (c) CONSULTATION.—In conducting the review re-  
21 quired under subsection (a), the Administrator shall con-  
22 sult with associations representing aerospace medical pro-  
23 fessionals.

1 **SEC. 528. NAVIGATION AIDS STUDY.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date of enactment of this Act, the inspector general of the  
4 Department of Transportation shall initiate a study exam-  
5 ining the effects of reclassifying navigation aids to Design  
6 Assurance Level–A from Design Assurance Level–B, in-  
7 cluding the following navigation aids:

- 8 (1) Distance measuring equipment.
- 9 (2) Very high frequency omni-directional range.
- 10 (3) Tactical air navigation.
- 11 (4) Wide area augmentation system.

12 (b) CONTENTS.—In conducting the study required  
13 under subsection (a), the inspector general shall address—

- 14 (1) the cost-benefit analyses associated with the  
15 reclassification described in such subsection;
- 16 (2) the findings from the operational safety as-  
17 sessments and preliminary hazard analyses of the  
18 navigation aids listed in such subsection;
- 19 (3) the risks of such reclassification on naviga-  
20 tion aid equipment currently in use;
- 21 (4) the potential impacts on global interoper-  
22 ability of navigational aids; and
- 23 (5) what additional actions should be taken  
24 based on the findings of this subsection.

25 (c) REPORT.—Not later than 24 months after the  
26 date of enactment of this Act, the inspector 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 results of the study con-  
5 ducted under subsection (a).

6 **SEC. 529. REMOTE TOWERS.**

7 (a) STUDY.—

8 (1) IN GENERAL.—Not later than 90 days after  
9 the date of enactment of this Act, the Administrator  
10 of the Federal Aviation Administration shall seek to  
11 enter into an agreement with a qualified organiza-  
12 tion to conduct a study examining the viability and  
13 feasibility of remote tower technology available on  
14 the date of enactment of this Act to accommodate  
15 existing air traffic activity at non-towered, public-use  
16 airports and airports with a visual flight rule air  
17 traffic control tower.

18 (2) CONSIDERATIONS.—In the study conducted  
19 under subsection (a), the qualified organization se-  
20 lected under such subsection shall consider and in-  
21 clude in such study—

22 (A) the effectiveness and adequacy of the  
23 pilot program established under section 161 of  
24 the FAA Reauthorization Act of 2018 (49  
25 U.S.C. 47104 note) in—

1 (i) assessing the installation, mainte-  
2 nance, and operational costs and benefits  
3 of remote tower technology; and

4 (ii) establishing a clear process for the  
5 safety and operational certification of such  
6 technology;

7 (B) a description of actions that the Ad-  
8 ministration has undertaken to carry out such  
9 pilot program;

10 (C) any barriers related to the safety and  
11 operational certification of such technology;

12 (D) the number and type of non-towered  
13 airports in the national airspace system;

14 (E) the availability and development of re-  
15 mote tower technology;

16 (F) the potential to use remote tower sys-  
17 tems to control air traffic at multiple airports  
18 and from a single physical location, similar to  
19 a terminal radar approach control facility;

20 (G) staffing flexibility to support seasonal  
21 staffing of remote towers;

22 (H) safety factors related to the potential  
23 need for such remote tower technology;

24 (I) the potential to use remote tower sys-  
25 tems to surveil for unmanned aircraft, in con-

1 junction with unmanned aircraft system traffic  
2 management systems, to enhance air traffic  
3 management of manned air traffic;

4 (J) factors related to the demand for re-  
5 mote tower technology;

6 (K) an examination of remote tower use in  
7 other countries;

8 (L) projected costs associated with install-  
9 ing and maintain remote tower technology at a  
10 single airport; and

11 (M) recommendations regarding the most  
12 cost-effective approach to provide air traffic  
13 control services at non-towered airports in the  
14 national airspace system.

15 (3) INPUT.—In carrying out the study under  
16 subsection (a), the qualified organization selected  
17 under such subsection shall—

18 (A) seek coordination with the Air Traffic  
19 Organization and other offices of the Adminis-  
20 tration; and

21 (B) seek the participation of representa-  
22 tives of—

23 (i) the exclusive bargaining represent-  
24 atives of air traffic controllers certified

1                   under section 7111 of title 5, United  
2                   States Code;

3                   (ii) manufacturers of remote towers;

4                   (iii) airport operators; and

5                   (iv) other stakeholders that the Ad-  
6                   ministrator determines appropriate.

7                   (4) REPORT.—Not later than 1 year after the  
8                   date of enactment of this Act, the Administrator  
9                   shall submit to the Committee on Transportation  
10                  and Infrastructure of the House of Representatives  
11                  and the Committee on Commerce, Science, and  
12                  Transportation of the Senate a report detailing the  
13                  results of the study under subsection (a).

14                  (b) CERTIFICATION PROCESS.—

15                  (1) IN GENERAL.—Not later than 1 year after  
16                  the completion of the study required under sub-  
17                  section (a), the Administrator shall establish a proc-  
18                  ess for the certification of system design and oper-  
19                  ational approval of remote towers for use at public-  
20                  use airports.

21                  (2) CONSULTATION.—In carrying out sub-  
22                  section (b), the Administrator shall consult with the  
23                  following:

1           (A) The exclusive bargaining representa-  
2           tive of the air traffic controllers certified under  
3           section 7111 of title 5, United States Code.

4           (B) Manufacturers of remote towers.

5           (C) Non-towered airport operators.

6           (3) REQUIREMENTS.—In developing the certifi-  
7           cation process required under subsection (b), the Ad-  
8           ministrators shall—

9           (A) establish requirements for the system  
10          design and operational approval of remote tow-  
11          ers, including—

12           (i) sensor and camera visual require-  
13          ments;

14           (ii) datalink latency requirements; and

15           (iii) visual presentation design re-  
16          quirements for monitors used to display  
17          sensor and camera feeds;

18          (B) establish tower-closure standards for  
19          contingency operations and procedures for re-  
20          mote tower failures and malfunctions; and

21          (C) consider the use of—

22           (i) ground- and space-based tele-  
23          communications infrastructure; and

1                   (ii) any other wireless telecommuni-  
2                   cations infrastructure that may enable the  
3                   operation of a remote tower.

4                   (4) OPERATIONAL APPROVAL ASSESSMENTS.—

5                   In developing the operational approval process re-  
6                   quired under this subsection, the Administrator  
7                   shall—

8                   (A) determine the appropriate number of  
9                   air traffic controllers necessary to staff a re-  
10                  mote tower for safe air traffic control oper-  
11                  ations at the respective airport based on the ex-  
12                  isting or projected air traffic activity at the air-  
13                  port;

14                  (B) use a safety risk management panel  
15                  process to address any safety issues with re-  
16                  spect to the remote tower;

17                  (C) if the remote tower is intended to be  
18                  installed at a non-towered airport, assess the  
19                  safety benefits of the remote tower against the  
20                  lack of an existing tower; and

21                  (D) establish, to the satisfaction of the Ad-  
22                  ministrator and using performance-based cri-  
23                  teria, to the extent appropriate, published in  
24                  advance, the level of safety necessary for the  
25                  operation of the remote tower at the airport.

1           (5) AIRPORT OPERATORS.—An airport operator  
2 seeking to install or construct a certified remote  
3 tower shall submit to the Administrator an applica-  
4 tion in such form and containing such information  
5 as the Administrator may require.

6           (6) IMPLEMENTATION.—In carrying out this  
7 section, the Administrator shall—

8           (A) identify air traffic control information  
9 and data that assists the Administrator in cat-  
10 egorically certifying remote towers at different  
11 types of airports;

12           (B) implement processes necessary to col-  
13 lect the information and data identified in sub-  
14 paragraph (A); and

15           (C) develop criteria from the information  
16 and data identified in subparagraph (A) to as-  
17 sess remote towers for widespread use at cat-  
18 egories of public-use airports.

19           (7) PRIORITIZATION OF REMOTE TOWER CER-  
20 TIFICATION APPLICANTS.—With respect to applica-  
21 tions submitted as required by paragraph (4), the  
22 Administrator shall prioritize—

23           (A) airports that do not have a permanent  
24 air traffic control tower at the time of applica-  
25 tion;

1 (B) airports that would provide small and  
2 rural community air service; or

3 (C) airports that have been newly accepted  
4 as of the date of enactment of this Act into the  
5 Contract Tower Program.

6 (8) BRIEFING.—Not later than 180 days after  
7 receiving the report required under subsection (a),  
8 and annually thereafter through fiscal year 2028,  
9 the Administrator shall brief the Committee on  
10 Transportation and Infrastructure of the House of  
11 Representatives and the Committee on Commerce,  
12 Science, and Transportation of the Senate on the  
13 status of the activities required under this section.

14 (c) DEFINITIONS.—In this section:

15 (1) AIR TRAFFIC ACTIVITY.—The term “air  
16 traffic activity” means the number of takeoffs, land-  
17 ings, and simulated approaches of an airport and  
18 the time of which such takeoffs, landings, and simu-  
19 lated approaches occur.

20 (2) CONTRACT TOWER PROGRAM.—The term  
21 “Contract Tower Program” has the meaning given  
22 such term in section 47124(e) of title 49, United  
23 States Code.

24 (3) QUALIFIED ORGANIZATION.—The term  
25 “qualified organization” means an independent non-

1 profit organization that recommends solutions to  
2 public policy challenges through objective analysis.

3 (4) REMOTE TOWER.—The term “remote  
4 tower” has the meaning given such term in section  
5 161(a)(9) of the FAA Reauthorization Act of 2018  
6 (49 U.S.C. 47104 note).

7 **SEC. 530. WEATHER REPORTING SYSTEMS STUDY.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of enactment of this Act, the Comptroller General  
10 of the United States shall initiate a study to examine how  
11 to improve the procurement, functionality, and sustain-  
12 ability of weather reporting systems, including—

- 13 (1) automated weather observing systems;  
14 (2) automated surface observing systems;  
15 (3) visual weather observing systems; and  
16 (4) non-Federal weather reporting systems.

17 (b) CONTENTS.—In conducting the study required  
18 under section (a), the Comptroller General shall address—

19 (1) the current state of the supply chain related  
20 to weather reporting systems and the components of  
21 such systems, including—

22 (A) the adequacy of suppliers of such sys-  
23 tems and components;

24 (B) the affordability of such systems and  
25 components; and

1 (C) the availability and affordability of re-  
2 placement parts;

3 (2) the average age of weather reporting sys-  
4 tems infrastructure installed in the national airspace  
5 system;

6 (3) challenges to maintaining and replacing  
7 weather reporting systems, including—

8 (A) root causes of weather reporting sys-  
9 tem outages, including failures of such systems,  
10 and supporting systems such as telecommuni-  
11 cations infrastructure; and

12 (B) the degree to which such outages af-  
13 fect weather reporting in the national airspace  
14 system;

15 (4) mitigation measures to maintain aviation  
16 safety during such an outage; and

17 (5) alternative means of obtaining weather ele-  
18 ments at airports, including wind direction, wind  
19 speed, barometric pressure setting, and cloud cov-  
20 erage, including visibility.

21 (c) CONSULTATION.—In conducting the study re-  
22 quired under subsection (a), the Comptroller General shall  
23 consult with the appropriate stakeholders and Federal  
24 agencies involved in installing, managing, and supporting  
25 weather reporting systems in the national airspace system.

1 (d) REPORT.—

2 (1) IN GENERAL.—Not later than 2 years after  
3 the date of enactment of this Act, the Comptroller  
4 General shall submit to the Committee on Transpor-  
5 tation and Infrastructure of the House of Represent-  
6 atives and the Committee on Commerce, Science,  
7 and Transportation of the Senate a report describ-  
8 ing the results of the study conducted under sub-  
9 section (a).

10 (2) RECOMMENDATIONS.—The Comptroller  
11 General shall include in the report submitted under  
12 paragraph (1) recommendations for—

13 (A) ways to improve the resiliency and re-  
14 dundancy of weather reporting systems;

15 (B) alternative means of compliance for  
16 obtaining weather elements at airports; and

17 (C) if necessary, changes to Orders of the  
18 Administration, including the following:

19 (i) Surface Weather Observing, Joint  
20 Order 7900.5.

21 (ii) Notices to Air Missions, Joint  
22 Order 7930.2.

1 **SEC. 531. GAO STUDY ON EXPANSION OF THE FAA WEATH-**  
2 **ER CAMERA PROGRAM.**

3 (a) STUDY.—The Comptroller General of the United  
4 States shall conduct a study on the feasibility and benefits  
5 and costs of expanding the Weather Camera Program of  
6 the Federal Aviation Administration to locations in the  
7 United States that lack weather camera services.

8 (b) CONSIDERATIONS.—In conducting the study re-  
9 quired under subsection (a), the Comptroller General shall  
10 review—

11 (1) the potential effects of the existing Weather  
12 Camera Program on weather-related aviation acci-  
13 dents and flight interruptions;

14 (2) the potential benefits and costs associated  
15 with expanding the Weather Camera Program;

16 (3) limitations on the real-time access of weath-  
17 er camera information by pilots and aircraft opera-  
18 tors;

19 (4) non-safety related regulatory structures or  
20 barriers to the allowable use of weather camera in-  
21 formation for the purposes of aircraft operations;

22 (5) limitations of existing weather camera sys-  
23 tems at the time of the study;

24 (6) alternative sources of viable weather data;

25 (7) funding mechanisms for weather camera in-  
26 stallation and operations; and

1           (8) other considerations the Comptroller Gen-  
2           eral determines appropriate.

3           (c) **REPORT TO CONGRESS.**—Not later than 28  
4 months after the date of enactment of this Act, the Comp-  
5 troller General shall submit to the Committee on Trans-  
6 portation and Infrastructure of the House of Representa-  
7 tives and the Committee on Commerce, Science, and  
8 Transportation of the Senate a report on the results of  
9 the study required under subsection (a).

10 **SEC. 532. AUDIT ON AVIATION SAFETY IN ERA OF WIRELESS**  
11 **CONNECTIVITY.**

12           (a) **IN GENERAL.**—Not later than 180 days after the  
13 date of enactment of this Act, the inspector general of the  
14 Department of Transportation shall initiate an audit of  
15 the Federal Aviation Administration’s internal processes  
16 and procedures to communicate the position of civil avia-  
17 tion operators and the safety of the national airspace sys-  
18 tem to the National Telecommunications and Information  
19 Administration regarding proposed spectrum reallocations  
20 or auction decisions.

21           (b) **ASSESSMENT.**—In conducting the audit described  
22 in subsection (a), the inspector general shall assess best  
23 practices and policy recommendations for the Federal  
24 Aviation Administration to—

1           (1) improve internal processes by which pro-  
2           posed spectrum reallocations or auctions are thor-  
3           oughly reviewed in advance to ensure that any com-  
4           ments or technical concerns regarding aviation safe-  
5           ty from civil aviation stakeholders are communicated  
6           to the National Telecommunications and Informa-  
7           tion Administration that are to be submitted to the  
8           Federal Communications Commission;

9           (2) develop internal processes and procedures to  
10          assess the effects a proposed spectrum reallocation  
11          or auction may have on the national airspace system  
12          in a timely manner to ensure safety of the national  
13          airspace system;

14          (3) improve external communication processes  
15          to better inform civil aviation stakeholders, including  
16          owners and operators of civil aircraft, on any com-  
17          ments or technical concerns of the Federal Aviation  
18          Administration relating to a proposed spectrum re-  
19          allocation or auction that may impact the national  
20          airspace system; and

21          (4) better communicate to the National Tele-  
22          communications and Information Administration  
23          when a proposed spectrum reallocation or auction  
24          may pose a potential risk to aviation safety.

1 (c) STAKEHOLDER VIEWS.—In conducting the audit  
2 pursuant to subsection (a), the inspector general shall con-  
3 sult with relevant stakeholders, including—

4 (1) air carriers operating under part 121 of  
5 title 14, Code of Federal Regulations;

6 (2) manufacturers of aircraft and aircraft com-  
7 ponents;

8 (3) wireless communication carriers;

9 (4) labor unions representing pilots;

10 (5) air traffic system safety specialists;

11 (6) other representatives of the communications  
12 industry;

13 (7) aviation safety experts;

14 (8) the National Telecommunications and Infor-  
15 mation Administration; and

16 (9) the Federal Communications Commission.

17 (d) REPORT.—Not later than 2 years after the date  
18 on which the audit is conducted pursuant to subsection  
19 (a), the inspector general shall complete and submit a re-  
20 port on findings and recommendations to—

21 (1) the Administrator of the Federal Aviation  
22 Administration;

23 (2) the Committee on Transportation and In-  
24 frastructure of the House of Representatives;

1           (3) the Committee on Energy and Commerce of  
2           the House of Representatives; and

3           (4) the Committee on Commerce, Science, and  
4           Technology of the Senate.

5 **SEC. 533. RAMP WORKER SAFETY CALL TO ACTION.**

6           (a) **CALL TO ACTION RAMP WORKER SAFETY RE-**  
7 **VIEW.**—Not later than 180 days after the date of enact-  
8 ment of this Act, the Administrator of the Federal Avia-  
9 tion Administration shall initiate a Call to Action safety  
10 review of airport ramp worker safety in order to bring  
11 stakeholders together to share best practices and imple-  
12 ment actions to address airport ramp worker safety.

13           (b) **CONTENTS.**—The Call to Action safety review re-  
14 quired pursuant to subsection (a) shall include—

15           (1) a review of Administration regulations,  
16           guidance, and directives related to airport ramp  
17           worker procedures and oversight of such processes;

18           (2) a review of reportable accidents and inci-  
19           dents involving airport ramp workers, including any  
20           identified contributing factors to the reportable acci-  
21           dent or incident;

22           (3) a review of training and related educational  
23           materials for airport ramp workers, including super-  
24           visory employees;

1           (4) a review of devices and methods for commu-  
2           nication on the ramp;

3           (5) a review of markings on the ramp that de-  
4           fine restriction, staging, safety, or hazard zones;

5           (6) a review of aircraft jet blast and engine in-  
6           take safety markings; and

7           (7) a process for stakeholders, including air-  
8           lines, aircraft manufacturers, airports, labor, and  
9           aviation safety experts, to provide feedback and  
10          share best practices.

11          (c) REPORT AND ACTIONS.—Not later than 180 days  
12          after the conclusion of the Call to Action safety review  
13          pursuant to subsection (a), the Administrator shall—

14                (1) submit to the Committee on Transportation  
15                and Infrastructure of the House of Representatives  
16                and the Committee on Commerce, Science, and  
17                Transportation of the Senate a report on the results  
18                of the review and any recommendations for actions  
19                or best practices to improve airport ramp worker  
20                safety, including the identification of risks and pos-  
21                sible mitigations to be considered in any applicable  
22                safety management system of air carriers and air-  
23                ports; and

24                (2) initiate such actions as are necessary to act  
25                upon the findings of the review under subsection (b).

1 (d) TRAINING MATERIALS.—Not later than 6 months  
2 after the completion of the safety review required under  
3 subsection (a), the Administrator shall develop and pub-  
4 lish training and related educational materials about air-  
5 craft engine ingestion and jet blast hazards for ground  
6 crews (including supervisory employees) that includes in-  
7 formation on—

8 (1) the specific dangers and consequences of en-  
9 tering engine ingestion or jet blast zones;

10 (2) proper protocols to avoid entering an engine  
11 ingestion or jet blast zone; and

12 (3) on-the-job, instructor-led training to phys-  
13 ically demonstrate the engine ingestion zone bound-  
14 aries and jet blast zones for each kind of aircraft the  
15 ground crew may encounter.

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 (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); and

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 ministratoꝛ 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) ICAO DEFINED.—In this section, the term  
10 “ICAO” means the International Civil Aviation Organiza-  
11 tion.

12 **SEC. 546. INCREMENTAL SAFETY IMPROVEMENT.**

13           Section 44704 of title 49, United States Code, is  
14 amended by adding at the end the following:

15           “(h) INCREMENTAL SAFETY IMPROVEMENT.—

16                 “(1) IN GENERAL.—The Administrator may  
17 consider and approve a proposed incremental design  
18 change request from a type certificate holder, if such  
19 holder is required by the Administrator to make a  
20 safety-related design change to bring a product into  
21 compliance, even if the proposed incremental design  
22 change does not eliminate all noncompliant condi-  
23 tions.

1           “(2) PROPOSED INCREMENTAL DESIGN  
2 CHANGE.—A proposed incremental design change  
3 under paragraph (1) shall—

4           “(A) be related to the required safety-re-  
5 lated design change described in this sub-  
6 section;

7           “(B) improve the overall safety of the air-  
8 craft;

9           “(C) not decrease the level of safety of  
10 other components or systems on the aircraft;

11           “(D) be in the public interest;

12           “(E) not include any substantial changes;

13           “(F) be recorded on a type certificate data  
14 sheet or other public instrument that notifies  
15 the public of such design changes; and

16           “(G) be considered through a process that  
17 applies appropriate requirements as determined  
18 by the Administrator.

19           “(3) FULL COMPLIANCE.—An approval issued  
20 under this subsection shall not be construed to re-  
21 lieve a type certificate holder from addressing all  
22 noncompliant conditions under paragraph (1).

23           “(4) DEADLINE.—In issuing an approval under  
24 this subsection, the Administrator shall impose a

1 deadline by which all non-compliant conditions re-  
2 lated to the design change shall be addressed.

3 “(5) SAFETY-RELATED DESIGN CHANGE DE-  
4 FINED.—In this subsection, the term ‘safety-related  
5 design change’ means a design change that has any  
6 effect on the safety of the aircraft.”.

7 **SEC. 547. VOLUNTARY REPORTING PROTECTIONS.**

8 (a) IN GENERAL.—Section 40123(a) of title 49,  
9 United States Code, is amended in the matter preceding  
10 paragraph (1) by inserting “or third party” after “nor any  
11 agency”.

12 (b) PROTECTED INFORMATION.—Not later than 180  
13 days after the date of enactment of this Act, the Adminis-  
14 trator of the Federal Aviation Administration shall pro-  
15 mulgate regulations to amend part 193 of title 14, Code  
16 of Federal Regulations, to designate and protect from dis-  
17 closure information or data submitted, collected, or con-  
18 tained by the Administrator under voluntary safety pro-  
19 grams, including the following:

- 20 (1) Aviation Safety Action Program.
- 21 (2) Flight Operational Quality Assurance.
- 22 (3) Line Operations Safety Assessments.
- 23 (4) Air Traffic Safety Action Program.
- 24 (5) Technical Operations Safety Action Pro-  
25 gram.



1 safety or the Administration’s provision of safe, se-  
2 cure, and efficient air navigation services and air-  
3 space management.

4 (2) In 2016, Congress passed the FAA Exten-  
5 sion, Safety, and Security Act of 2016, which estab-  
6 lished requirements for the Federal Aviation Admin-  
7 istration to enhance the national airspace system’s  
8 cybersecurity and included mandates for the Admin-  
9 istration to—

10 (A) develop a cybersecurity strategic plan;

11 (B) coordinate with other Federal agencies  
12 to identify cyber vulnerabilities;

13 (C) develop a cyber threat model; and

14 (D) complete a comprehensive, strategic  
15 policy framework to identify and mitigate cyber-  
16 security risks to the air traffic control system.

17 (3) In 2018, Congress passed the FAA Reau-  
18 thorization Act of 2018 which—

19 (A) authorized funding for the construction  
20 of Federal Aviation Administration facilities  
21 dedicated to improving the cybersecurity of the  
22 national airspace system;

23 (B) required the Federal Aviation Admin-  
24 istration to review and update its comprehen-  
25 sive, strategic policy framework for cybersecu-

1           rity to assess the degree to which the frame-  
2           work identifies and addresses known cybersecu-  
3           rity risks associated with the aviation system,  
4           and evaluate existing short- and long-term ob-  
5           jectives for addressing cybersecurity risks to the  
6           national airspace system;

7           (C) created a Chief Technology Officer po-  
8           sition within the Federal Aviation Administra-  
9           tion to be responsible for, among other things,  
10          coordinating the implementation, operation,  
11          maintenance, and cybersecurity of technology  
12          programs relating to the air traffic control sys-  
13          tem with the aviation industry and other Fed-  
14          eral agencies; and

15          (D) directed the National Academy of  
16          Sciences to study the cybersecurity workforce of  
17          the Federal Aviation Administration in order to  
18          develop recommendations to increase the size,  
19          quality, and diversity of such workforce.

20          (4) Congress has tasked the Federal Aviation  
21          Administration with being the primary Federal  
22          agency to assess and address the threats posed from  
23          cyber incidents relating to Federal Aviation Admin-  
24          istration-provided air traffic control and air naviga-  
25          tion services and the threats posed from cyber inci-

1 dents relating to civil aircraft, aeronautical products  
2 and articles, aviation networks, aviation systems,  
3 services, and operations, and the aerospace industry  
4 affecting aviation safety or the provision of safe, se-  
5 cure, and efficient air navigation services and air-  
6 space management by the Administration.

7 (5) Since 2005, the Federal Aviation Adminis-  
8 tration has been addressing cyber vulnerabilities in  
9 civil aircraft and aeronautical products and articles  
10 during the safety certification process.

11 **SEC. 572. AEROSPACE PRODUCT SAFETY.**

12 (a) **CYBERSECURITY STANDARDS.**—Section 44701(a)  
13 of title 49, United States Code, is amended—

14 (1) in paragraph (1) by inserting “cybersecu-  
15 rity,” after “quality of work,”; and

16 (2) in paragraph (5)—

17 (A) by inserting “cybersecurity and” after  
18 “standards for”; and

19 (B) by striking “procedure” and inserting  
20 “procedures”.

21 (b) **EXCLUSIVE RULEMAKING AUTHORITY.**—Section  
22 44701 of title 49, United States Code, is amended by add-  
23 ing at the end the following:

24 “(h) **EXCLUSIVE RULEMAKING AUTHORITY.**—Not-  
25 withstanding any other provision of law and except as pro-

1 vided in section 40132, the Administrator, in consultation  
2 with the heads of such other agencies as the Administrator  
3 determines necessary, shall have exclusive authority to  
4 prescribe regulations for purposes of assuring civil air-  
5 craft, including unmanned aircraft systems, aircraft en-  
6 gine, propeller, and appliance cybersecurity.”.

7 **SEC. 573. FEDERAL AVIATION ADMINISTRATION REGULA-**  
8 **TIONS, POLICY, AND GUIDANCE.**

9 (a) IN GENERAL.—Chapter 401 of title 49, United  
10 States Code, is further amended by adding at the end the  
11 following:

12 **“§ 40132. National airspace system cyber threat man-**  
13 **agement process**

14 “(a) ESTABLISHMENT.—The Administrator of the  
15 Federal Aviation Administration, in consultation with  
16 other agencies as the Administrator determines necessary,  
17 shall establish a national airspace system cyber threat  
18 management process to protect the national airspace sys-  
19 tem cyber environment, including the safety, security, and  
20 efficiency of the air navigation services provided by the  
21 Administration.

22 “(b) ISSUES TO BE ADDRESSED.—In establishing  
23 the national airspace system cyber threat management  
24 process under subsection (a), the Administrator shall, at  
25 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;

22          “(8) conduct a review of potential  
23          vulnerabilities in inflight Wi-Fi service that may put  
24          the data of passengers at risk; and

1           “(9) consider any other matter the Adminis-  
2           trator determines appropriate.

3           “(c) DEFINITIONS.—In this section:

4           “(1) CYBER COMMON OPERATING PICTURE.—  
5           The term ‘cyber common operating picture’ means  
6           the correlation of a detected cyber incident or cyber  
7           threat in the national airspace system and other  
8           operational anomalies to provide a holistic view of  
9           potential cause and impact.

10          “(2) CYBER ENVIRONMENT.—The term ‘cyber  
11          environment’ means the information environment  
12          consisting of the interdependent networks of infor-  
13          mation technology infrastructures and resident data,  
14          including the internet, telecommunications networks,  
15          computer systems, and embedded processors and  
16          controllers.

17          “(3) CYBER INCIDENT.—The term ‘cyber inci-  
18          dent’ means an action that creates noticeable deg-  
19          radation, disruption, or destruction to the cyber en-  
20          vironment and causes a safety or other negative im-  
21          pact on operations of—

22                       “(A) the national airspace system;

23                       “(B) civil aircraft; or

24                       “(C) aeronautical products and articles.



1           (1) not later than 2 years after the date of en-  
2           actment of this Act, submit to the Committee on  
3           Transportation and Infrastructure of the House of  
4           Representatives and the Committee on Commerce,  
5           Science, and Transportation of the Senate a report  
6           based on the findings of the aviation rulemaking  
7           committee convened under subsection (a); and

8           (2) not later than 180 days after the date of  
9           submission of the report under paragraph (1) and,  
10          in consultation with other agencies as the Adminis-  
11          trator determines necessary, for consensus rec-  
12          ommendations reached by such aviation rulemaking  
13          committee—

14                 (A) undertake a rulemaking, if appro-  
15                 priate, based on such recommendations; and

16                 (B) submit to the Committee on Transpor-  
17                 tation and Infrastructure of the House of Rep-  
18                 resentatives and the Committee on Commerce,  
19                 Science, and Transportation of the Senate a  
20                 supplemental report with explanations for each  
21                 consensus recommendation not addressed, if ap-  
22                 plicable, by a rulemaking under subparagraph  
23                 (A).

24          (c) COMPOSITION.—The aviation rulemaking com-  
25          mittee convened under subsection (a) shall consist of mem-

1 bers appointed by the Administrator, including representa-  
2 tives of—

3 (1) aircraft manufacturers, to include at least 1  
4 manufacturer of transport category aircraft;

5 (2) air carriers;

6 (3) unmanned aircraft system stakeholders, in-  
7 cluding operators, service suppliers, and manufactur-  
8 ers of hardware components and software applica-  
9 tions;

10 (4) manufacturers of powered-lift aircraft;

11 (5) airports;

12 (6) original equipment manufacturers of ground  
13 and space based aviation infrastructure;

14 (7) aviation safety experts with specific knowl-  
15 edge of aircraft cybersecurity; and

16 (8) a non-profit which operates 1 or more feder-  
17 ally funded research and development centers with  
18 specific knowledge of aviation and cybersecurity.

19 (d) MEMBER ELIGIBILITY.—Prior to a member’s ap-  
20 pointment under subsection (c), the Administrator shall  
21 determine if there is cause for such member to be re-  
22 stricted from possessing sensitive security information.  
23 Upon a determination of no cause being found regarding  
24 the member, and upon the member voluntarily signing a  
25 nondisclosure agreement, the member may be granted ac-

1 cess to sensitive security information that is relevant to  
2 the member's duties on the aviation rulemaking com-  
3 mittee. The member shall protect the sensitive security in-  
4 formation in accordance with part 1520 of title 49, Code  
5 of Federal Regulations.

6 (e) PROHIBITION ON COMPENSATION.—The members  
7 of the aviation rulemaking committee convened under sub-  
8 section (a) shall not receive pay, allowances, or benefits  
9 from the Government by reason of their service on such  
10 committee.

11 (f) CONSIDERATIONS.—The Administrator shall di-  
12 rect such committee to consider—

13 (1) existing cybersecurity standards, regula-  
14 tions, policies, and guidance, including those from  
15 other Federal agencies;

16 (2) threat- and risk-based security approaches  
17 used by the aviation industry, including the assess-  
18 ment of the potential costs and benefits of cyberse-  
19 curity actions;

20 (3) data gathered from cybersecurity reporting;

21 (4) data gathered from safety reporting;

22 (5) the diversity of operations and systems on  
23 aircraft and amongst air carriers;

24 (6) security of design data;

1           (7) the need to harmonize or deconflict pro-  
2           posed and existing standards, regulations, policies,  
3           and guidance with other Federal standards, regula-  
4           tions, policies, and guidance;

5           (8) design approval holder aircraft network se-  
6           curity guidance for operators;

7           (9) the need for such standards, regulations,  
8           policies, and guidance as applied to civil aircraft in-  
9           formation, data, networks, systems, services, oper-  
10          ations, and technology;

11          (10) Federal Aviation Administration services,  
12          aviation industry services, and aircraft use of posi-  
13          tioning, navigation, and timing data in the context  
14          of Executive Order No. 13905, as in effect on the  
15          date of enactment of this Act;

16          (11) updates needed to airworthiness regula-  
17          tions and systems safety assessment methods used  
18          to show compliance with airworthiness requirements  
19          for design, function, installation, and certification of  
20          civil aircraft, aeronautical products and articles, and  
21          aircraft networks;

22          (12) updates needed to air carrier operating  
23          and maintenance regulations to ensure continued ad-  
24          herence with processes and procedures established in  
25          airworthiness regulations to provide cybersecurity

1       protections for aircraft systems, including for contin-  
2       ued airworthiness;

3               (13) policies and procedures to coordinate with  
4       other Federal agencies, including intelligence agen-  
5       cies, and the aviation industry in sharing informa-  
6       tion and analyses related to cyber threats to civil  
7       aircraft information, data, networks, systems, serv-  
8       ices, operations, and technology and aeronautical  
9       products and articles;

10              (14) the response of the Administrator and  
11       aviation industry to, and recovery from, cyber inci-  
12       dents, including by coordinating with other Federal  
13       agencies, including intelligence agencies;

14              (15) processes for members of the aviation in-  
15       dustry to voluntarily report to the Federal Aviation  
16       Administration cyber incidents that may affect avia-  
17       tion safety in a manner that protects trade secrets  
18       and confidential business information;

19              (16) the unique nature of the aviation industry,  
20       including aircraft networks, aircraft systems, and  
21       aeronautical products, and the interconnectedness of  
22       cybersecurity and aviation safety;

23              (17) appropriate cybersecurity controls for air-  
24       craft networks, aircraft systems, and aeronautical

1 products and articles to protect aviation safety, in-  
2 cluding airworthiness;

3 (18) appropriate cybersecurity controls for air-  
4 ports relative to the size and nature of airside oper-  
5 ations of such airports to ensure aviation safety;

6 (19) minimum standards for protecting civil  
7 aircraft, aeronautical products and articles, aviation  
8 networks, aviation systems, services, and operations  
9 from cyber threats and cyber incidents;

10 (20) international collaboration, where appro-  
11 priate and consistent with the interests of aviation  
12 safety in air commerce and national security, with  
13 other civil aviation authorities, international aviation  
14 and standards organizations, and any other appro-  
15 priate entities to protect civil aviation from cyber in-  
16 cidents and cyber threats;

17 (21) the recommendations and implementation  
18 of the Aircraft System Information Security/Protec-  
19 tion report of the aviation rulemaking advisory com-  
20 mittee submitted on August 22, 2016; and

21 (22) any other matter the Administrator deter-  
22 mines appropriate.

23 (g) DEFINITIONS.—The definitions set forth in sec-  
24 tion 40132 of title 49, United States Code (as added by  
25 this subtitle), shall apply to this section.

1                   **TITLE VI—AEROSPACE**  
2                                   **INNOVATION**  
3           **Subtitle A—Unmanned Aircraft**  
4                                   **Systems**

5 **SEC. 601. DEFINITIONS.**

6           (a) **DEFINITION.**—Section 44801(1) of title 49,  
7 United States Code, is amended—

8                   (1) in subparagraph (B) by striking “and” at  
9 the end;

10                   (2) in subparagraph (C) by striking the period  
11 at the end and inserting a semicolon; and

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

13                                   “(D) is able to maintain safe flight control  
14 in the event of a power or flight control failure  
15 during flight; and

16                                   “(E) is programmed to initiate a controlled  
17 landing in the event of a tether separation.”.

18 **SEC. 602. UNMANNED AIRCRAFT SYSTEM TEST RANGES.**

19           (a) **IN GENERAL.**—Section 44803 of title 49, United  
20 States Code, is amended to read as follows:

21 **“§ 44803. Unmanned aircraft system test ranges**

22                   “(a) **IN GENERAL.**—The Administrator of the Fed-  
23 eral Aviation Administration shall carry out and update,  
24 as appropriate, a program to enable a broad variety of  
25 testing and evaluation activities at unmanned aircraft sys-

1 tem test ranges, as in effect on the day before the date  
2 of enactment of the Securing Growth and Robust Leader-  
3 ship in American Aviation Act, to the extent consistent  
4 with aviation safety and efficiency, and for purposes of  
5 the safe integration of unmanned aircraft systems into the  
6 national airspace system.

7 “(b) AIRSPACE REQUIREMENTS.—In carrying out the  
8 program under subsection (a)—

9 “(1) the Administrator may establish non-  
10 regulatory special use airspace areas upon the re-  
11 quest of a test range sponsor selected by the Admin-  
12 istrator under subsection (a), for purposes of accom-  
13 modating hazardous testing and evaluation activities  
14 to inform the safe integration of unmanned aircraft  
15 systems into the national airspace system, or for  
16 purposes of other activities authorized by the Ad-  
17 ministrator under subsection (g);

18 “(2) each selected test range sponsor for a des-  
19 igned test range shall be considered the using  
20 agency for purposes of the respective nonregulatory  
21 special use airspace areas established by the Admin-  
22 istrator under this section; and

23 “(3) the Administrator may require that each  
24 selected test range sponsor for a designated test  
25 range provide a draft environmental review con-

1       sistent with the National Environmental Policy Act  
2       of 1969 (42 U.S.C. 4321 et seq.), subject to the su-  
3       pervision and adoption of the Administrator, with re-  
4       spect to any request for the establishment of a non-  
5       regulatory special use airspace area under this sec-  
6       tion.

7       “(c) PROGRAM REQUIREMENT.—In carrying out the  
8       program under subsection (a), the Administrator—

9               “(1) may develop operational standards and air  
10              traffic requirements for flight operations at test  
11              ranges;

12             “(2) shall coordinate with, and leverage the re-  
13              sources of, other Federal agencies, as the Adminis-  
14              trator considers appropriate;

15             “(3) shall address both civil and public aircraft  
16              operations;

17             “(4) shall provide for verification of the safety  
18              of flight systems and related navigation procedures  
19              as it relates to continued development of standards  
20              for integration into the national airspace system;

21             “(5) shall engage test range sponsors, as nec-  
22              essary and within available resources, in projects for  
23              testing and evaluation of flight systems to facilitate  
24              the validation of standards by the Administration for  
25              the safe integration of unmanned aircraft systems

1 into the national airspace system, which may include  
2 solutions for—

3 “(A) developing and enforcing geographic  
4 and altitude limitations;

5 “(B) providing for alerts regarding any  
6 hazards or limitations on flight, including prohi-  
7 bitions on flight;

8 “(C) sense and avoid capabilities;

9 “(D) technology to support communica-  
10 tions, navigation, and surveillance;

11 “(E) unmanned aircraft system operations  
12 beyond visual line of sight, at nighttime, or over  
13 people;

14 “(F) operation of multiple unmanned air-  
15 craft systems by a single remote pilot;

16 “(G) unmanned aircraft systems traffic  
17 management capabilities or services;

18 “(H) counter unmanned aircraft system  
19 capabilities;

20 “(I) improving privacy protections through  
21 the use of advances in unmanned aircraft sys-  
22 tems; and

23 “(J) other critical priority areas for which  
24 testing and evaluation is needed.

1           “(6) shall coordinate periodically with all test  
2 range sponsors to ensure test range sponsors know  
3 which data should be collected, how data can be de-  
4 identified to flow more readily to the Administration,  
5 what procedures should be followed, and what test-  
6 ing and evaluations would advance efforts to safely  
7 integrate unmanned aircraft systems into the na-  
8 tional airspace system; and

9           “(7) shall allow test range sponsors to receive  
10 Federal funding, other than from the Federal Avia-  
11 tion Administration, including in-kind contributions,  
12 from test range participants in the furtherance of  
13 testing and evaluation objectives.

14           “(d) EXEMPTION.—Except as provided in subsection  
15 (g), the requirements of section 44711, including related  
16 implementing regulations, shall not apply to persons ap-  
17 proved by the test range sponsor for operation at a des-  
18 ignated test range under this section.

19           “(e) RESPONSIBILITIES OF TEST RANGE SPON-  
20 SOR.—The sponsor of each test range under subsection  
21 (a) shall—

22           “(1) provide access to all interested private and  
23 public entities seeking to carry out testing and eval-  
24 uation activities at the test range designated pursu-  
25 ant to this section, to the greatest extent practicable,

1 consistent with safety and any operating procedures  
2 established by the test range sponsor, including ac-  
3 cess by small business concerns (as that term is de-  
4 scribed in section 3(a) of the Small Business Act (15  
5 U.S.C. 632(a));

6 “(2) ensure all activities remain within the geo-  
7 graphical boundaries and altitude limitations estab-  
8 lished for the nonregulatory special use airspace  
9 area covering the test range;

10 “(3) ensure no activity is conducted at the des-  
11 ignated test range in a careless or reckless manner;

12 “(4) establish safe operating procedures for all  
13 operators approved for activities at the test range,  
14 including provisions for maintaining operational con-  
15 trol and ensuring protection of persons and property  
16 on the ground, subject to approval by the Adminis-  
17 trator;

18 “(5) exercise direct oversight of all operations  
19 conducted at the test range;

20 “(6) consult with the Administrator on the na-  
21 ture of planned activities at the test range and  
22 whether temporary segregation through the use of a  
23 nonregulatory special use airspace area is required  
24 to contain such activities is consistent with aviation  
25 safety;

1           “(7) protect proprietary technology, sensitive  
2 data, or sensitive research of any civil or private en-  
3 tity when using the test range;

4           “(8) maintain detailed records of all ongoing  
5 and completed testing and evaluation activities con-  
6 ducted at the test range and all operators con-  
7 ducting such activities, for inspection by, and report-  
8 ing to, the Administrator, as required by agreement  
9 between the Administrator and the test range spon-  
10 sor;

11           “(9) make all original records available for in-  
12 spection upon request by the Administrator; and

13           “(10) provide recommendations to the Adminis-  
14 trator to further enable public and private testing  
15 and evaluation activities at the test ranges that con-  
16 tribute to the safe integration of unmanned aircraft  
17 systems by the Administration into the national air-  
18 space system, on a quarterly basis until the program  
19 terminates.

20           “(f) TESTING.—

21           “(1) IN GENERAL.—The Administrator may au-  
22 thorize a sponsor of a test range designated under  
23 subsection (a) to host testing and evaluation activi-  
24 ties other than those directly related to the integra-  
25 tion of unmanned aircraft systems into the national

1       airspace system, provided that the activity is nec-  
2       essary to inform the development of standards or  
3       policy for integrating new types of flight systems  
4       into the national airspace system.

5               “(2) WAIVER.—In carrying out this subsection,  
6       the Administrator may waive the requirements of  
7       section 44711, including related regulations, to the  
8       extent consistent with aviation safety.

9               “(g) AGREEMENTS.—The Administrator may use the  
10      transaction authority under section 106(l)(6) to enter into  
11      appropriate agreements to direct testing and evaluation  
12      activities related to unmanned aircraft systems at any test  
13      range designated under subsection (a).

14              “(h) TERMINATION.—The program under this sec-  
15      tion shall terminate on September 30, 2028.”.

16              (b) CONFORMING AMENDMENT.—Section 44801(10)  
17      of title 49, United States Code, is amended by striking  
18      “any of the 6 test ranges” and all that follows through  
19      “January 1, 2009” and inserting “the test ranges estab-  
20      lished by the Administrator under section 44803”.

21      **SEC. 603. UNMANNED AIRCRAFT IN THE ARCTIC.**

22              (a) IN GENERAL.—Section 44804 of title 49, United  
23      States Code, is amended—

24                      (1) in section heading by striking “**Small un-**  
25                      **manned**” and inserting “**Unmanned**”; and

1 (2) by striking “small” each place it appears.

2 (b) CLERICAL AMENDMENT.—The analysis for chap-  
3 ter 448 of title 49, United States Code, is amended by  
4 striking the item relating to section 44804 and insert the  
5 following:

“44804. Unmanned aircraft in the Arctic.”.

6 **SEC. 604. PUBLIC SAFETY USE OF TETHERED UAS.**

7 (a) IN GENERAL.—Section 44806 of title 49, United  
8 States Code, is amended—

9 (1) in the section heading by inserting “**and**  
10 **public safety use of unmanned aircraft**  
11 **systems**” after “**systems**”;

12 (2) in subsection (c)—

13 (A) in the subsection heading by inserting  
14 “SAFETY USE OF” after “PUBLIC”; and

15 (B) in paragraph (1)—

16 (i) in the matter preceding subpara-  
17 graph (A)—

18 (I) by striking “Not later than  
19 180 days after the date of enactment  
20 of this Act, the” and inserting “The”;

21 (II) by striking “permit the use  
22 of” and inserting “permit”;

23 (III) by striking “public”; and

1 (IV) by inserting “by a public  
2 safety organization for such systems”  
3 after “systems”;

4 (ii) by striking subparagraph (A) and  
5 inserting the following:

6 “(A) operated—

7 “(i) at or below an altitude of 150  
8 feet above ground level within class B, C,  
9 D, E, or G airspace, but not at a greater  
10 altitude than the ceiling depicted on the  
11 UAS facility maps published by the Fed-  
12 eral Aviation Administration, where appli-  
13 cable;

14 “(ii) within zero-grid airspaces as de-  
15 picted on such UAS facility maps, only if  
16 operated in life-saving or emergency situa-  
17 tions and with prior notification to the Ad-  
18 ministration in a manner determined by  
19 the Administrator; or

20 “(iii) above 150 feet above ground  
21 level within class B, C, D, E, or G airspace  
22 only with prior authorization from the Ad-  
23 ministrator;”;

24 (iii) by striking subparagraph (B);  
25 and

1 (iv) by redesignating subparagraphs  
2 (C), (D), and (E) as subparagraphs (B),  
3 (C), and (D), respectively; and  
4 (C) in paragraph (3) by striking “Public  
5 actively” and inserting “Actively”; and  
6 (3) by adding at the end, the following:

7 “(e) DEFINITION.—In this section, the term ‘public  
8 safety organization’ means an entity that primarily en-  
9 gages in activities related to the safety and well-being of  
10 the general public, including law enforcement, fire depart-  
11 ments, emergency medical services, and other organiza-  
12 tions that protect and serve the public in matters of safety  
13 and security.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-  
15 ter 448 of title 49, United States Code, is amended by  
16 striking the item relating to section 44806 and inserting  
17 the following:

“44806. Public unmanned aircraft systems and public safety use of unmanned  
aircraft systems.”.

18 **SEC. 605. SPECIAL AUTHORITY FOR UNMANNED AIRCRAFT**  
19 **SYSTEMS.**

20 Section 44807 of title 49, United States Code, is  
21 amended—

22 (1) in subsection (a)—

23 (A) by inserting “or chapter 447” after  
24 “this chapter”;

1 (B) by striking “the Secretary of Trans-  
2 portation” and inserting “the Administrator of  
3 the Federal Aviation Administration”; and

4 (C) by striking “if certain” and inserting  
5 “how”;

6 (2) in subsection (b)—

7 (A) by striking “the Secretary” and insert-  
8 ing “the Administrator”; and

9 (B) in paragraph (1)—

10 (i) by striking “which types of un-  
11 manned aircraft systems, if any, as a re-  
12 sult of their size” and inserting “how the  
13 unmanned aircraft, as a result of such air-  
14 craft’s size”; and

15 (ii) by striking “do not create” and  
16 inserting “does not create”;

17 (3) in subsection (c) to read as follows:

18 “(c) REQUIREMENTS FOR SAFE OPERATION.—

19 “(1) IN GENERAL.—For unmanned aircraft sys-  
20 tems that the Administrator determines under this  
21 section may operate safely in the national airspace  
22 system, the Administrator shall establish risk-based  
23 requirements, or a process to accept risk-based pro-  
24 posed requirements, for the safe operation of such  
25 aircraft systems in the national airspace system, in-

1 including operation related to testing and evaluation of  
2 proprietary systems.

3 “(2) TREATMENT OF MITIGATION MEASURES.—

4 To the extent that a proposed operation will be con-  
5 ducted exclusively within the airspace of a Mode C  
6 Veil during the entirety of the operation, such oper-  
7 ation shall be treated as satisfying the requirements  
8 of section 91.113(b) of title 14, Code of Federal  
9 Regulations, so long as the operation employs—

10 “(A) ADS-B In-based detect and avoid ca-  
11 pabilities;

12 “(B) air traffic control communication and  
13 coordination; and

14 “(C) aeronautical information management  
15 systems to notify other aircraft operators of  
16 such operations.

17 “(3) RULE OF CONSTRUCTION.—Nothing in  
18 this subsection shall be construed to give an un-  
19 manned aircraft operating pursuant to this section  
20 the right of way over a manned aircraft.”;

21 (4) in subsection (d) by striking “2023” and in-  
22 serting “2033”; and

23 (5) by adding at the end the following:

24 “(e) LIMITATION.—In making determinations under  
25 this section, the Administrator may not consider un-

1 manned aircraft systems to the extent that such systems  
2 may meet the requirements of established regulations ap-  
3 plicable to the proposed operation of a system.

4 “(f) EXEMPTION.—The Administrator may exercise  
5 the authorities described in this section without requiring  
6 a rulemaking or imposing the requirements of part 11 of  
7 title 14, Code of Federal Regulations, to the extent con-  
8 sistent with aviation safety.”.

9 **SEC. 606. RECREATIONAL OPERATIONS OF DRONE SYS-**  
10 **TEMS.**

11 (a) SPECIFIED EXCEPTION FOR LIMITED REC-  
12 REATIONAL OPERATIONS OF UNMANNED AIRCRAFT.—  
13 Section 44809 of title 49, United States Code, is amend-  
14 ed—

15 (1) in subsection (a) by striking paragraph (6)  
16 and inserting the following:

17 “(6) Except for circumstances when the Admin-  
18 istrator establishes alternative altitude ceilings or as  
19 otherwise authorized in section (c), in Class G air-  
20 space, the aircraft is flown from the surface to not  
21 more than 400 feet above ground level and complies  
22 with all airspace and flight restrictions and prohibi-  
23 tions established under this subtitle, such as special  
24 use airspace designations and temporary flight re-  
25 strictions.”;

1           (2) by striking subsection (c) and inserting the  
2 following:

3           “(c) OPERATIONS AT FIXED SITES.—

4           “(1) IN GENERAL.—The Administrator shall es-  
5 tablish a process to approve, and publicly dissemi-  
6 nate the location of, fixed sites at which a person  
7 may carry out recreational unmanned aircraft sys-  
8 tem operations.

9           “(2) OPERATING PROCEDURES.—

10           “(A) CONTROLLED AIRSPACE.—Persons  
11 operating unmanned aircraft under paragraph  
12 (1) from a fixed site within Class B, Class C,  
13 or Class D airspace or within the lateral bound-  
14 aries of the surface area of Class E airspace  
15 designated for an airport, or a community-  
16 based organization sponsoring operations within  
17 such airspace, shall make the location of the  
18 fixed site known to the Administrator and shall  
19 establish a mutually agreed upon operating pro-  
20 cedure with the air traffic control facility.

21           “(B) ALTITUDE.—The Administrator, in  
22 coordination with community-based organiza-  
23 tions sponsoring operations at fixed sites, shall  
24 develop a process to approve requests for rec-  
25 reational unmanned aircraft systems operations

1 at fixed sites that exceed the maximum altitude  
2 contained in a UAS Facility Map.

3 “(C) CLASS G AIRSPACE.—Subject to com-  
4 pliance with all airspace and flight restrictions  
5 and prohibitions established under this subtitle,  
6 such as special use airspace designations and  
7 temporary flight restrictions, persons operating  
8 drones under paragraph (1) from a fixed site at  
9 which the operations are sponsored by a com-  
10 munity-based organization may operate within  
11 Class G airspace—

12 “(i) up to 400 feet above ground level,  
13 without prior authorization from the Ad-  
14 ministrator; and

15 “(ii) above 400 feet above ground  
16 level, with prior authorization from the Ad-  
17 ministrator.

18 “(3) UNMANNED AIRCRAFT WEIGHING 55  
19 POUNDS OR GREATER.—A person may operate an  
20 unmanned aircraft weighing 55 pounds or greater,  
21 including the weight of anything attached to or car-  
22 ried by the aircraft, under paragraph (1) if—

23 “(A) the unmanned aircraft complies with  
24 standards and limitations developed by a com-

1 community-based organization and approved by the  
2 Administrator; and

3 “(B) the aircraft is operated from a fixed  
4 site as described in paragraph (1).

5 “(4) FAA-RECOGNIZED IDENTIFICATION  
6 AREAS.—In implementing subpart C of part 89 of  
7 title 14, Code of Federal Regulations, the Adminis-  
8 trator shall prioritize the review and adjudication of  
9 requests to establish FAA Recognized Identification  
10 Areas at fixed sites established under this section.”;

11 (3) in subsection (d) by striking the subsection  
12 designation and heading and all that follows through  
13 “(3) SAVINGS CLAUSE.—” and inserting “(d) SAV-  
14 INGS CLAUSE.—”;

15 (4) in subsection (d) by striking “subsection (a)  
16 of”;

17 (5) in subsection (f)(1) by striking “updates  
18 to”;

19 (6) by striking subsection (g)(1) and inserting  
20 the following:

21 “(1) IN GENERAL.—The Administrator, in con-  
22 sultation with manufacturers of unmanned aircraft  
23 systems, community-based organizations, and other  
24 industry stakeholders, shall develop, maintain, and  
25 update, as necessary, an aeronautical knowledge and

1 safety test. Such test shall be administered electroni-  
2 cally by the Administrator or a person designated by  
3 the Administrator.”; and

4 (7) in subsection (h)—

5 (A) by redesignating paragraphs (1)  
6 through (6) as paragraphs (2) through (7), re-  
7 spectively; and

8 (B) by inserting before paragraph (2) (as  
9 so redesignated) the following:

10 “(1) is recognized by the Administrator of the  
11 Federal Aviation Administration;”.

12 (b) USE OF UNMANNED AIRCRAFT SYSTEMS FOR  
13 EDUCATIONAL PURPOSES.—Section 350 of the FAA Re-  
14 authorization Act of 2018 (49 U.S.C. 44809 note) is  
15 amended—

16 (1) in subsection (a)—

17 (A) by redesignating paragraphs (2) and  
18 (3) as paragraphs (3) and (4), respectively; and

19 (B) by inserting before paragraph (3) (as  
20 so redesignated) the following:

21 “(2) operated by an elementary school or sec-  
22 ondary school for educational or research pur-  
23 poses;”; and

24 (2) in subsection (d)—

1 (A) in paragraph (2) by inserting “an ele-  
2 mentary school, or a secondary school,” after  
3 “with respect to the operation of an unmanned  
4 aircraft system by an institution of higher edu-  
5 cation,”; and

6 (B) by inserting after paragraph (2) the  
7 following:

8 “(3) ELEMENTARY SCHOOL.—The term ‘ele-  
9 mentary school’ has the meaning given to that term  
10 by section 8101 of the Elementary and Secondary  
11 Education Act of 1965 (20 U.S.C. 7801(19)).

12 “(4) SECONDARY SCHOOL.—The term ‘sec-  
13 ondary school’ has the meaning given to that term  
14 by section 8101 of the Elementary and Secondary  
15 Education Act of 1965 (20 U.S.C. 7801(45)).”.

16 **SEC. 607. AIRPORT SAFETY AND AIRSPACE HAZARD MITI-**  
17 **GATION AND ENFORCEMENT.**

18 Section 44810(h) of title 49, United States Code, is  
19 amended by striking “2023” and inserting “2028”.

20 **SEC. 608. APPLICATIONS FOR DESIGNATION.**

21 (a) IN GENERAL.—Section 44810(c) of title 49,  
22 United States Code, is amended by inserting “, and any  
23 other location the Administrator determines appropriate”  
24 after “Data”.

1 (b) APPLICATIONS FOR DESIGNATION.—Section  
2 2209 of the FAA Extension, Safety, and Security Act of  
3 2016 (49 U.S.C. 44802 note) is further amended—

4 (1) in subsection (a) by inserting “, including  
5 temporarily,” after “restrict”;

6 (2) in subsection (b)(1)(C)(iv) by striking  
7 “Other locations that warrant such restrictions” and  
8 inserting “State correctional facilities”; and

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

10 “(f) DEADLINES.—

11 “(1) Not later than March 1, 2024, the Admin-  
12 istrator shall publish a notice of proposed rule-  
13 making to carry out the requirements of this section.

14 “(2) Not later than 16 months after publishing  
15 the notice of proposed rulemaking under paragraph  
16 (1), the Administrator shall issue a final rule.”.

17 **SEC. 609. BEYOND VISUAL LINE OF SIGHT RULEMAKING.**

18 (a) IN GENERAL.—Not later than 4 months after the  
19 date of enactment of this Act, the Administrator of the  
20 Federal Aviation Administration shall issue a notice of  
21 proposed rulemaking establishing performance-based air-  
22 worthiness criteria and risk-based operational regulations  
23 for unmanned aircraft systems operated beyond visual line  
24 of sight that are intended to operate primarily at or below  
25 400 feet above ground level.

1 (b) CONTENTS.—In carrying out subsection (a), the  
2 Administrator shall—

3 (1) establish a means to accept proposed—

4 (A) airworthiness standards for unmanned  
5 aircraft;

6 (B) standards for associated elements of  
7 unmanned aircraft; and

8 (C) qualification standards for remote pi-  
9 lots operating unmanned aircraft beyond visual  
10 line of sight;

11 (2) enable the ability for unmanned aircraft to  
12 be operated for agricultural purposes including re-  
13 search;

14 (3) establish a process by which the Adminis-  
15 trator may approve or accept third party compliance  
16 services in support of the safe integration of un-  
17 manned aircraft systems into the national airspace  
18 system;

19 (4) establish protocols, as appropriate, for  
20 networked information exchange, including network-  
21 based remote identification in support of beyond vis-  
22 ual line of sight operations; and

23 (5) ensure the safety of manned aircraft oper-  
24 ating in the national airspace system.

1 (c) CONSIDERATIONS.—In carrying out subsection  
2 (a), the Administrator may leverage previously gathered  
3 data, information, and efforts of the Administration to fi-  
4 nalize rulemaking as required under this section.

5 (d) UNMANNED AIRCRAFT AIRWORTHINESS STAND-  
6 ARDS.—In carrying out subsection (b)(1)(A), the Adminis-  
7 trator shall—

8 (1) define the operational environments for  
9 which airworthiness is needed to ensure aviation  
10 safety;

11 (2) establish an airworthiness category or cat-  
12 egories for unmanned aircraft to be eligible for a  
13 special airworthiness certificate; and

14 (3) establish a process to approve standards,  
15 means of compliance, and declarations of compli-  
16 ance.

17 (e) UNMANNED AIRCRAFT ASSOCIATED ELEMENTS  
18 STANDARDS.—

19 (1) IN GENERAL.—In carrying out subsection  
20 (b)(1)(B), the Administrator shall establish a proc-  
21 ess to accept or approve the associated elements of  
22 an unmanned aircraft that, when considered collec-  
23 tively with other associated elements and an un-  
24 manned aircraft, meet an acceptable performance-  
25 based safety standard.

1           (2) CONSIDERATIONS.—In establishing the  
2 process under paragraph (1), the Administrator  
3 shall consider the ways associated elements of an  
4 unmanned aircraft system interact with other associ-  
5 ated elements and unmanned aircraft.

6 (f) REMOTE PILOT QUALIFICATIONS.—

7           (1) IN GENERAL.—In carrying out subsection  
8 (b)(1)(C), the Administrator shall establish quali-  
9 fications and standards, or a means to accept pro-  
10 posed qualifications and standards, for remote pilots  
11 operating unmanned aircraft systems.

12           (2) CONSIDERATIONS.—In carrying out para-  
13 graph (1), the Administrator shall account for the  
14 varying levels of automation of unmanned aircraft  
15 systems.

16           (3) RULE OF CONSTRUCTION.—Nothing in this  
17 subsection may be construed to allow for the estab-  
18 lishment of type-ratings that apply specifically and  
19 exclusively to an aircraft manufactured by 1 manu-  
20 facturer.

21 (g) INTERIM APPROVALS.—Before the date on which  
22 the Administrator issues a final rule under this section,  
23 the Administrator shall use the process described in sec-  
24 tion 44807 of title 49, United States Code, to authorize

1 unmanned aircraft system operations conducted beyond  
2 visual line of sight.

3 (h) FINAL RULE.—Not later than 16 months after  
4 the date of enactment of this Act, the Administrator shall  
5 issue a final rule establishing the regulations required  
6 under this section.

7 (i) DEFINITIONS.—In this section:

8 (1) ASSOCIATED ELEMENTS.—The term “asso-  
9 ciated elements” means any component of an un-  
10 manned aircraft system, not permanently affixed to  
11 the unmanned aircraft, required for the remote pilot  
12 to operate such aircraft safely and efficiently in the  
13 national airspace system.

14 (2) BEYOND VISUAL LINE OF SIGHT.—The  
15 term “beyond visual line of sight” means a distance  
16 at which the remote pilot in command of an un-  
17 manned aircraft system cannot see the unmanned  
18 aircraft with vision unaided by any device other than  
19 corrective lenses.

20 (3) UNMANNED AIRCRAFT; UNMANNED AIR-  
21 CRAFT SYSTEM.—The terms “unmanned aircraft”  
22 and “unmanned aircraft system” have the meaning  
23 given such terms in section 44801 of title 49, United  
24 States Code.

1 **SEC. 610. UAS TRAFFIC MANAGEMENT.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of enactment of this Act, the Administrator of the  
4 Federal Aviation Administration may enter into agree-  
5 ments for purposes of—

6 (1) testing and refining UTM capabilities and  
7 services to inform the development of UTM stand-  
8 ards in subsection (b);

9 (2) authorizing UTM service providers that  
10 meet the requirements described in subsection (b) to  
11 provide UTM services to better enable advanced un-  
12 manned aircraft systems operations, including—

13 (A) beyond visual line of sight operations;

14 (B) aircraft-to-aircraft communications;

15 and

16 (C) operations in which an individual acts  
17 as remote pilot in command of more than 1 un-  
18 manned aircraft at the same time; and

19 (3) fostering the safe integration of unmanned  
20 aircraft systems using UTM capabilities and services  
21 within the national airspace system.

22 (b) STANDARDIZATION.—

23 (1) IN GENERAL.—In carrying out subsection  
24 (a), the Administrator shall publish requirements or  
25 guidance associated with UTM, including—

1 (A) the types of operations requiring, or  
2 benefitting from, the use of UTM capabilities  
3 and services described in subsection (a), includ-  
4 ing beyond visual line of sight operations;

5 (B) areas of operation or categories of air-  
6 space requiring, or benefitting from, the use of  
7 UTM capabilities and services;

8 (C) performance-based technical standards  
9 for UAS operations using UTM capabilities and  
10 services; and

11 (D) application program interfaces that en-  
12 able UTM service suppliers to integrate UTM  
13 capabilities and services into other systems for  
14 use by users of the national airspace system, in-  
15 cluding unmanned aircraft system operators.

16 (2) INTERNATIONAL HARMONIZATION.—In car-  
17 rying out paragraph (1), the Administrator shall  
18 seek to harmonize, to the extent practicable and ad-  
19 visable, UTM standards with standards produced by  
20 recognized industry standards organizations or other  
21 peer civil aviation authorities.

22 (3) FEEDBACK OF CONCEPT OF OPERATIONS.—  
23 Not later than 90 days after the date of enactment  
24 of this Act, the Administrator shall solicit feedback

1 from stakeholders on the most recently published  
2 UTM concept of operations of the Administration.

3 (4) FINALIZATION OF CONCEPT OF OPER-  
4 ATIONS.—Not later than 1 year after the date of en-  
5 actment of this Act, the Administrator shall publish  
6 a final version of the UTM concept of operations of  
7 the Administration.

8 (c) STAKEHOLDER PARTNERSHIPS.—In carrying out  
9 subsection (a), the Administrator shall establish a means  
10 by which the Administrator can enter into cooperative  
11 agreements, contracts, other transaction agreements, and  
12 other appropriate mechanisms with appropriate persons,  
13 partnerships, and consortia to enable qualified third-par-  
14 ties to design, build, develop, fund, and manage UTM.

15 (d) RULES OF CONSTRUCTION.—

16 (1) BEYOND VISUAL LINE OF SIGHT OPER-  
17 ATIONS.—Nothing in this section shall be construed  
18 to prevent or prohibit beyond visual line of sight op-  
19 erations through the use of technologies other than  
20 UTM capabilities and services.

21 (2) AIRSPACE.—Nothing in this section shall be  
22 construed to alter the authority under section 40103  
23 of title 49, United States Code.

24 (e) BRIEFING.—Not later than 90 days after the date  
25 of enactment of this Act, and annually thereafter, the Ad-

1 administrator shall brief the Committee on Transportation  
2 and Infrastructure of the House of Representatives and  
3 the Committee on Commerce, Science, and Transportation  
4 of the Senate on progress made by the Administration de-  
5 tailing the implementation and requirements of this sec-  
6 tion and any applicable timelines to completion.

7 (f) DEFINITIONS.—In this section:

8 (1) APPROPRIATE PERSONS.—The term “appro-  
9 priate persons” means a Federal, State, local, Trib-  
10 al, or territorial governmental entity, or a person.

11 (2) UTM.—The term “UTM” means the man-  
12 ner in which the Administration will support oper-  
13 ations for unmanned aircraft systems operating in  
14 low-altitude airspace.

15 **SEC. 611. RADAR DATA PILOT PROGRAM.**

16 (a) SENSITIVE RADAR DATA FEED PILOT PRO-  
17 GRAM.—Not later than 180 days after the date of enact-  
18 ment of this Act, the Administrator of the Federal Avia-  
19 tion Administration, in coordination with the Secretary of  
20 Defense, and other heads of relevant Federal agencies,  
21 shall establish a pilot program to make airspace data feeds  
22 containing classified or controlled unclassified information  
23 available to qualified users, in conjunction with subsection  
24 (b).

1 (b) AUTHORIZATION.—In carrying out subsection (a),  
2 the Administrator and the heads of other relevant Federal  
3 agencies and in coordination with the Secretary of De-  
4 fense, shall establish a process to authorize qualified enti-  
5 ties to receive airspace data feeds containing classified in-  
6 formation related to air traffic within the national airspace  
7 system and use such information in an agreed upon man-  
8 ner to—

9 (1) provide—

10 (A) air traffic management services; and

11 (B) unmanned aircraft system traffic man-  
12 agement services; or

13 (2) to test technologies that may enable or en-  
14 hance the provision of the services described in para-  
15 graph (1).

16 (c) BRIEFING.—Not later than 90 days after estab-  
17 lishing the pilot program under subsection (a), and annu-  
18 ally thereafter, the Administrator shall brief the Com-  
19 mittee on Transportation and Infrastructure of the House  
20 of Representatives and the Committee on Commerce,  
21 Science, and Transportation of the Senate on the findings  
22 of the Administrator related to the pilot program estab-  
23 lished under this section.

24 (d) SUNSET.—This section shall cease to be effective  
25 on October 1, 2028.

1           (e) DEFINITION OF QUALIFIED USER.—In this sec-  
2 tion, the term “qualified user” means an entity authorized  
3 to receive airspace data feeds containing classified or con-  
4 trolled unclassified information pursuant to subsection  
5 (b).

6 **SEC. 612. ELECTRONIC CONSPICUITY STUDY.**

7           (a) IN GENERAL.—The Comptroller General of the  
8 United States shall conduct a study of technologies and  
9 methods that may be used by operators of unmanned air-  
10 craft systems to detect and avoid manned aircraft that  
11 may lawfully operate below 500 feet above ground level  
12 and that are—

13                 (1) not equipped with a transponder or auto-  
14 matic dependent surveillance-broadcast out equip-  
15 ment; or

16                 (2) otherwise not electronically conspicuous.

17           (b) CONSULTATION.—In conducting the study re-  
18 quired under subsection (a), the Comptroller General shall  
19 consult with—

20                 (1) representatives from—

21                         (A) unmanned aircraft systems manufac-  
22 turers and operators;

23                         (B) general aviation operators;

24                         (C) aerial applicators; and

1 (D) helicopter operators, including State  
2 and local governments; and

3 (2) any other person the Comptroller General  
4 determines appropriate.

5 (c) REPORT.—Not later than 1 year after the date  
6 of the enactment of this Act, the Comptroller 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 such study.

11 **SEC. 613. REMOTE IDENTIFICATION ALTERNATIVE MEANS**  
12 **OF COMPLIANCE.**

13 (a) STUDY.—The Administrator of the Federal Avia-  
14 tion Administration shall review and evaluate the final  
15 rule titled “Remote Identification of Unmanned Aircraft”,  
16 issued on January 15, 2021, to determine the feasibility  
17 and advisability of whether unmanned aircraft manufac-  
18 turers and operators can meet the intent of such final rule  
19 through alternative means of compliance, including  
20 through network-based remote identification.

21 (b) REPORT.—Not later than 1 year after the date  
22 of enactment of this Act, the Administrator shall submit  
23 to the Committee on Transportation and Infrastructure  
24 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 study under subsection (a).

3 **SEC. 614. PART 107 WAIVER IMPROVEMENTS.**

4 (a) IN GENERAL.—The Administrator of the Federal  
5 Aviation Administration shall adopt a performance- and  
6 risk-based approach in reviewing requests for certificates  
7 of waiver under section 107.200 of title 14, Code of Fed-  
8 eral Regulations.

9 (b) STANDARDIZATION OF WAIVER APPLICATION.—

10 (1) IN GENERAL.—In carrying out subsection  
11 (a), the Administrator shall improve the process es-  
12 tablished to submit requests for certificates of waiv-  
13 er described in subsection (a).

14 (2) FORMAT.—In carrying out paragraph (1),  
15 the Administrator may not require the use of open-  
16 ended descriptive prompts that are required to be  
17 filled out by an applicant, except to provide appli-  
18 cants the ability to provide the Administration with  
19 information for an unusual or irregular operation.

20 (3) DATA.—

21 (A) IN GENERAL.—In carrying out para-  
22 graph (1), the Administrator shall leverage data  
23 gathered from previous requests for certificates  
24 of waivers.

1 (B) CONSIDERATIONS.—In carrying out  
2 subparagraph (A), the Administrator shall safe-  
3 ly use—

- 4 (i) big data analytics; and  
5 (ii) machine learning.

6 (c) CONSIDERATION OF PROPERTY OWNERSHIP IN-  
7 TEREST.—

8 (1) IN GENERAL.—In determining whether to  
9 issue a certificate of waiver under section 107.200 of  
10 title 14, Code of Federal Regulations, the Adminis-  
11 trator shall—

12 (A) consider whether the waiver applicant  
13 has control over access to all real property on  
14 the ground within the area of operation; and

15 (B) recognize and account for the safety  
16 enhancements of such controlled access.

17 (2) RULE OF CONSTRUCTION.—Nothing in this  
18 subsection shall be construed to direct the Adminis-  
19 trator to consider the lack of control over access to  
20 all real property on the ground within an area of op-  
21 eration, or a lack of property interest in such area  
22 of operation, as negatively affecting the safety of the  
23 operation intended to be conducted under such cer-  
24 tificate of waiver.

25 (d) PUBLIC AVAILABILITY OF WAIVERS.—

1           (1) IN GENERAL.—The Administrator shall  
2           publish all certificates of waiver issued under section  
3           107.200 of title 14, Code of Federal Regulations, on  
4           the website of the Administration, including, with re-  
5           spect to each issued certificate of waiver—

6                   (A) the terms, conditions, and limitations;  
7           and

8                   (B) the class of airspace and any restric-  
9           tions related to operating near airports or heli-  
10          ports.

11          (2) PUBLICATION.—In carrying out paragraph  
12          (1), the Administrator shall ensure that published  
13          information is made available in a manner that pre-  
14          vents inappropriate disclosure of proprietary infor-  
15          mation.

16          (e) PRECEDENTIAL USE OF PREVIOUSLY APPROVED  
17          WAIVERS.—

18                  (1) WAIVER APPROVAL PRECEDENT.—Except  
19                  as provided in paragraph (3), if the Administrator  
20                  determines, using criteria for a particular waiver,  
21                  that an application for a certificate of waiver issued  
22                  under section 107.200 of title 14, Code of Federal  
23                  Regulations, is substantially similar (or is comprised  
24                  of elements that are substantially similar) to an ap-  
25                  plication for a certificate of waiver that the Adminis-

1 trator has previously approved, the Administrator  
2 may streamline, as appropriate, the approval of ap-  
3 plications with substantially similar conditions and  
4 limitations as a previously approved application.

5 (2) RULE OF CONSTRUCTION.—Nothing in  
6 paragraph (1) shall be construed to preclude an ap-  
7 plicant for a certificate of waiver from applying to  
8 modify a condition, or remove a limitation of, such  
9 certificate.

10 (f) MODIFICATION OF WAIVERS.—

11 (1) IN GENERAL.—The Administrator shall es-  
12 tablish an expedited review process for a request to  
13 modify or renew certificates of waiver previously  
14 issued under section 107.200 of title 14, Code of  
15 Federal Regulations, as appropriate.

16 (2) USE OF REVIEW PROCESS.—The review  
17 process established under paragraph (1) shall be  
18 used to review certificates of waiver that cover oper-  
19 ations that are substantially similar in all material  
20 facts to operations covered under a subsequently  
21 issued certificate of waiver.

22 **SEC. 615. ACCEPTABLE LEVELS OF RISK AND RISK ASSESS-**  
23 **MENT METHODOLOGY.**

24 (a) IN GENERAL.—Not later than 90 days after the  
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall establish acceptable  
2 levels of risk, and develop a risk assessment methodology  
3 associated with such levels of risk, to enable unmanned  
4 aircraft system operations conducted—

5 (1) under waivers issued to part 107 of title 14,  
6 Code of Federal Regulations;

7 (2) pursuant to section 44807 of title 49,  
8 United States Code; or

9 (3) pursuant to future regulations promulgated  
10 by the Administrator, as appropriate.

11 (b) ACCEPTABLE LEVELS OF RISK.—In carrying out  
12 subsection (a), the Administrator shall establish accept-  
13 able levels of risk for unmanned aircraft system operations  
14 in the national airspace system and a method for assessing  
15 the operational risk of a proposed operation in accordance  
16 with such acceptable level.

17 (c) RISK ASSESSMENT METHODOLOGY.—In carrying  
18 out subsections (a) and (b), the Administrator shall de-  
19 velop a risk assessment methodology to allow remote pilots  
20 in command operating unmanned aircraft systems pursu-  
21 ant to subsection (a) to determine the risk associated with  
22 a specific operation, and mitigate such a risk, as nec-  
23 essary.

24 (d) RISK ASSESSMENT METHODOLOGY CONSIDER-  
25 ATIONS.—In establishing the risk assessment methodology

1 described under this section, the Administrator shall con-  
2 sider—

3 (1) the time of day of the operation;

4 (2) the population density of the area of oper-  
5 ation;

6 (3) the class of airspace and such requirements  
7 necessary for airspace users to legally operate in  
8 each class of airspace;

9 (4) the proximity to infrastructure, to the ex-  
10 tent that proximity mitigates risk to other operators  
11 of the national airspace system;

12 (5) the nature of the detect and avoid mitiga-  
13 tion measures of an unmanned aircraft system; and

14 (6) the attributes and characteristics of the un-  
15 manned aircraft of the unmanned aircraft system,  
16 including the—

17 (A) size;

18 (B) visibility;

19 (C) maximum takeoff weight;

20 (D) maximum indicated airspeed; and

21 (E) payload.

22 (e) PUBLICATION.—The Administrator shall make  
23 the risk assessment methodology established under this  
24 section available to the public on an appropriate website  
25 of the Administration.

1 (f) DEFINITIONS OF UNMANNED AIRCRAFT AND UN-  
2 MANNED AIRCRAFT SYSTEM.—In this section, the terms  
3 “unmanned aircraft” and “unmanned aircraft system”  
4 have the meanings given such terms in section 44801 of  
5 title 49, United States Code.

6 **SEC. 616. ENVIRONMENTAL REVIEW.**

7 (a) GUIDANCE UPDATES.—Not later than 180 days  
8 after the date of enactment of this Act, the Administrator  
9 of the Federal Aviation Administration shall publish un-  
10 manned aircraft system-specific guidance and implementa-  
11 tion procedures. Such guidance and implementation proce-  
12 dures shall—

13 (1) provide guidance to streamline environ-  
14 mental assessments at a programmatic level, as the  
15 Administrator considers appropriate, for an un-  
16 manned aircraft system operator’s network of oper-  
17 ations within a defined geographical region, includ-  
18 ing within and over approved commercial or indus-  
19 trial sites closed or restricted to the public;

20 (2) provide guidance for nationwide pro-  
21 grammatic approaches for large scale distributed un-  
22 manned aircraft system operations whereby a Pro-  
23 grammatic Environmental Assessment or Environ-  
24 mental Impact Statement can be leveraged for sub-

1       sequent related actions to ensure efficient environ-  
2       mental review;

3               (3) consider additional Categorical Exclusions  
4       based on previously prepared and finalized Environ-  
5       mental Assessments or in consultation with the  
6       Council on Environmental Quality;

7               (4) prioritize proposed projects or activities that  
8       may—

9                       (A) offset or limit the impacts of non-zero  
10       emission activities;

11                      (B) offset or limit the release of environ-  
12       mental pollutants to soil or water; or

13                      (C) demonstrate other factors to the ben-  
14       efit of the environment as determined by the  
15       Administrator;

16               (5) contain intra-agency process improvements  
17       to avoid providing conflicting safety and environ-  
18       mental feedback to operators;

19               (6) contain standards and criteria for engaging  
20       specialized third parties to support the Administra-  
21       tion’s preparation and review of documentation re-  
22       lating to the requirements of the National Environ-  
23       mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)  
24       to ensure streamlined timelines for complex reviews;  
25       and

1           (7) any other modifications the Administrator  
2           considers necessary within the stated environmental  
3           objectives of the National Environmental Policy Act  
4           of 1969 (42 U.S.C. 4321 et seq.) and the Federal  
5           priority to maintain global leadership in aviation in-  
6           novation.

7           (b) BRIEFING.—No later than 90 days after the date  
8           of enactment of this Act, the Administrator shall brief the  
9           Committee on Transportation and Infrastructure of the  
10          House of Representatives and the Committee on Com-  
11          merce, Science, and Transportation of the Senate on the  
12          plan of the Administration to implement subsection (b),  
13          including each of the considerations specified in the sub-  
14          section, and an explanation for any consideration the Ad-  
15          ministrator does not intend to implement.

16          (c) CONCURRENT REVIEWS.—If the Administrator  
17          determines that the review of an unmanned aircraft sys-  
18          tem’s design, construction, maintenance and operational  
19          sustainability, airworthiness approval, or operational ap-  
20          proval requires environmental assessment, including re-  
21          quirements under the National Environmental Policy Act  
22          of 1969 (42 U.S.C. 4321 et seq.), the Administrator shall,  
23          to the maximum extent practicable, conduct such reviews  
24          and analyses concurrent with one another.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed as prohibiting, restricting or other-  
3 wise limiting the authority of the Secretary of Transpor-  
4 tation or the Administrator from implementing or com-  
5 plying with the requirements of the National Environ-  
6 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and  
7 any related requirements to ensure the protection of the  
8 environment and aviation safety.

9 (e) ASSOCIATED UAS CERTIFICATION STAND-  
10 ARDS.—

11 (1) OPTION TO SUSPEND NOISE CERTIFICATION  
12 REQUIREMENT PENDING STANDARDS DEVELOP-  
13 MENT.—Notwithstanding the requirements of sec-  
14 tion 44715 of title 49, United States Code, the Ad-  
15 ministrator may waive the determination of compli-  
16 ance with part 36 of title 14, Code of Federal Regu-  
17 lations, for an applicant seeking an unmanned air-  
18 craft system type and airworthiness certification,  
19 provided the Administrator has developed appro-  
20 priate noise measurement procedures for such sys-  
21 tems and the Administrator has received the noise  
22 measurements results based on such procedures  
23 from the applicant.

24 (2) DEVELOPMENT OF CRITERIA.—Not later  
25 than 90 days after the date of enactment of this

1 Act, the Administrator shall develop and establish  
2 substantive criteria and standards metrics used by  
3 the Administrator to determine whether to approve  
4 or disapprove the airworthiness of an unmanned air-  
5 craft pursuant to part 36 of title 14, Code of Fed-  
6 eral Regulations.

7 (3) SUBSTANTIVE CRITERIA AND STANDARDS  
8 METRICS.—In establishing the substantive criteria  
9 and standards metrics as required under paragraph  
10 (2), the Administrator shall include such criteria and  
11 metrics related to the airworthiness of unmanned  
12 aircraft for the following:

13 (A) Noise impacts.

14 (B) Visual impacts.

15 (4) PUBLICATION.—The Administrator shall  
16 publish in the Federal Register and post on a  
17 website of the Federal Aviation Administration the  
18 criteria and metrics established pursuant to para-  
19 graph (2).

20 (f) DEFINITION OF UNMANNED AIRCRAFT SYS-  
21 TEM.—In this section, the term “unmanned aircraft sys-  
22 tem” has the meaning given such term in section 44801  
23 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 Secretary 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 or contracted operator the Ad-  
12 ministrator considers appropriate, shall develop a  
13 plan on the use of unmanned aircraft systems by  
14 public entities in wildfire response efforts, including  
15 research, wildfire detection, mitigation, and suppres-  
16 sion.

17 (2) PLAN CONTENTS.—The plan under sub-  
18 section (a) shall provide recommendations to—

19 (A) identify and designate areas of public  
20 land with high potential for wildfires in which  
21 public entities may conduct unmanned aircraft  
22 system beyond visual line of sight operations as  
23 part of wildfire response efforts, including wild-  
24 fire detection, mitigation, and suppression;

1           (B) develop a process to facilitate the safe  
2           and efficient operation of unmanned aircraft  
3           systems beyond the visual line of sight in wild-  
4           fire response efforts in areas designated under  
5           paragraph (A), including the waiver process  
6           under section 91.113 or section 107.31 of title  
7           14, Code of Federal Regulations, for public en-  
8           tities that use unmanned aircraft systems for  
9           aerial wildfire detection, mitigation, and sup-  
10          pression; and

11          (C) improve coordination between the rel-  
12          evant Federal agencies and public entities on  
13          the use of unmanned aircraft systems in wild-  
14          fire response efforts.

15          (3) PLAN SUBMISSION.—Upon completion of  
16          the plan under subsection (a), the Administrator of  
17          the Federal Aviation Administration shall submit  
18          such plan to, and provide a briefing for, the Com-  
19          mittee on Transportation and Infrastructure of the  
20          House of Representatives and the Committee on  
21          Commerce, Science, and Transportation of the Sen-  
22          ates.

23          (4) PUBLICATION.—Upon submission of the  
24          plan under subsection (a), the Administrator of the  
25          Federal Aviation Administration shall publish such

1 plan on a publicly available website of the Adminis-  
2 tration.

3 (b) APPLICABILITY.—This section shall only apply to  
4 unmanned aircraft systems that are—

5 (1) operated by, or on behalf of, a public entity;

6 (2) operated in airspace covered by a wildfire-  
7 related temporary flight restriction under section  
8 91.137 of title 14, Code of Federal Regulations; and

9 (3) under the operational control of, or other-  
10 wise are being operationally coordinated by, an au-  
11 thorized aviation coordinator responsible for coordi-  
12 nating disaster relief aircraft within the airspace  
13 covered by such temporary flight restriction.

14 (c) INTERAGENCY COORDINATION.—Not later than  
15 180 days after the date of enactment of this Act, the Ad-  
16 ministrator shall seek to enter into the necessary agree-  
17 ments to provide a liaison of the Administration to the  
18 National Interagency Fire Center to facilitate the use of  
19 manned and unmanned aircraft in wildfire response ef-  
20 forts, including wildfire detection, mitigation, and suppres-  
21 sion.

22 (d) SAVINGS CLAUSE.—Nothing in this Act shall be  
23 construed to confer upon the Administrator of the Federal  
24 Aviation Administration the authorities of the Administra-  
25 tion of the Federal Emergency Management Agency on

1 wildfire response under section 611 of the Robert T. Staf-  
2 ford Disaster Relief and Emergency Assistance Act (42  
3 U.S.C. 5196).

4 (e) DEFINITIONS.—In this section:

5 (1) PUBLIC ENTITY.—The term “public entity”  
6 means—

7 (A) a Federal agency;

8 (B) a State government;

9 (C) a local government;

10 (D) a Tribal government; and

11 (E) a territorial government.

12 (2) PUBLIC LAND.—The term “public land”  
13 has the meaning given such term in section 205 of  
14 the Sikes Act (16 U.S.C. 670k).

15 (3) UNMANNED AIRCRAFT SYSTEM.—The term  
16 “unmanned aircraft system” has the meaning given  
17 such term in section 44801 of title 49, United  
18 States Code.

19 (4) WILDFIRE.—The term “wildfire” has the  
20 meaning given that term in section 2 of the Emer-  
21 gency Wildfire Suppression Act (42 U.S.C. 1856m).

22 **SEC. 619. PILOT PROGRAM FOR UAS INSPECTIONS OF FAA**  
23 **INFRASTRUCTURE.**

24 (a) IN GENERAL.—Not later than 180 days after the  
25 date of enactment of this Act, the Secretary of Transpor-

1 tation shall establish and initiate a pilot program to sup-  
2 plement appropriate inspection and oversight activities of  
3 the department with unmanned aircraft systems for the  
4 purposes of increasing employee safety, enhancing data  
5 collection, increasing the accuracy of inspections, reducing  
6 costs, and other purposes the Secretary considers to be  
7 in the broader interests of good government.

8 (b) GROUND-BASED AVIATION INFRASTRUCTURE.—  
9 Under the program required in subsection (a), the Admin-  
10 istrator of the Federal Aviation Administration shall  
11 evaluate the use of unmanned aircraft systems to inspect  
12 ground-based aviation infrastructure that may require vis-  
13 ual inspection in hard-to-reach areas, including—

- 14 (1) navigational aids;
- 15 (2) air traffic control towers;
- 16 (3) radar facilities;
- 17 (4) communication facilities; and
- 18 (5) other air traffic control facilities.

19 (c) COORDINATION.—In carrying out the pilot pro-  
20 gram established under subsection (a), the Secretary shall  
21 consult with the labor union certified under section 7111  
22 of title 5, United States Code, to represent personnel re-  
23 sponsible for the inspection of the ground-based aviation  
24 infrastructure described in subsection (b).

1 (d) COVERED FOREIGN UNMANNED AIRCRAFT SYS-  
2 TEM.—The Secretary may not carry out an inspection  
3 under this section using an unmanned aircraft system  
4 manufactured by—

5 (1) an entity included on the Consolidated  
6 Screening list or Entity List as designated by the  
7 Secretary of Commerce;

8 (2) an entity domiciled in the People’s Republic  
9 of China or the Russian Federation; or

10 (3) an entity, or a subsidiary or affiliate of an  
11 entity, that is subject to influence or control by—

12 (A) the Government of the People’s Repub-  
13 lic of China;

14 (B) the Chinese Communist Party; or

15 (C) the Russian Federation.

16 (e) BRIEFING.—Not later than 2 years after the date  
17 of enactment of this Act, and annually thereafter until the  
18 termination of the pilot program under this section, the  
19 Secretary shall provide to the Committee on Transpor-  
20 tation and Infrastructure of the House of Representatives  
21 and the Committee on Commerce, Science, and Transpor-  
22 tation of the Senate a briefing on the status and results  
23 of the pilot program established under subsection (a), in-  
24 cluding—

25 (1) cost saving;

1           (2) a description of how unmanned aircraft sys-  
2           tems were used to supplement existing inspection,  
3           data collection, or oversight activities of Department  
4           employees, including the number of operations and  
5           types of activities performed;

6           (3) efficiency or safety improvements, if any,  
7           associated with the use of unmanned aircraft sys-  
8           tems to supplement conventional inspection, data  
9           collection, or oversight activities;

10          (4) the fleet of unmanned aircraft systems  
11          maintained by the Department of Transportation for  
12          the program, or an overview of the services used as  
13          part of the pilot program; and

14          (5) recommendations for improving the use or  
15          efficacy of unmanned aircraft systems to supplement  
16          the Department's conventional inspection, data col-  
17          lection, or oversight activities.

18          (f) SUNSET AND INCORPORATION INTO STANDARD  
19 PRACTICE.—

20           (1) SUNSET.—The pilot program established  
21           under subsection (a) and the reporting requirement  
22           under subsection (f) shall terminate on the date that  
23           is 50 months after the date of enactment of this Act.

24           (2) INCORPORATION INTO STANDARD PRAC-  
25           TICE.—Upon termination of the pilot program, the

1 Secretary shall assess the results of the pilot pro-  
2 gram under this section and determine whether to  
3 permanently incorporate the use of unmanned air-  
4 craft systems into the regular inspection, data collec-  
5 tion, and oversight activities of the Department.

6 (3) REPORT TO CONGRESS.—Not later than 3  
7 months after the termination of the pilot program  
8 under paragraph (1), the Secretary shall submit to  
9 the Committee on Transportation and Infrastructure  
10 of the House of Representatives and the Committee  
11 on Commerce, Science, and Transportation of the  
12 Senate a report on the final results of the pilot pro-  
13 gram and the actions taken by the Administrator  
14 pursuant to paragraph (2).

15 **SEC. 620. DRONE INFRASTRUCTURE INSPECTION GRANT**  
16 **PROGRAM.**

17 (a) AUTHORITY.—Not later than 180 days after the  
18 date of enactment of this Act, the Secretary of Transpor-  
19 tation shall establish a drone infrastructure inspection  
20 grant program to make grants to governmental entities  
21 to facilitate the use of eligible small unmanned aircraft  
22 systems to support more efficient inspection, operation,  
23 construction, maintenance, modernization, and repair of  
24 an element of critical infrastructure to improve worker  
25 safety related to critical infrastructure projects.

1 (b) USE OF GRANT AMOUNTS.—A governmental enti-  
2 ty may use a grant provided under this section to—

3 (1) purchase or lease eligible small unmanned  
4 aircraft systems;

5 (2) support operational capabilities of eligible  
6 small unmanned aircraft systems by the govern-  
7 mental entity;

8 (3) contract for services performed using an eli-  
9 gible small unmanned aircraft system in cir-  
10 cumstances in which the governmental entity does  
11 not have the resources or expertise to safely carry  
12 out or assist in carrying out the activities described  
13 under subsection (a); and

14 (4) support the program management capability  
15 of the governmental entity to use an eligible small  
16 unmanned aircraft system.

17 (c) ELIGIBILITY.—To be eligible to receive a grant  
18 under this section, a governmental entity shall submit an  
19 application to the Secretary at such time, in such form,  
20 and containing such information as the Secretary may re-  
21 quire, including an assurance that the governmental entity  
22 or any contractor of the governmental entity, will comply  
23 with relevant Federal regulations.

1 (d) SELECTION OF APPLICANTS.—In awarding a  
2 grant under this section, the Secretary shall prioritize ap-  
3 plications that propose to—

4 (1) carry out a critical infrastructure project in  
5 a variety of communities, including urban, suburban,  
6 rural, tribal, or any other type of community; and

7 (2) address a safety risk in the inspection, oper-  
8 ation, construction, maintenance, or repair of an ele-  
9 ment of critical infrastructure.

10 (e) LIMITATION.—Nothing in this section shall be  
11 construed as to interfere with an agreement between a  
12 governmental entity and a labor union, including require-  
13 ments under section 5333(b) of title 49, United States  
14 Code.

15 (f) REPORT TO CONGRESS.—Not later than 1 year  
16 after the first grant is provided under this section, the  
17 Secretary shall submit to the Committee on Transpor-  
18 tation and Infrastructure of the House of Representatives  
19 and the Committee on Commerce, Science, and Transpor-  
20 tation of the Senate a report that evaluates the program  
21 carried out under this section, including—

22 (1) a description of the number of grants  
23 awarded;

24 (2) the amount of each grant;

25 (3) the activities funded under this section; and

1           (4) the effectiveness of such funded activities in  
2 meeting the objectives described in subsection (a).

3           (g) FUNDING.—

4           (1) FEDERAL SHARE.—

5           (A) IN GENERAL.—Except as provided in  
6 subparagraph (B), the Federal share of the cost  
7 of a project carried out using a grant under  
8 this section shall not exceed 50 percent of the  
9 total project cost.

10          (B) WAIVER.—The Secretary may increase  
11 the Federal share requirement under subpara-  
12 graph (A) to up to 75 percent for a project car-  
13 ried out using a grant under this section by a  
14 governmental entity if such entity—

15           (i) submits a written application to  
16 the Secretary requesting an increase in the  
17 Federal share; and

18           (ii) demonstrates that the additional  
19 assistance is necessary to facilitate the ac-  
20 ceptance and full use of a grant under this  
21 section, such as alleviating economic hard-  
22 ship, meeting additional workforce needs,  
23 or such other uses that the Secretary de-  
24 termines to be appropriate.

1           (2) AUTHORIZATION OF APPROPRIATIONS.—Out  
2 of amounts authorized to be appropriated under sec-  
3 tion 106(k) of title 49, United States Code, the Sec-  
4 retary shall make available to carry out this sec-  
5 tion—

6                   (A) \$2,000,000 for fiscal year 2024;

7                   (B) \$12,000,000 for fiscal year 2025;

8                   (C) \$12,000,000 for fiscal year 2026;

9                   (D) \$12,000,000 for fiscal year 2027; and

10                  (E) \$12,000,000 for fiscal year 2028.

11       (h) DEFINITIONS.—In this section:

12           (1) COVERED FOREIGN ENTITY.—The term  
13 “covered foreign entity” means an entity—

14                   (A) included on the Consolidated Screening  
15 List or Entity List as designated by the Sec-  
16 retary of Commerce;

17                   (B) domiciled in the People’s Republic of  
18 China or the Russian Federation;

19                   (C) subject to influence or control by the  
20 government of the People’s Republic of China  
21 or by the Russian Federation; or

22                   (D) is a subsidiary or affiliate of an entity  
23 described in subparagraphs (A) through (C).

24       (2) CRITICAL INFRASTRUCTURE.—The term  
25 “critical infrastructure” has the meaning given such

1 term in subsection (e) of the Critical Infrastructures  
2 Protection Act of 2001 (42 U.S.C. 5195c(e)).

3 (3) ELEMENT OF CRITICAL INFRASTRUC-  
4 TURE.—The term “element of critical infrastruc-  
5 ture” means a critical infrastructure facility or  
6 asset, including public bridges, tunnels, roads, high-  
7 ways, dams, electric grid, water infrastructure, com-  
8 munication systems, pipelines, or other related facili-  
9 ties or assets, as determined by the Secretary.

10 (4) ELIGIBLE SMALL UNMANNED AIRCRAFT  
11 SYSTEM.—The term “eligible small unmanned air-  
12 craft system” means a small unmanned aircraft sys-  
13 tem manufactured or assembled by a company that  
14 is domiciled in the United States and is not a cov-  
15 ered foreign entity.

16 (5) GOVERNMENTAL ENTITY.—The term “gov-  
17 ernmental entity” means—

18 (A) a State, the District of Columbia, the  
19 Commonwealth of Puerto Rico, a territory of  
20 the United States, or a political subdivision  
21 thereof;

22 (B) a unit of local government;

23 (C) a Tribal Government;

24 (D) a metropolitan planning organization;

25 or

1 (E) a consortia of more than 1 of the enti-  
2 ties described in subparagraphs (A) through  
3 (D).

4 (6) PROJECT.—The term “project” means a  
5 project for the inspection, operation, maintenance,  
6 repair, modernization, or construction of an element  
7 of critical infrastructure, including mitigating envi-  
8 ronmental hazards to such infrastructure.

9 (7) SMALL UNMANNED AIRCRAFT; UNMANNED  
10 AIRCRAFT SYSTEM.—The terms “small unmanned  
11 aircraft” and “unmanned aircraft system” have the  
12 meanings given such terms in section 44801 of title  
13 49, United States Code.

14 **SEC. 621. DRONE EDUCATION AND WORKFORCE TRAINING**  
15 **GRANT PROGRAM.**

16 (a) AUTHORITY.—Not later than 180 days after the  
17 date of enactment of this Act, the Secretary of Transpor-  
18 tation shall establish a drone education and training grant  
19 program to make grants to educational institutions for  
20 workforce training for eligible small unmanned aircraft  
21 systems.

22 (b) USE OF GRANT AMOUNTS.—Amounts from a  
23 grant under this section shall be used in furtherance of  
24 activities authorized under sections 631 and 632 of the

1 FAA Reauthorization Act of 2018 (49 U.S.C. 40101  
2 note).

3 (c) ELIGIBILITY.—To be eligible to receive a grant  
4 under this section, an educational institution shall submit  
5 an application to the Secretary at such time, in such form,  
6 and containing such information as the Secretary may re-  
7 quire.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—Out of  
9 amounts authorized to be appropriated under section  
10 106(k) of title 49, United States Code, the Secretary shall  
11 make available to carry out this section—

- 12 (1) \$2,000,000 for fiscal year 2024;
- 13 (2) \$12,000,000 for fiscal year 2025;
- 14 (3) \$12,000,000 for fiscal year 2026;
- 15 (4) \$12,000,000 for fiscal year 2027; and
- 16 (5) \$12,000,000 for fiscal year 2028.

17 (e) DEFINITIONS.—In this section:

18 (1) COVERED FOREIGN ENTITY.—The term  
19 “covered foreign entity” means an entity—

20 (A) included on the Consolidated Screening  
21 List or Entity List as designated by the Sec-  
22 retary of Commerce;

23 (B) domiciled in the People’s Republic of  
24 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, and provide substantive rec-  
23 ommendations for, rulemaking proceedings, in co-  
24 ordination with other relevant services and offices  
25 and the Assistant Administrator of Rulemaking and  
26 Regulatory Improvement, regarding the integration

1 of unmanned aircraft systems into the national air-  
2 space system;

3 (2) support, and make substantive rec-  
4 ommendations to inform, the review and adjudica-  
5 tion of submissions under the processes established  
6 under section 44807 of title 49, United States Code,  
7 as amended by section 605;

8 (3) support, and make substantive rec-  
9 ommendations to inform, the development, modifica-  
10 tion, and acceptance or approval of relevant con-  
11 sensus standards, means of compliance, and declara-  
12 tions of compliance related to unmanned aircraft  
13 systems;

14 (4) ensure the timely consideration of airworthi-  
15 ness and operational determinations related to un-  
16 manned aircraft systems by relevant offices of the  
17 Administration;

18 (5) consult, advise, coordinate with, and make  
19 substantive recommendations to relevant lines of  
20 business and staff offices of the Administration to  
21 support the activities of the Administration and effi-  
22 ciently carry out the duties described in this section;

23 (6) hire full-time equivalent employees, as nec-  
24 essary, to build expertise within the UAS Integration

1 Office to assess unmanned aviation technologies and  
2 related operational risk mitigation; and

3 (7) engage in any other activities determined  
4 necessary by the Executive Director or the Adminis-  
5 trator of the Federal Aviation Administration, to ful-  
6 fill the duties described in this section.

7 **SEC. 624. TERMINATION OF ADVANCED AVIATION ADVI-**  
8 **SORY COMMITTEE.**

9 The Secretary of Transportation may not renew the  
10 charter of the Advanced Aviation Advisory Committee  
11 (chartered by the Secretary on June 10, 2022).

12 **SEC. 625. UNMANNED AND AUTONOMOUS FLIGHT ADVI-**  
13 **SORY COMMITTEE.**

14 (a) IN GENERAL.—Not later than 1 year after the  
15 termination of the Advanced Aviation Advisory Committee  
16 pursuant to section 624, the Administrator of the Federal  
17 Aviation Administration shall establish an Unmanned and  
18 Autonomous Flight Advisory Committee (in this section  
19 referred to as the “Advisory Committee”).

20 (b) DUTIES.—The Advisory Committee shall provide  
21 the Administrator advice on policy- and technical-level  
22 issues related to unmanned and autonomous aviation oper-  
23 ations and activities, including, at a minimum, the fol-  
24 lowing:

1           (1) The safe integration of unmanned aircraft  
2 systems and autonomous flight operations into the  
3 national airspace system, including feedback on—

4           (A) the certification and operational stand-  
5 ards of highly automated aircraft, unmanned  
6 aircraft, and associated elements of such air-  
7 craft;

8           (B) coordination of procedures for oper-  
9 ations in controlled airspace; and

10          (C) communication protocols.

11          (2) The use cases of unmanned aircraft sys-  
12 tems, including evaluating and assessing the poten-  
13 tial benefits of using unmanned aircraft systems.

14          (3) The development of processes and meth-  
15 odologies to address safety concerns related to the  
16 operation of unmanned aircraft systems, including  
17 risk assessments and mitigation strategies.

18          (4) Unmanned aircraft system training, edu-  
19 cation, and workforce development programs, includ-  
20 ing evaluating aeronautical knowledge gaps in the  
21 unmanned aircraft system workforce, assessing the  
22 workforce needs of unmanned aircraft system oper-  
23 ations, and establishing a strong pipeline to ensure  
24 a robust unmanned aircraft system workforce.

1           (5) The analysis of unmanned aircraft system  
2 data and trends.

3           (6) Unmanned aircraft system infrastructure,  
4 including the use of existing aviation infrastructure  
5 and the development of necessary infrastructure.

6           (c) MEMBERSHIP.—

7           (1) IN GENERAL.—The Advisory Committee  
8 shall be composed of not more than 12 members.

9           (2) REPRESENTATIVES.—The Advisory Com-  
10 mittee shall include at least 1 representative of each  
11 of the following:

12                   (A) Small unmanned aircraft system com-  
13 mercial operators.

14                   (B) Small unmanned aircraft system man-  
15 ufacturers.

16                   (C) Manufacturers of unmanned aircraft  
17 weighing 55 pounds or more pursuing or hold-  
18 ing a certificate for design or production of  
19 such unmanned aircraft.

20                   (D) Counter-unmanned aircraft system  
21 manufacturers.

22                   (E) Federal Aviation Administration ap-  
23 proved unmanned aircraft system service sup-  
24 pliers.

1 (F) Unmanned aircraft system test sites  
2 under section 44803 of title 49, United States  
3 Code.

4 (G) An unmanned aircraft system physical  
5 infrastructure network provider.

6 (H) Community advocates.

7 (I) Certified labor organizations rep-  
8 resenting commercial airline pilots, air traffic  
9 control specialists employed by the Administra-  
10 tion, certified aircraft maintenance technicians,  
11 certified aircraft dispatchers, and aviation safe-  
12 ty inspectors.

13 (J) Operators pursuing or holding a cer-  
14 tificate for the operation of an unmanned air-  
15 craft weighing 55 pounds or more.

16 (d) REPORTING.—

17 (1) IN GENERAL.—The Advisory Committee  
18 shall submit to the Secretary an annual report of the  
19 activities, findings, and recommendations of the  
20 Committee.

21 (2) CONGRESSIONAL REPORTING.—The Sec-  
22 retary shall submit to the Committee on Transpor-  
23 tation and Infrastructure of the House of Represent-  
24 atives and the Committee on Commerce, Science,

1 and Transportation of the Senate the reports re-  
2 quired under paragraph (1).

3 (e) DEFINITION OF UNMANNED AIRCRAFT.—In this  
4 section, the term “unmanned aircraft” has the meaning  
5 given such term in section 44801 of title 49, United States  
6 Code.

7 **SEC. 626. NEXTGEN ADVISORY COMMITTEE MEMBERSHIP**  
8 **EXPANSION.**

9 (a) IN GENERAL.—Not later than 90 days after the  
10 date of enactment of this Act, the Secretary of Transpor-  
11 tation shall take such actions as may be necessary to ex-  
12 pand the membership of the NextGen Advisory Committee  
13 chartered by the Secretary on June 15, 2022, and any  
14 subsequent chartered committees, to include a representa-  
15 tive from the unmanned aircraft system industry and a  
16 representative from the powered-lift industry.

17 (b) QUALIFICATIONS.—The representatives required  
18 under subsection (a) shall have the following qualifica-  
19 tions, as applicable:

20 (1) Demonstrated expertise in the design, man-  
21 ufacture, and operation of unmanned aircraft sys-  
22 tems.

23 (2) Demonstrated experience in the develop-  
24 ment or implementation of unmanned aircraft sys-  
25 tems policies and procedures.

1           (3) Demonstrated commitment to advancing the  
2 safe integration of unmanned aircraft systems into  
3 the national airspace system.

4 **SEC. 627. TEMPORARY FLIGHT RESTRICTION INTEGRITY.**

5           (a) IN GENERAL.—Section 40103(b) of title 49,  
6 United States Code, is amended by adding at the end the  
7 following:

8           “(5)(A) In issuing a temporary flight restriction, the  
9 Administrator shall—

10           “(i) ensure there is a specific and articulable  
11 safety or security basis for the size, scope, and dura-  
12 tion of such restriction;

13           “(ii) immediately distribute a notice of the tem-  
14 porary flight restriction via the Notice to Air Mis-  
15 sions system; and

16           “(iii) detail in the notice required under clause  
17 (ii)—

18           “(I) the safety basis for the restriction;  
19 and

20           “(II) how a covered person may lawfully  
21 and expeditiously operate an aircraft within the  
22 restriction.

23           “(B) In this paragraph, the term ‘covered person’  
24 means—

25           “(i) a public safety agency;

- 1           “(ii) a first responder;
- 2           “(iii) an accredited news representative; or
- 3           “(iv) any other person as determined appro-
- 4           priate by the Administrator.”.

5 **SEC. 628. INTERAGENCY COORDINATION.**

6           (a) SENSE OF CONGRESS.—It is the sense of Con-

7           gress that—

8                   (1) the purpose of the joint Department of De-

9           fense-Federal Aviation Administration executive

10          committee (referred to in this subsection as “Execu-

11          tive Committee”) on conflict and dispute resolution

12          as described in Section 1036(b) of the Duncan Hun-

13          ter National Defense Authorization Act for Fiscal

14          Year 2009 (Public Law 110–417) is to resolve dis-

15          putes on the matters of policy and procedures be-

16          tween the Department of Defense and the Federal

17          Aviation Administration relating to airspace, aircraft

18          certifications, aircrew training, and other issues, in-

19          cluding the access of unmanned aerial systems of the

20          Department of Defense to the national airspace sys-

21          tem;

22                   (2) by mutual agreement of Executive Com-

23          mittee leadership, operating with the best of inten-

24          tions, the current scope of activities and membership

25          of the Executive Committee has exceeded the origi-

1       nal intent of, and tasking to, the Executive Com-  
2       mittee; and

3               (3) the expansion described in paragraph (2)  
4       has resulted in an imbalance in the oversight of cer-  
5       tain Federal entities in matters concerning civil avia-  
6       tion safety and security.

7       (b) IN GENERAL.—

8               (1) CHARTER REVISION.—Not later than 180  
9       days after the date of enactment of this Act, the Ad-  
10       ministrator of the Federal Aviation Administration  
11       shall seek to revise the charter of the Executive  
12       Committee to reflect the scope, objectives, member-  
13       ship, and activities described in such section 1036(b)  
14       in order to achieve the increasing, and ultimately  
15       routine, access of unmanned aircraft systems (as de-  
16       fined in section 44801 of title 49, United States  
17       Code) into the national airspace system.

18              (2) SUNSET.—Not earlier than 2 years after  
19       the date of enactment of this Act, the Administrator  
20       shall seek to sunset Executive Committee activities  
21       by joint agreement of the Administrator and the  
22       Secretary of Defense.

1 **SEC. 629. REVIEW OF REGULATIONS TO ENABLE**  
2 **UNESCORTED UAS OPERATIONS.**

3 (a) **IN GENERAL.**—Not later than 2 years after the  
4 date of enactment of this Act, the Administrator of the  
5 Federal Aviation Administration shall, in coordination  
6 with the Secretary of Defense, conduct a review of require-  
7 ments necessary to permit an unmanned aircraft systems  
8 (excluding small unmanned aircraft systems) operated by  
9 a Federal agency or an armed service to be operated in  
10 the national airspace system, including outside of re-  
11 stricted airspace, without being escorted by a manned air-  
12 craft.

13 (b) **REPORT.**—Not later than 2 years after the date  
14 of enactment of this Act, the Administrator shall submit  
15 to the Committee on Transportation and Infrastructure  
16 of the House of Representatives and the Committee on  
17 Commerce, Science, and Transportation of the Senate a  
18 report on the results of the review, including findings and  
19 recommendations on regulatory and statutory changes  
20 that can be made to enable the operations described under  
21 subsection (a).

22 (c) **DEFINITIONS.**—The definitions under section  
23 44801 of title 49, United States Code, shall apply to this  
24 section.

1 **SEC. 630. UAS OPERATIONS OVER HIGH SEAS.**

2 (a) IN GENERAL.—An unmanned aircraft system op-  
3 eration that begins and ends within the United States or  
4 the territorial waters of the United States, shall not be  
5 considered international flight regardless of whether the  
6 unmanned aircraft system enters international airspace.

7 (b) DEFINITION OF UNMANNED AIRCRAFT SYS-  
8 TEM.—In this section, the term “unmanned aircraft sys-  
9 tem” has the meaning given such term in section 44801  
10 of title 49, United States Code.

11 **SEC. 631. BEYOND BEYOND.**

12 (a) FAA BEYOND PROGRAM EXTENSION.—The  
13 Administrator of the Federal Aviation Administration  
14 shall extend the BEYOND program of the Administration  
15 as in effect on the day before the date of enactment of  
16 this Act (referred to in this section as the “Program”)  
17 and the existing agreements with State, local, and Tribal  
18 governments entered into under the Program until such  
19 date, as specified in subsection (b).

20 (b) FAA BEYOND PROGRAM EXPANSION.—

21 (1) IN GENERAL.—Not later than 2 years after  
22 the date of enactment of this Act, the Administrator  
23 shall expand the Program to additional locations and  
24 test the use of new and emerging aviation concepts  
25 and technologies, including concepts and tech-  
26 nologies unrelated to unmanned aircraft systems, to

1 evaluate and inform Administration policies, rule-  
2 making, and guidance related to the safe integration  
3 of such concepts and technologies into the national  
4 airspace system.

5 (2) SCOPE.—In expanding the Program under  
6 this subsection, the Administrator shall address ad-  
7 ditional factors, including—

8 (A) increasing automation in civil aircraft,  
9 including unmanned aircraft systems and new  
10 or emerging aviation technologies;

11 (B) operations of such systems and tech-  
12 nologies, including beyond visual line of sight;  
13 and

14 (C) the social and economic impacts of  
15 such operations.

16 (3) CONTINUATION.—The Administrator shall  
17 carry out the expanded Program required under this  
18 subsection until such time that the Administrator  
19 determines the Program is no longer necessary or  
20 useful.

21 **SEC. 632. UAS INTEGRATION STRATEGY.**

22 (a) IN GENERAL.—The Administrator of the Federal  
23 Aviation Administration shall implement the recommenda-  
24 tions made by—

1           (1) the Comptroller General of the United  
2 States to the Secretary of Transportation contained  
3 in the report titled “Drones: FAA Should Improve  
4 Its Approach to Integrating Drones into the Na-  
5 tional Airspace System” issued in January 2023  
6 (GAO–23–105189); and

7           (2) the inspector general of the Department of  
8 Transportation to the Administrator contained in  
9 the audit report titled “FAA Made Progress  
10 Through Its UAS Integration Pilot Program, but  
11 FAA and Industry Challenges Remain To Achieve  
12 Full UAS Integration” issued in April 2022 (Project  
13 ID: AV2022027).

14       (b) BRIEFING.—Not later than 12 months after the  
15 date of enactment of this Act, the Administrator shall pro-  
16 vide a briefing to the Committee on Transportation and  
17 Infrastructure of the House of Representatives and the  
18 Committee on Commerce, Science, and Transportation of  
19 the Senate annually on the status of the activities de-  
20 scribed in subsection (a).

21 **SEC. 633. AUTHORIZATION OF APPROPRIATIONS FOR KNOW**  
22 **BEFORE YOU FLY CAMPAIGN.**

23       There is authorized to be appropriated to the Admin-  
24 istrator \$1,000,000 for each of fiscal years 2024 through  
25 2028, out of funds made available under section 106(k)

1 of title 49, United States Code, for the Know Before You  
2 Fly educational campaign or similar public informational  
3 efforts intended to broaden unmanned aircraft systems  
4 safety awareness.

5 **SEC. 634. PUBLIC AIRCRAFT DEFINITION.**

6 Section 40125(a)(2) of title 49, United States Code,  
7 is amended—

8 (1) by striking the first instance of “or”; and

9 (2) by inserting “(including data collection on  
10 civil aviation systems undergoing research, develop-  
11 ment, test, or evaluation at a test range (as such  
12 term is defined in section 44801)), infrastructure in-  
13 spections, or any other activity undertaken by a gov-  
14 ernmental entity that the Administrator determines  
15 is inherently governmental” after “biological or geo-  
16 logical resource management”.

17 **SEC. 635. PROTECTION OF PUBLIC GATHERINGS.**

18 (a) IN GENERAL.—Not later than 180 days after the  
19 date of enactment of this Act, the Administrator of the  
20 Federal Aviation Administration shall establish a process  
21 to allow applicants to request temporary prohibitions of  
22 unmanned aircraft operations in close proximity to an eli-  
23 gible large public gathering for a specified period of time.

24 (b) APPLICATION PROCEDURES.—

1           (1) IN GENERAL.—In making a determination  
2 whether to grant or deny an application for a des-  
3 ignation, the Administrator shall consider—

4                   (A) aviation safety;

5                   (B) protection of persons and property on  
6 the ground;

7                   (C) national security; or

8                   (D) homeland security.

9           (2) REQUIREMENTS.—The application proce-  
10 dures under this section shall allow eligible petitions  
11 to apply for a prohibition individually or collectively.

12           (3) ELIGIBLE LARGE GATHERINGS.—Large  
13 public gatherings eligible for application under this  
14 section shall—

15                   (A) have an estimated attendance of great-  
16 er than 20,000 people;

17                   (B) be primarily outdoors;

18                   (C) have defined and static geographical  
19 boundaries; and

20                   (D) be advertised in the public domain.

21           (4) ELIGIBLE PETITIONERS.—Applicants eligi-  
22 ble to submit petitions for consideration in sub-  
23 section (a) shall be a credentialed law enforcement  
24 organization or public safety organization otherwise

1 recognized by a Federal, State, local, Tribal, or ter-  
2 ritorial governmental entity.

3 (c) REVIEW PROCESS.—

4 (1) IN GENERAL.—The Administrator shall pro-  
5 vide for a timely determination on an application  
6 submitted under subsection (a) to allow for the pub-  
7 lic to be notified of a prohibition in advance of the  
8 public gathering.

9 (2) ADDITIONAL REQUIREMENT.—The Admin-  
10 istrator shall make every practicable effort to make  
11 a determination on an application submitted under  
12 subsection (a) not later than 7 days before the ex-  
13 pected start date of the large public gathering.

14 (d) PUBLIC INFORMATION.—Temporary prohibition  
15 designated under subsection (a) shall be published by the  
16 Federal Aviation Administration in a publicly accessible  
17 manner, in English and other non-English languages, at  
18 least 2 days before the large public gathering.

19 (e) SAVINGS CLAUSE.—Nothing in this section may  
20 be construed as prohibiting the Administrator from au-  
21 thorizing operation of an aircraft, including an unmanned  
22 aircraft system, over, under, or within a specified distance  
23 from that large public gathering designated under sub-  
24 section (b).

1 (f) DEFINITIONS.—In this section, the terms “un-  
2 manned aircraft” and “unmanned aircraft system” have  
3 the meanings given such terms in section 44801 of title  
4 49, United States Code.

## 5 **Subtitle B—Advanced Air Mobility**

### 6 **SEC. 651. DEFINITION.**

7 In this subtitle, the term “powered-lift aircraft” has  
8 the meaning given the term “powered-lift” in section 1.1  
9 of title 14, Code of Federal Regulations.

### 10 **SEC. 652. POWERED-LIFT AIRCRAFT RULEMAKINGS.**

11 (a) FINAL RULEMAKING.—Not later than 13 months  
12 after the date of enactment of this Act, the Administrator  
13 of the Federal Aviation Administration shall publish a  
14 final rule for a special Federal aviation regulation estab-  
15 lishing procedures for certifying powered-lift pilots and  
16 providing operational rules for powered-lift aircraft.

17 (b) FUTURE RULEMAKING.—Not later than 5 years  
18 after the date of enactment of this Act, the Administrator  
19 shall initiate a rulemaking activity providing for a perma-  
20 nent pathway for the—

- 21 (1) performance-based certification of powered-  
22 lift aircraft;
- 23 (2) certification of powered-lift airmen; and
- 24 (3) operation of powered-lift aircraft in com-  
25 mercial service and air transportation.

1 (c) RULEMAKING CONSIDERATIONS.—

2 (1) CONTENTS OF RULEMAKINGS.—In the de-  
3 velopment of the rulemakings required under sub-  
4 sections (a) and (b), the Administrator shall—

5 (A) provide for any aircraft type certifi-  
6 cated by the Administrator—

7 (i) a practical pathway for pilot quali-  
8 fication and operations; and

9 (ii) performance-based requirements  
10 for energy reserves and other range- and  
11 endurance-related requirements that reflect  
12 the capabilities and intended operations of  
13 the aircraft;

14 (B) provide for a combination of pilot  
15 training requirements, including simulators, to  
16 ensure the safe operation of powered-lift air-  
17 craft;

18 (C) grant an individual with an existing  
19 commercial airplane (single- or multi-engine) or  
20 helicopter pilot certificate the authority to serve  
21 as pilot-in-command of a powered-lift aircraft in  
22 commercial operation following the completion  
23 of a Federal Aviation Administration-approved  
24 pilot type rating for such type of aircraft;

1 (D) to the maximum extent practicable,  
2 align powered-lift pilot qualifications with sec-  
3 tion 2.1.1.4 of the International Civil Aviation  
4 Organization’s Annex 1;

5 (E) consider the adoption of the rec-  
6 ommendations contained in document 10103 of  
7 the International Civil Aviation Organization  
8 for powered-lift operations, as appropriate; and

9 (F) consult with the Secretary of Defense  
10 with regard to—

11 (i) the U.S. Air Force Agility Prime  
12 Program and powered-lift aircraft evalu-  
13 ated and deployed for military purposes,  
14 including the F35B program;

15 (ii) the commonalities and differences  
16 between powered-lift aircraft types and the  
17 handling qualities of such aircraft; and

18 (iii) the pathways for pilots to gain  
19 proficiency and earn the necessary ratings  
20 required to act as a pilot in command of  
21 powered-lift aircraft.

22 (2) CONSIDERATIONS FOR FUTURE  
23 RULEMAKINGS.—In the development of the  
24 rulemakings required under subsection (b), the Ad-  
25 ministrator shall—

1 (A) consider and plan for unmanned and  
2 remotely piloted powered-lift aircraft systems,  
3 and the associated elements of such aircraft,  
4 through the promulgation of performance-based  
5 regulations;

6 (B) consider and plan for alternative fuel  
7 types and propulsion methods, including review-  
8 ing the performance-based nature of parts 33  
9 and 35 of title 14, Code of Federal Regulations;

10 (C) work to harmonize the certification  
11 and operational requirements of the Federal  
12 Aviation Administration with the certification  
13 and operational requirements of civil aviation  
14 authorities with bilateral safety agreements in  
15 place with the United States, to the extent har-  
16 monization does not negatively impact domestic  
17 manufacturers and operators; and

18 (D) inform such rulemakings based on op-  
19 erations and efforts that occur as a result of  
20 the special Federal aviation regulation pursuant  
21 to subsection (b).

22 (d) INTERIM APPLICATION OF RULES AND PRIVI-  
23 LEGES IN LIEU OF RULEMAKING.—Beginning 21 months  
24 after the date of enactment of this Act, if a final rule has  
25 not been published pursuant to subsection (a)—

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          (e) TERMINATION OF INTERIM RULES AND PRIVI-  
23 LEGES.—Subsection (d) shall cease to have effect 1 month  
24 after the effective date of a final rule issued pursuant to  
25 subsection (a).

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, as appro-  
22 priate.

23 (c) LONG-TERM AIR TRAFFIC POLICIES.—Based on  
24 the implementation of subsection (b), the Administrator  
25 shall—

1           (1) continue to update air traffic orders and  
2 policies;

3           (2) to the extent necessary, develop powered-lift  
4 specific procedures for airports, heliports, and  
5 vertiports;

6           (3) evaluate the human factors impacts on con-  
7 trollers associated with managing powered-lift air-  
8 craft operations, consider the impact of additional  
9 operations on air traffic controller staffing, and  
10 make necessary changes to staffing, procedures, reg-  
11 ulations, and orders; and

12           (4) consider the use of third-party service pro-  
13 viders to manage increased operations in controlled  
14 airspace to support and supplement the work of air  
15 traffic controllers.

16 **SEC. 654. SENSE OF CONGRESS ON PREPARATION FOR**  
17 **ENTRY INTO SERVICE OF POWERED-LIFT AIR-**  
18 **CRAFT.**

19           It is the sense of Congress that the Administrator  
20 of the Federal Aviation Administration should work with  
21 manufacturers, prospective operators of powered-lift air-  
22 craft, and other stakeholders, to enable the safe entry of  
23 such aircraft into commercial service following the publica-  
24 tion of the final special Federal Aviation Administration  
25 rulemaking titled “Integration of Powered-Lift: Pilot Cer-

1 tification and Operations; Miscellaneous Amendments Re-  
2 lated to Rotorcraft and Airplanes”, including by reviewing  
3 and providing feedback to such manufacturers and opera-  
4 tors on draft pilot training, operations, and maintenance  
5 manuals after the publication of the draft special Federal  
6 Aviation Administration rulemaking and prior to the pub-  
7 lication of a final rule, as appropriate.

8 **SEC. 655. INFRASTRUCTURE SUPPORTING VERTICAL**  
9 **FLIGHT.**

10 (a) **UPDATES TO REGULATIONS FOR CONSIST-**  
11 **ENCY.**—The Administrator of the Federal Aviation Ad-  
12 ministration shall update part 1 and part 157 of title 14,  
13 Code of Federal Regulations, and other regulations as nec-  
14 essary to implement the amendments made by section  
15 401.

16 (b) **UPDATE TO HELIPORT DESIGN STANDARDS.**—  
17 The Administrator shall update the Advisory Circular  
18 150/5390–2, titled “Heliport Design” to—

19 (1) increase the inclusion of performance-based  
20 guidance, including around aircraft fuel type and  
21 propulsion method;

22 (2) update guidance to consider risk mitigations  
23 and hazards associated with different aircraft fuel  
24 types and propulsion methods;

1           (3) affirm the general permissibility of vertical  
2           takeoff and landing capable aircraft to use a heliport  
3           when such heliport can safely accommodate the  
4           physical and operating characteristics of such air-  
5           craft; and

6           (4) include vertiport as a subclass of heliport.

7           (c) ENGINEERING BRIEF ON VERTIPORT DESIGN.—  
8           The Administrator may update the version of Engineering  
9           Brief 105, titled “Vertiport Design” in effect on the date  
10          of enactment of this Act, prior to issuing an update to  
11          Advisory Circular 150/5390–2, as required under sub-  
12          section (b).

13          (d) ENGINEERING BRIEF SUNSET.—The Adminis-  
14          trator shall revoke Engineering Brief 105, titled  
15          “Vertiport Design”, on the earlier of—

16                 (1) the date on which Advisory Circular 150/  
17                 5390–2 is updated under subsection (b); or

18                 (2) 5 years after the date of enactment of this  
19                 Act.

20          (e) GUIDANCE, FORMS, AND PLANNING.—The Ad-  
21          ministrators shall—

22                 (1) ensure airport district offices of the Admin-  
23                 istration have sufficient guidance and policy direc-  
24                 tion regarding the Administration’s heliport and  
25                 vertiport design guidance not later than 18 months

1 after the date of enactment of this Act and update  
2 such guidance routinely;

3 (2) determine if updates to Administration  
4 Form 7460 and Form 7480 are necessary and take  
5 such actions, as appropriate; and

6 (3) ensure that the methodology and underlying  
7 data sources of the Administration's Terminal Area  
8 Forecast include commercial operations conducted  
9 by aircraft regardless of propulsion type or fuel type.

10 **SEC. 656. CHARTING OF AVIATION INFRASTRUCTURE.**

11 (a) IN GENERAL.—The Administrator of the Federal  
12 Aviation Administration shall increase efforts to update  
13 and keep current the Airport Master Record of the Admin-  
14 istration, including by establishing a streamlined process  
15 by which the owners and operators of public and private  
16 aviation facilities with nontemporary, nonintermittent op-  
17 erations are encouraged to keep the information on such  
18 facilities current.

19 (b) BRIEFING.—The Administrator shall brief 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 plans of the Administrator to update and keep current the  
24 Airport Master Record for private and public airports, hel-  
25 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.”;

26 (4) in subsection (g)—

1 (A) in the matter preceding paragraph (1)  
2 by striking “working group” and inserting  
3 “Secretary of Transportation”;

4 (B) in paragraph (1) by striking “and” at  
5 the end;

6 (C) by redesignating paragraph (2) as  
7 paragraph (3); and

8 (D) by inserting after paragraph (1) the  
9 following:

10 “(2) summarizing any dissenting views and  
11 opinions of a participant of the working group de-  
12 scribed in subsection (c)(3); and”;

13 (5) in subsection (i)—

14 (A) in paragraph (1) by striking “that  
15 transports people and property by air between  
16 two points in the United States using aircraft  
17 with advanced technologies, including electric  
18 aircraft or electric vertical take-off and landing  
19 aircraft,” and inserting “comprised of urban air  
20 mobility and regional air mobility using manned  
21 or unmanned aircraft”;

22 (B) by redesignating paragraph (5) as  
23 paragraph (7);

24 (C) by redesignating paragraph (6) as  
25 paragraph (9);

1 (D) by inserting after paragraph (4) the  
2 following:

3 “(5) POWERED-LIFT AIRCRAFT.—The term  
4 ‘powered-lift aircraft’ has the meaning given the  
5 term ‘powered-lift’ in section 1.1 of title 14, Code of  
6 Federal Regulations.

7 “(6) REGIONAL AIR MOBILITY.—The term ‘re-  
8 gional air mobility’ means the movement of people or  
9 property by air between 2 points using an airworthy  
10 aircraft that—

11 “(A) has advanced technologies, such as  
12 distributed propulsion, vertical take-off and  
13 landing, powered-lift, non-traditional power sys-  
14 tems, or autonomous technologies;

15 “(B) has a maximum takeoff weight of  
16 greater than 1,320 pounds; and

17 “(C) is not urban air mobility.”;

18 (E) by inserting after paragraph (7), as so  
19 redesignated, the following:

20 “(8) URBAN AIR MOBILITY.—The term ‘urban  
21 air mobility’ means the movement of people or prop-  
22 erty by air between 2 intracity or intercity points  
23 using an airworthy aircraft that—

24 “(A) advanced technologies, such as dis-  
25 tributed propulsion, vertical take-off and land-

1 ing, powered-lift, nontraditional power systems,  
2 or autonomous technologies; and

3 “(B) a maximum takeoff weight of greater  
4 than 1,320 pounds.”; and

5 (F) by adding at the end the following:

6 “(10) VERTIPORT.—The term ‘vertiport’ has  
7 the meaning given such term in section 47102 of  
8 title 49, United States Code.”;

9 (6) by redesignating subsection (i) as subsection  
10 (j); and

11 (7) by inserting after subsection (h) the fol-  
12 lowing:

13 “(i) CONSIDERATIONS FOR TERMINATION OF WORK-  
14 ING GROUP.—In deciding whether to terminate the work-  
15 ing group under subsection (h), the Secretary and the Ad-  
16 ministrator of the Federal Aviation Administration shall  
17 consider other interagency coordination activities associ-  
18 ated with AAM, or other new or novel users of the national  
19 airspace system, that could benefit from continued wider  
20 interagency coordination.”.

21 **SEC. 658. ADVANCED AIR MOBILITY INFRASTRUCTURE**  
22 **PILOT PROGRAM EXTENSION.**

23 Section 101 of division Q of the Consolidated Appro-  
24 priations Act, 2023 (49 U.S.C. 40101 note) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (2)—

2 (i) in subparagraph (A) by inserting  
3 “, as well as the use of existing airport and  
4 heliport infrastructure that may require  
5 modifications to safely accommodate AAM  
6 operations,” after “vertiport infrastruc-  
7 ture”; and

8 (ii) in subparagraph (B)—

9 (I) in clause (iii) by striking  
10 “vertiport” and inserting “locations  
11 for”;

12 (II) in clause (iv) by inserting  
13 “and guidance” after “any stand-  
14 ards”;

15 (III) in clause (v) by striking  
16 “vertiport infrastructure” and insert-  
17 ing “urban air mobility and regional  
18 air mobility operations”; and

19 (IV) in clause (x) by inserting  
20 “or the modification of existing avia-  
21 tion infrastructure” after “operation  
22 of a vertiport”;

23 (B) in paragraph (4)(B) by inserting “the  
24 Department of Defense, the National Guard,”  
25 before “or”; and

1 (C) in paragraph (6)(B)—

2 (i) in clause (i) by striking “and” at  
3 the end;

4 (ii) in clause (ii) by striking the pe-  
5 riod at the end and inserting “; and”; and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(iii) a description of—

9 (I) initial community engage-  
10 ment efforts and responses from the  
11 public on the planning and develop-  
12 ment efforts of eligible entities related  
13 to urban air mobility and regional air  
14 mobility operations;

15 (II) how eligible entities are  
16 planning for and encouraging early  
17 adoption of urban air mobility and re-  
18 gional air mobility operations;

19 (III) what role each level of gov-  
20 ernment plays in the process; and

21 (IV) whether such entities rec-  
22 ommend specific regulatory or guid-  
23 ance actions be taken by the Secretary  
24 of Transportation or other Federal

1 agencies in order to support such  
2 early adoption.”;

3 (2) in subsection (c)(1)—

4 (A) by striking “years 2023 and 2024”  
5 and inserting “years 2023 through 2026”; and

6 (B) by inserting before the period “out of  
7 funds made available under section 106(k) of  
8 title 49, United States Code”;

9 (3) in subsection (d) by striking “2024” and in-  
10 serting “2026” each place it appears; and

11 (4) in subsection (e)—

12 (A) by striking paragraph (1) and insert-  
13 ing the following:

14 “(1) ADVANCED AIR MOBILITY; AAM; REGIONAL  
15 AIR MOBILITY; URBAN AIR MOBILITY; VERTIPOINT.—

16 The terms ‘advanced air mobility’, ‘AAM’, ‘regional  
17 air mobility’, ‘urban air mobility’, and ‘vertiport’  
18 have the meaning given such terms in section 2(j) of  
19 the Advanced Air Mobility Coordination and Leader-  
20 ship Act (49 U.S.C. 40101 note).”; and

21 (B) by striking paragraphs (9) and (10).

1           **Subtitle C—Other Provisions**

2   **SEC. 681. REPORT ON NATIONAL SPACEPORTS POLICY.**

3           Section 580(c)(3) of the FAA Reauthorization Act of  
4 2018 (Public Law 115–254) is amended by striking  
5 “2024” and inserting “2028”.

6   **SEC. 682. INTERMODAL TRANSPORTATION INFRASTRUC-**  
7                           **TURE IMPROVEMENT PILOT PROGRAM.**

8           (a) **IN GENERAL.**—The Secretary may establish a  
9 pilot program to issue grants to operators of launch and  
10 reentry sites for projects to construct, repair, maintain,  
11 or improve transportation infrastructure and facilities at  
12 such sites.

13           (b) **PILOT PROGRAM QUALIFICATIONS.**—The Sec-  
14 retary may enter into agreements under this section to  
15 issue a grant to an operator only if the operator—

16                   (1) has submitted an application to the Sec-  
17 retary in such form, at such time, and containing  
18 such information as prescribed by the Secretary;

19                   (2) demonstrates to the Secretary’s satisfaction  
20 that the project for which the application has been  
21 submitted is for an eligible purpose under subsection  
22 (c); and

23                   (3) agrees to maintain such records relating to  
24 the grant as the Secretary may require and to make

1 such records available to the Secretary or the Comptroller General of the United States upon request.

3 (c) PERMITTED USE OF PILOT PROGRAM GRANTS.—

4 An operator may use a grant provided under this subsection for a project to construct, repair, maintain, or improve infrastructure and facilities that—

7 (1) are located at, or adjacent to, a launch or reentry site; and

9 (2) directly enable or support transportation safety or covered transportation activities.

11 (d) PILOT PROGRAM GRANTS.—

12 (1) GRANT FORMULA.—Subject to the availability of appropriations, at the beginning of each fiscal year after fiscal year 2024, the Secretary shall issue a grant to an operator that qualifies for the pilot program under subsection (b) an amount equal to the sum of—

18 (A) \$250,000 for each licensed launch or reentry operation conducted from the applicable launch or reentry site or at any adjacent Federal launch range in the previous fiscal year; and

23 (B) \$100,000 for each launch or reentry operation conducted under a permit from the applicable launch or reentry site or at any adja-

1 cent Federal launch range in the previous fiscal  
2 year.

3 (2) MAXIMUM GRANT.—Except as provided in  
4 subsection (e)(5), a grant issued to an operator  
5 under this subsection shall not exceed \$2,500,000  
6 for a fiscal year.

7 (3) ADJACENCY.—

8 (A) IN GENERAL.—In issuing a grant to  
9 an operator under paragraph (1), the Secretary  
10 shall determine whether a launch or reentry site  
11 is adjacent to a Federal launch range.

12 (B) LIMITATION.—Only 1 operator may  
13 receive an amount under paragraph (1) for  
14 each licensed or permitted launch or reentry op-  
15 eration described in such subparagraph.

16 (C) MULTIPLE LAUNCH OR REENTRY  
17 SITES OPERATED BY 1 OPERATOR.—If an oper-  
18 ator holds a license to operate more than 1  
19 launch site or more than 1 reentry site that are  
20 adjacent to a Federal launch range, the Sec-  
21 retary shall consider such launch or reentry  
22 sites as 1 launch or reentry site for purposes of  
23 subparagraph (A).

24 (e) SUPPLEMENTAL GRANTS IN SUPPORT OF STATE,  
25 LOCAL, OR PRIVATE MATCHING.—

1           (1) IN GENERAL.—The Secretary may issue a  
2 supplemental grant to an operator, subject to the re-  
3 quirements of this paragraph.

4           (2) DOLLAR-FOR-DOLLAR MATCHING.—If a  
5 qualified entity provides an operator an amount  
6 equal to or greater than the amount of a grant pro-  
7 vided in a fiscal year under subsection (d) (for the  
8 explicit purpose of matching such grant), the Sec-  
9 retary may issue a supplemental grant to the oper-  
10 ator that is equal to 25 percent of such grant in the  
11 following fiscal year.

12           (3) ADDITIONAL NON-FEDERAL MATCHING.—If  
13 a qualified entity provides an operator an amount  
14 equal to or greater than two times the amount of a  
15 grant provided in a fiscal year to the operator under  
16 subsection (d) (for the explicit purpose of matching  
17 such grant), the Secretary may issue a supplemental  
18 grant to the operator that is equal to 50 percent of  
19 such grant in the following fiscal year.

20           (4) SUPPLEMENTAL GRANT LIMITATIONS.—

21           (A) MATCH TIMING.—The Secretary may  
22 issue a supplemental grant under paragraph (2)  
23 or (3) only if an amount provided by a qualified  
24 entity is provided to the operator in the same

1 fiscal year as the grant issued under subsection  
2 (d).

3 (B) NON-DUPLICATION OF MATCHING  
4 GRANTS.—If the Secretary issues a supple-  
5 mental grant to the operator of a launch site  
6 under paragraph (3), the Secretary may not  
7 issue a supplemental grant under paragraph (2)  
8 to the same operator in the same fiscal year.

9 (5) NON-APPLICATION OF GRANT CEILING.—  
10 The limitation on a grant amount under subsection  
11 (d)(2) shall not apply to supplemental grants issued  
12 under this subsection.

13 (f) FUNDING.—

14 (1) PILOT PROGRAM GRANT FUNDS.—The  
15 grants issued under this section shall be issued from  
16 funds made available out of amounts available under  
17 section 106(k) of title 49, United States Code.

18 (2) MAXIMUM ANNUAL LIMIT ON PILOT PRO-  
19 GRAM.—

20 (A) IN GENERAL.—The total amount of all  
21 grants issued under this section shall not ex-  
22 ceed \$20,000,000 in any fiscal year.

23 (B) GRANT REDUCTION.—In complying  
24 with subparagraph (A), the Secretary—

1 (i) may proportionally reduce the  
2 amount of, or decline to issue, a supple-  
3 mental grant under subsection (e); and

4 (ii) if the reduction under clause (i) is  
5 insufficient, shall proportionally reduce  
6 grants issued under subsection (d).

7 (g) DEFINITIONS.—In this section:

8 (1) COVERED TRANSPORTATION ACTIVITY.—

9 The term “covered transportation activity” means  
10 the movement of people or property to, from, or  
11 within a launch site and the necessary or incidental  
12 activities associated with such movement through  
13 the use of—

14 (A) a vehicle (as defined in section 4 of  
15 title 1, United States Code);

16 (B) a vessel (as defined in section 3 of title  
17 1, United States Code);

18 (C) a railroad (as defined in section 20102  
19 of title 49, United States Code);

20 (D) an aircraft (as defined in section  
21 40102 of title 49, United States Code); or

22 (E) a pipeline facility (as defined in section  
23 60101 of title 49, United States Code).

24 (2) LAUNCH; LAUNCH SITE; LAUNCH VEHICLE;  
25 REENTRY SITE; REENTRY VEHICLE.—The terms

1 “launch”, “launch site”, “launch vehicle”, “reentry  
2 site”, and “reentry vehicle” have the meanings given  
3 those terms in section 50902 of title 51, United  
4 States Code.

5 (3) OPERATOR.—The term “operator” means a  
6 person licensed by the Secretary to operate a launch  
7 or reentry site.

8 (4) QUALIFIED ENTITY.—The term “qualified  
9 entity” means a State, local, territorial, or Tribal  
10 government or private sector entity, or any combina-  
11 tion thereof.

12 (h) PILOT PROGRAM SUNSET.—This section shall  
13 cease to be effective on October 1, 2028.

14 **SEC. 683. AIRSPACE ACCESS FOR HIGH-SPEED AIRCRAFT.**

15 (a) HIGH-SPEED AIRCRAFT TESTING.—Not later  
16 than 2 years after the date of enactment of this Act, the  
17 Administrator of the Federal Aviation Administration, in  
18 coordination with any other Federal agency the Adminis-  
19 trator determines appropriate, shall ensure that there is  
20 a process in which manufacturers and operators of high-  
21 speed aircraft can engage in flight testing of such high-  
22 speed aircraft, which may include the establishment of  
23 high speed testing corridors in the national airspace sys-  
24 tem.

1 (b) STUDY ON HIGH-SPEED AIRCRAFT OPER-  
2 ATIONS.—

3 (1) IN GENERAL.—The Administrator of the  
4 Federal Aviation Administration shall, after con-  
5 sultation with aircraft manufacturers, institutions of  
6 higher learning, the Administrator of the National  
7 Aeronautics and Space Administration, the Sec-  
8 retary of Defense, and any other agencies the Ad-  
9 ministrator determines appropriate, conduct a study  
10 to assess actions necessary to facilitate the safe op-  
11 eration and integration of high-speed aircraft into  
12 the national airspace system.

13 (2) CONTENTS.—In carrying out the study  
14 under paragraph (1), the Administrator shall—

15 (A) assess various altitudes and operating  
16 conditions of high-speed aircraft in Class E air-  
17 space above the upper boundary of Class A air-  
18 space and the resulting aircraft noise levels at  
19 the surface;

20 (B) include the development of a frame-  
21 work and timeline to establish the appropriate  
22 regulatory requirements to conducting high-  
23 speed aircraft flights;

24 (C) identify the data required to develop  
25 certification, flight standards, and air traffic re-

1            requirements for the deployment and integration  
2            of high-speed aircraft;

3            (D) assess cross-agency equities related to  
4            high-speed aircraft technologies and flight; and

5            (E) survey global high-speed aircraft-re-  
6            lated regulatory and testing developments or ac-  
7            tivities.

8            (3) RECOMMENDATIONS.—As part of the study  
9            under paragraph (1), the Administrator shall issue  
10           recommendations to update, if feasible, regulations  
11           for certification, flight standards and air traffic  
12           management.

13           (c) REPORT.—Not later than 2 years after the date  
14           of enactment of this Act, the Administrator shall submit  
15           to the Committee on Transportation and Infrastructure  
16           of the House of Representatives and the Committee on  
17           Commerce, Science, and Transportation of the Senate a  
18           report on the results of the study conducted under sub-  
19           section (a), including the recommendations under sub-  
20           section (b)(3), to facilitate the safe operation and integra-  
21           tion of high-speed aircraft in the national airspace system.

22           (d) STUDY AND RULEMAKING ON HIGH ALTITUDE  
23           CLASS E AIRSPACE FLIGHT OPERATIONS.—

24           (1) CONSULTATION.—Not later than 12 months  
25           after the date of enactment of this Act, the Adminis-

1 trator, in consultation with the Administrator of the  
2 National Aeronautics and Space Administration and  
3 relevant stakeholders, including industry and aca-  
4 demia, shall identify the minimum altitude above the  
5 upper boundary of Class A airspace at or above  
6 which flights operating with speeds above Mach 1  
7 generate sonic booms that are inaudible at the sur-  
8 face under prevailing atmospheric conditions.

9 (2) RULEMAKING.—Not later than 2 years after  
10 the date on which the Administrator identifies the  
11 minimum altitude described in paragraph (1), the  
12 Administrator shall publish in the Federal Register  
13 a notice of proposed rulemaking to amend sections  
14 91.817 and 91.818 of title 14, Code of Federal Reg-  
15 ulations, and such other regulations as appropriate,  
16 to permit flight operations with speeds above Mach  
17 1 at or above the minimum altitude identified under  
18 paragraph (1) without specific authorizations, pro-  
19 vided that such flight operations—

20 (A) show compliance with airworthiness re-  
21 quirements;

22 (B) do not cause a measurable sonic boom  
23 over pressure to reach the surface; and

1           (C) have ordinary instrument flight rules  
2           clearances necessary to operate in controlled  
3           airspace.

4           (e) DEFINITION.—In this section, the term “high-  
5 speed aircraft” means an aircraft operating at speeds in  
6 excess of Mach 1, which shall include supersonic and  
7 hypersonic aircraft.

8   **SEC. 684. ICAO ACTIVITIES ON NEW TECHNOLOGIES.**

9           (a) IN GENERAL.—The Administrator of the Federal  
10 Aviation Administration shall prioritize engagement with  
11 the International Civil Aviation Organization and con-  
12 tribute to or lead the development of international stand-  
13 ards and recommended practices to improve aviation safe-  
14 ty and support the entry-into-service of new forms of avia-  
15 tion.

16           (b) PARTICULAR ACTIVITIES.—In carrying out sub-  
17 section (a), the Administrator shall contribute to or lead  
18 International Civil Aviation Organization efforts with re-  
19 spect to the development of landing and take-off noise  
20 standards for supersonic aircraft.

21   **SEC. 685. AIP ELIGIBILITY FOR CERTAIN SPACEPORT IN-**  
22                                   **FRASTRUCTURE.**

23           (a) IN GENERAL.—Notwithstanding any other provi-  
24 sion of law, the Secretary of Transportation may make  
25 a grant under subchapter I of chapter 471 of title 49,

1 United States Code, to an airport sponsor to reconstruct,  
2 repave, or rehabilitate the full length and width of a run-  
3 way, including connecting taxiways, if the runway is exist-  
4 ing on the date of enactment of this Act if—

5 (1) the runway is at an airport that is also a  
6 launch site or reentry site operated by a person cer-  
7 tified under section 50905 of title 51, United States  
8 Code;

9 (2) the runway is greater than 12,000 feet long  
10 and not less than 200 feet wide; and

11 (3) the airport sponsor certifies to the Secretary  
12 that the full length and width of the runways and  
13 taxiways are required to support activities at the  
14 launch site.

15 (b) SUNSET.—This section shall cease to be effective  
16 on September 30, 2028.

17 **SEC. 686. COMMERCIAL SPACE LAUNCH AND REENTRY STA-**  
18 **TISTICS.**

19 Section 329(b) of title 49, United States Code, is  
20 amended—

21 (1) in paragraph (2) by striking “aeronautical”  
22 and inserting “aerospace”;

23 (2) in paragraph (3) by striking “civil aero-  
24 nautics” and inserting “civil aerospace”;

1           (3) by redesignating paragraphs (2) and (3) as  
2 paragraphs (3) and (4), respectively; and

3           (4) by inserting after paragraph (1) the fol-  
4 lowing:

5           “(2) collect and disseminate information on  
6 commercial space launch and reentry operations  
7 (other than that collected and disseminated by the  
8 National Transportation Safety Board under chapter  
9 11) including, at a minimum, information on the  
10 number of launches or reentries licensed by the Sec-  
11 retary, the number of space flight participants, the  
12 number of payloads, and the mass of payloads, orga-  
13 nized by class of orbit;”.

14 **SEC. 687. REPORT ON CERTAIN INFRASTRUCTURE NEEDS.**

15           Not later than 120 days after the date of enactment  
16 of this Act, the Secretary of Transportation shall submit  
17 to the Committee on Transportation and Infrastructure  
18 and the Committee on Science, Space, and Technology of  
19 the House of Representatives and the Committee on Com-  
20 merce, Science, and Transportation of the Senate a report  
21 on the infrastructure needs at Federal Aviation Adminis-  
22 tration-licensed horizontal and vertical launch sites located  
23 in rural communities.

1 **SEC. 688. AIRSPACE INTEGRATION FOR SPACE LAUNCH**  
2 **AND REENTRY.**

3 (a) SENSE OF CONGRESS.—It is the Sense of Con-  
4 gress that—

5 (1) a safe and efficient national airspace system  
6 that successfully supports existing users and inte-  
7 grates new entrants is of the utmost importance;

8 (2) both commercial aviation and space launch  
9 and reentry operations are vital to United States  
10 global leadership, national security, and economic  
11 opportunity;

12 (3) aircraft hazard areas are necessary during  
13 space launch and reentry operations to ensure public  
14 safety; and

15 (4) the Administrator of Federal Aviation Ad-  
16 ministration should prioritize the development and  
17 deployment of technologies to improve visibility of  
18 space launch and reentry operations within Adminis-  
19 tration computer systems and minimize operational  
20 workload to air traffic controllers associated with  
21 routing traffic during spaceflight launch and reentry  
22 operations.

23 (b) SPACE LAUNCH AND REENTRY AIRSPACE INTE-  
24 GRATION TECHNOLOGY.—There is authorized to be appro-  
25 priated \$10,000,000 for each of the fiscal years 2024  
26 through 2028, or until such time as the Administrator de-

1 terminates that the project has reached an operational sta-  
2 tus, for the Administrator to expedite the development, ac-  
3 quisition, and deployment of technologies or capabilities  
4 to aid in space launch and reentry integration, which may  
5 include technologies recommended by the Airspace Access  
6 Priorities Aviation Rulemaking Committee in 2019, sys-  
7 tems to enable the integration of launch and reentry data  
8 directly onto air traffic controller displays, and automated  
9 systems to enable near real-time planning and dynamic re-  
10 routing of commercial aircraft during and following com-  
11 mercial space launch and reentry operations, with the ob-  
12 jective of operational readiness not later than December  
13 31, 2026.

14           **TITLE VII—PASSENGER**  
15           **EXPERIENCE IMPROVEMENTS**  
16           **Subtitle A—General Provisions**

17 **SEC. 701. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**  
18           **SENGER AIR TRANSPORTATION.**

19           (a) **FULL FARE ADVERTISING.**—Section 41712 of  
20 title 49, United States Code, is further amended by adding  
21 at the end the following:

22           “(e) **FULL FARE ADVERTISING.**—

23                   “(1) **IN GENERAL.**—It shall not be an unfair or  
24           deceptive practice under subsection (a) for a covered  
25           entity to state in an advertisement or solicitation for

1 passenger air transportation the base airfare for  
2 such air transportation if the covered entity clearly  
3 and separately discloses—

4 “(A) the government-imposed taxes and  
5 fees associated with the air transportation; and

6 “(B) the total cost of the air transpor-  
7 tation.

8 “(2) FORM OF DISCLOSURE.—

9 “(A) IN GENERAL.—For purposes of para-  
10 graph (1), the information described in para-  
11 graphs (1)(A) and (1)(B) shall be disclosed in  
12 the advertisement or solicitation in a manner  
13 that clearly presents the information to the con-  
14 sumer.

15 “(B) INTERNET ADVERTISEMENTS AND  
16 SOLICITATIONS.—For purposes of paragraph  
17 (1), with respect to an advertisement or sollicita-  
18 tion for passenger air transportation that ap-  
19 pears on a website, the information described in  
20 paragraphs (1)(A) and (1)(B) may be disclosed  
21 through a link or pop-up, as such terms may be  
22 defined by the Secretary, in a manner that is  
23 easily accessible and viewable by the consumer.

24 “(3) DEFINITIONS.—In this subsection:

1           “(A) BASE AIRFARE.—The term ‘base air-  
2           fare’ means the cost of passenger air transpor-  
3           tation, excluding government-imposed taxes and  
4           fees.

5           “(B) COVERED ENTITY.—The term ‘cov-  
6           ered entity’ means an air carrier, including an  
7           indirect air carrier, foreign carrier, ticket agent,  
8           or other person offering to sell tickets for pas-  
9           senger air transportation or a tour, or tour  
10          component, that must be purchased with air  
11          transportation.”.

12          (b) LIMITATION ON STATUTORY CONSTRUCTION.—  
13          Nothing in the amendment made by subsection (b) may  
14          be construed to affect any obligation of a person that sells  
15          passenger air transportation to disclose the total cost of  
16          such air transportation, including government-imposed  
17          taxes and fees, prior to purchase of such air transpor-  
18          tation.

19          (c) REGULATIONS.—Not later than 1 year after the  
20          date of enactment of this Act, the Secretary of Transpor-  
21          tation shall issue final regulations to carry out the amend-  
22          ment made by subsection (a).

23          (d) STATUTORY CONSTRUCTION.—Nothing in this  
24          section may be construed to limit or otherwise affect the  
25          authority of the Secretary to regulate the disclosure of air

1 carrier-imposed fees, or alter the requirements under part  
2 399 of title 14, Code of Federal Regulations, as such part  
3 relates to air carrier-imposed fees.

4 (e) EFFECTIVE DATE.—This section, and the amend-  
5 ment made by this section, shall take effect on the date  
6 that is 180 days after the date of enactment of this Act.

7 **SEC. 702. MODERNIZATION OF CONSUMER COMPLAINT**  
8 **SUBMISSIONS.**

9 Section 42302 of title 49, United States Code, is  
10 amended to read as follows:

11 **“§ 42302. Consumer complaints**

12 “(a) IN GENERAL.—The Secretary of Transportation  
13 shall—

14 “(1) maintain an accessible website through the  
15 Office of Aviation Consumer Protection to accept the  
16 submission of complaints from airline passengers re-  
17 garding air travel service problems; and

18 “(2) take appropriate actions to notify the pub-  
19 lic of such accessible website.

20 “(b) NOTICE TO PASSENGERS ON THE INTERNET.—

21 An air carrier or foreign air carrier providing scheduled  
22 air transportation using any aircraft that as originally de-  
23 signed has a passenger capacity of 30 or more passenger  
24 seats shall include on the accessible website of the car-  
25 rier—

1           “(1) the accessible website, e-mail address, or  
2           telephone number of the air carrier for the submis-  
3           sion of complaints by passengers about air travel  
4           service problems; and

5           “(2) the accessible website maintained pursuant  
6           to subsection (a).

7           “(c) USE OF ADDITIONAL OR ALTERNATIVE TECH-  
8           NOLOGIES.—The Secretary shall periodically evaluate the  
9           benefits of using mobile phone applications or other widely  
10          used technologies to—

11          “(1) provide additional or alternative means for  
12          air passengers to submit complaints; and

13          “(2) provide such additional or alternative  
14          means as the Secretary determines appropriate.

15          “(d) AIR AMBULANCE PROVIDERS.—Each air ambu-  
16          lance provider shall include the accessible website, or a  
17          link to such accessible website, maintained pursuant to  
18          subsection (a) and the contact information for the Avia-  
19          tion Consumer Advocate established by section 424 of the  
20          FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note)  
21          on—

22          “(1) any invoice, bill, or other communication  
23          provided to a passenger or customer of such pro-  
24          vider; and



1 baggage, wheelchairs, mobility aids and other assist-  
2 ive devices.

3 “(5) Voluntary relinquishment of a ticketed  
4 seat due to overbooking or priority of other pas-  
5 sengers.

6 “(6) Involuntary denial of boarding and forced  
7 removal for whatever reason, including for safety  
8 and security reasons.

9 “(b) FILING OF SUMMARIZED GUIDELINES.—Not  
10 later than 90 days after each air carrier and foreign air  
11 carrier submits the 1-page document to the Secretary  
12 under subsection (a), each such air carrier and foreign air  
13 carrier shall make available such 1-page document in a  
14 prominent location on its website.”.

15 (b) AIRLINE PASSENGERS WITH DISABILITIES BILL  
16 OF RIGHTS.—Subchapter I of chapter 417 of title 49,  
17 United States Code, is further amended by adding at the  
18 end the following:

19 “§ 41728. **Airline passengers with disabilities bill of**  
20 **rights**

21 “(a) AIRLINE PASSENGERS WITH DISABILITIES  
22 BILL OF RIGHTS.—The Secretary of Transportation shall  
23 develop a document, to be known as the ‘Airline Pas-  
24 sengers with Disabilities Bill of Rights’, using plain lan-  
25 guage to describe the basic protections and responsibilities

1 of air carriers and foreign air carriers, their employees and  
2 contractors, and people with disabilities under section  
3 41705.

4 “(b) CONTENT.—In developing the Airline Pas-  
5 sengers with Disabilities Bill of Rights under subsection  
6 (a), the Secretary shall include, at a minimum, plain lan-  
7 guage descriptions of protections and responsibilities pro-  
8 vided in law related to the following:

9 “(1) The right of passengers with disabilities to  
10 be treated with dignity and respect.

11 “(2) The right of passengers with disabilities to  
12 receive timely assistance, if requested, from properly  
13 trained air carrier, foreign air carrier, and con-  
14 tractor personnel.

15 “(3) The right of passengers with disabilities to  
16 travel with wheelchairs, mobility aids, and other as-  
17 sistive devices, including necessary medications and  
18 medical supplies, including stowage of such wheel-  
19 chairs, aids, and devices.

20 “(4) The right of passengers with disabilities to  
21 receive seating accommodations, if requested, to ac-  
22 commodate a disability

23 “(5) The right of passengers with disabilities to  
24 receive announcements in an accessible format.

1           “(6) The right of passengers with disabilities to  
2           speak with a complaint resolution officer or to file  
3           a complaint with an air carrier, a foreign air carrier,  
4           or the Department of Transportation.

5           “(c) RULE OF CONSTRUCTION.—The development of  
6           the Airline Passengers with Disabilities Bill of Rights  
7           under subsections (a) and (b) shall not be construed as  
8           expanding or restricting the rights available to passengers  
9           with disabilities on the day before the date of the enact-  
10          ment of the FAA Reauthorization Act of 2018 (Public  
11          Law 115–254) pursuant to any statute or regulation.

12          “(d) CONSULTATIONS.—In developing the Airline  
13          Passengers with Disabilities Bill of Rights under sub-  
14          section (a), the Secretary shall consult with stakeholders,  
15          including disability organizations and air carriers, foreign  
16          air carriers, and their contractors.

17          “(e) DISPLAY.—Each air carrier and foreign air car-  
18          rier shall include the Airline Passengers with Disabilities  
19          Bill of Rights—

20                 “(1) on a publicly available internet website of  
21                 the carrier; and

22                 “(2) in any pre-flight notifications or commu-  
23                 nications provided to passengers who alert the car-  
24                 rier in advance of the need for accommodations re-  
25                 lating to a disability.

1 “(f) TRAINING.—

2 “(1) IN GENERAL.—Air carriers, foreign air  
3 carriers, and contractors of such carriers shall sub-  
4 mit to the Secretary plans that ensure that employ-  
5 ees of such carriers and their contractors receive  
6 training on the protections and responsibilities de-  
7 scribed in the Airline Passengers with Disabilities  
8 Bill of Rights.

9 “(2) REVIEW.—The Secretary shall review such  
10 plans to ensure the plans address the matters de-  
11 scribed in subsection (b).”.

12 (c) CONFORMING AMENDMENTS.—The analysis for  
13 chapter 417 of title 49, United States Code, is amended  
14 by inserting after the item relating to section 41726 the  
15 following:

“41727. Passenger rights.

“41728. Airline passengers with disabilities bill of rights.”.

16 (d) CONFORMING REPEALS.—Sections 429 and 434  
17 of the FAA Reauthorization Act of 2018 (49 U.S.C.  
18 42301 note; 41705 note) and the item relating to such  
19 sections in the table of contents in section 1(b) of such  
20 Act are repealed.

21 **SEC. 704. EXTENSION OF AVIATION CONSUMER PROTEC-**  
22 **TION ADVISORY COMMITTEE.**

23 Section 411 of the FAA Modernization and Reform  
24 Act of 2012 (49 U.S.C. 42301 note) is amended—

1 (1) in subsection (b)—

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

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

6 “(3) ticket agents and travel management com-  
7 panies;”; and

8 (2) in subsection (h) by striking “2023” and in-  
9 serting “2028”; and

10 **SEC. 705. REMOVAL OF OUTDATED REFERENCES TO PAS-**  
11 **SENGERS WITH DISABILITIES.**

12 (a) SOVEREIGNTY AND USE OF AIRSPACE.—Section  
13 40103(a)(2) of title 49, United States Code, is amended  
14 by striking “handicapped individuals” and inserting “indi-  
15 viduals with disabilities”.

16 (b) SPECIAL PRICES FOR FOREIGN AIR TRANSPOR-  
17 TATION.—Section 41511(b)(4) of title 49, United States  
18 Code, is amended by striking “handicap” and inserting  
19 “disability”.

20 (c) DISCRIMINATION AGAINST INDIVIDUALS WITH  
21 DISABILITIES.—Section 41705 of title 49, United States  
22 Code, is amended in the heading by striking “**handi-**  
23 **capped individuals**” and inserting “**individuals**  
24 **with disabilities**”.

1 (d) CLERICAL AMENDMENT.—The analysis for chap-  
2 ter 417 of title 49, United States Code, is amended by  
3 striking the item relating to section 41705 and inserting  
4 the following:

“41705. Discrimination against individuals with disabilities.”.

5 **SEC. 706. EXTENSION OF AVIATION CONSUMER ADVOCATE**  
6 **REPORTING REQUIREMENT.**

7 Section 424(e) of the FAA Reauthorization Act of  
8 2018 (49 U.S.C. 42302 note) is amended by striking  
9 “2023” and inserting “2028”.

10 **SEC. 707. AIR CARRIER ACCESS ACT ADVISORY COM-**  
11 **MITTEE.**

12 (a) IN GENERAL.—Section 439 of the FAA Reau-  
13 thorization Act of 2018 (49 U.S.C. 41705 note) is amend-  
14 ed—

15 (1) in the section heading by striking “**ADVI-**  
16 **SORY COMMITTEE ON THE AIR TRAVEL NEEDS**  
17 **OF PASSENGERS WITH DISABILITIES**” and in-  
18 serting “**AIR CARRIER ACCESS ACT ADVISORY**  
19 **COMMITTEE**”;

20 (2) in subsection (c)(1) by striking subpara-  
21 graph (G) and inserting the following:

22 “(G) Manufacturers of wheelchairs, includ-  
23 ing powered wheelchairs, and other mobility  
24 aids.”; and

1           (3) in subsection (g) by striking “2023” and in-  
2           serting “2028”.

3           (b) CONFORMING AMENDMENT.—Section 1(b) of the  
4           FAA Reauthorization Act of 2018 (Public Law 115–254)  
5           is amended by striking the item relating to section 439  
6           and inserting the following:

“Sec. 439. Air Carrier Access Act advisory committee.”.

7           **SEC. 708. PASSENGER EXPERIENCE ADVISORY COMMITTEE.**

8           (a) IN GENERAL.—The Secretary of Transportation  
9           shall establish an advisory committee to advise the Sec-  
10          retary and the Administrator of the Federal Aviation Ad-  
11          ministration in carrying out activities relating to the im-  
12          provement of the passenger experience in air transpor-  
13          tation customer service.

14          (b) MEMBERSHIP.—The Secretary shall appoint the  
15          members of the advisory committee, which shall be com-  
16          prised of at least 1 representative of each of—

17               (1) mainline air carriers;

18               (2) air carriers with a low-cost or ultra-low-cost  
19          business model;

20               (3) regional air carriers;

21               (4) large hub airport sponsors and operators;

22               (5) medium hub airport sponsors and operators;

23               (6) small hub airport sponsors and operators;

24               (7) nonhub airport sponsors and operators;

25               (8) ticket agents;

- 1           (9) representatives of intermodal transportation
- 2           companies that operate at airports;
- 3           (10) airport concessionaires;
- 4           (11) nonprofit public interest groups with ex-
- 5           pertise in consumer protection matters;
- 6           (12) senior managers of the Administration's
- 7           Air Traffic Organization;
- 8           (13) aircraft manufacturers;
- 9           (14) entities representing individuals with dis-
- 10          abilities;
- 11          (15) certified labor organizations representing
- 12          aviation workers, including—
- 13                (A) Federal Aviation Administration em-
- 14                ployees;
- 15                (B) airline pilots working for air carriers
- 16                operating under part 121 of title 14, Code of
- 17                Federal Regulations;
- 18                (C) flight attendants working for air car-
- 19                riers operating under part 121 of title 14, Code
- 20                of Federal Regulations; and
- 21                (D) other customer facing airline and air-
- 22                port workers;
- 23          (16) other organizations or industry segments
- 24          as determined by the Secretary; and

1           (17) other Federal agencies that directly inter-  
2           face with passengers at airports.

3           (c) VACANCIES.—A vacancy in the advisory com-  
4           mittee under this section shall be filled in a manner con-  
5           sistent with subsection (b).

6           (d) TRAVEL EXPENSES.—Members of the advisory  
7           committee under this section shall serve without pay but  
8           shall receive travel expenses, including per diem in lieu  
9           of subsistence, in accordance with subchapter I of chapter  
10          57 of title 5, United States Code.

11          (e) CHAIR.—The Secretary shall designate an indi-  
12          vidual among the individuals appointed under subsection  
13          (b) to serve as Chair of the advisory committee.

14          (f) DUTIES.—The duties of the advisory committee  
15          shall include—

16                (1) evaluating ways to improve the comprehen-  
17                sive passenger experience, including—

18                    (A) transportation between airport termi-  
19                    nals and facilities;

20                    (B) baggage handling;

21                    (C) wayfinding;

22                    (D) the security screening process; and

23                    (E) the communication of flight delays and  
24                    cancellations;

1           (2) evaluating ways to improve efficiency in the  
2 national airspace system affecting passengers;

3           (3) evaluating ways to improve the cooperation  
4 and coordination between the Department of Trans-  
5 portation and other Federal agencies that directly  
6 interface with aviation passengers at airports;

7           (4) responding to other taskings determined by  
8 the Secretary; and

9           (5) providing recommendations to the Secretary  
10 and the Administrator, if determined necessary dur-  
11 ing the evaluations considered in paragraphs (1)  
12 through (4).

13       (g) REPORT TO CONGRESS.—Not later than 1 year  
14 after the date of enactment of this Act, and every 2 years  
15 thereafter, the Secretary shall submit to Congress a report  
16 containing—

17           (1) consensus recommendations made by the  
18 advisory committee since such date of enactment or  
19 the previous report, as appropriate; and

20           (2) an explanation of how the Secretary has im-  
21 plemented such recommendations and, for such rec-  
22 ommendations not implemented, the Secretary's rea-  
23 son for not implementing such recommendation.

24       (h) DEFINITION.—The definitions in section 40102  
25 of title 49, United States Code, shall apply to this section.

1 (i) SUNSET.—This section shall cease to be effective  
2 on October 1, 2028.

3 (j) TERMINATION OF DOT ACCESS ADVISORY COM-  
4 MITTEE.—The ACCESS Advisory Committee of the De-  
5 partment of Transportation shall terminate on the date  
6 of enactment of this Act.

7 **SEC. 709. STREAMLINING OF OFFLINE TICKET DISCLO-**  
8 **SURES.**

9 (a) IN GENERAL.—Not later than 18 months after  
10 the date of enactment of this Act, the Secretary of Trans-  
11 portation shall take such action as may be necessary to  
12 update the process by which an air carrier or ticket agent  
13 is required to fulfill disclosure obligations in ticketing  
14 transactions for air transportation not completed through  
15 a website.

16 (b) REQUIREMENTS.—The process updated under  
17 subsection (a) shall—

18 (1) include means of referral to the applicable  
19 air carrier website with respect to disclosures related  
20 to air carrier optional fees and policies;

21 (2) include a means of referral to the website  
22 of the Department of Transportation with respect to  
23 any other required disclosures to air transportation  
24 passengers;

1           (3) make no changes to air carrier or ticket  
2 agent obligations with respect to—

3           (A) section 41712(c) of title 49, United  
4 States Code; or

5           (B) subsections (a) and (b) of section  
6 399.84 of title 14, Code of Federal Regulations  
7 (or any successor regulations); and

8           (4) require disclosures referred to in para-  
9 graphs (1) and (2) to be made in the manner exist-  
10 ing prior to the date of enactment of this Act upon  
11 passenger request.

12       (c) AIR CARRIER DEFINED.—In this section, the  
13 term “air carrier” has the meaning given such term in  
14 section 40102(a) of title 49, United States Code.

15 **SEC. 710. TICKET AGENT REFUND OBLIGATIONS.**

16       (a) IN GENERAL.—Not later than 18 months after  
17 the date of enactment of this Act, the Secretary of Trans-  
18 portation shall issue a final rule to revise section 399.80  
19 of title 14, Code of Federal Regulations, to clarify the re-  
20 fund obligations of ticket agents.

21       (b) CONDITIONS.—In issuing the final rule under  
22 subsection (a), the Secretary shall clarify that a ticket  
23 agent shall provide a refund only when such ticket agent  
24 possesses, or has access to, the funds of a passenger.

1 (c) DEFINITIONS.—In this section, the term “ticket  
2 agent” has the meaning given such term in section  
3 40102(a) of title 49, United States Code.

4 **SEC. 711. UPDATING PASSENGER INFORMATION REQUIRE-**  
5 **MENT REGULATIONS.**

6 (a) ARAC TASKING.—Not later than 3 years after  
7 the date of enactment of this Act, the Administrator of  
8 the Federal Aviation Administration shall task the Avia-  
9 tion Rulemaking Advisory Committee with—

10 (1) reviewing passenger information require-  
11 ment regulations under section 121.317 of title 14,  
12 Code of Federal Regulation, and such other related  
13 regulations as the Administrator determines appro-  
14 priate; and

15 (2) making recommendations to update and im-  
16 prove such regulations.

17 (b) FINAL REGULATION.—Not later than 6 years  
18 after the date of enactment of this Act, the Administrator  
19 of the Federal Aviation Administration shall issue a final  
20 regulation revising section 121.317 of title 14, Code of  
21 Federal Regulations, and such other related regulations  
22 as the Administrator determines appropriate, to—

23 (1) update such section and regulations to in-  
24 corporate exemptions commonly issued by the Ad-  
25 ministrator;

1           (2) reflect civil penalty inflation adjustments;  
2           and

3           (3) incorporate such updates and improvements  
4           recommended by the Aviation Rulemaking Advisory  
5           Committee that the Administrator determines appro-  
6           priate.

7   **SEC. 712. MOBILITY AIDS ON BOARD IMPROVE LIVES AND**  
8           **EMPOWER ALL.**

9           (a) PUBLICATION OF CARGO HOLD DIMENSIONS.—

10           (1) IN GENERAL.—Not later than 2 years after  
11           the date of enactment of this Act, the Secretary of  
12           Transportation shall require air carriers to publish  
13           on a prominent and easily accessible place on the  
14           public website of the air carrier, information describ-  
15           ing the relevant dimensions and other characteristics  
16           of the cargo holds of all aircraft types operated by  
17           the air carrier, including the dimensions of the cargo  
18           hold entry, that would limit the size, weight, and al-  
19           lowable type of cargo available.

20           (2) PROPRIETARY INFORMATION.—The Sec-  
21           retary shall allow an air carrier to protect the con-  
22           fidentiality of any trade secret or proprietary infor-  
23           mation submitted in accordance with paragraph (1),  
24           as appropriate.

1           (b) REFUND REQUIRED FOR INDIVIDUAL TRAVELING  
2 WITH WHEELCHAIR.—In the case of a qualified individual  
3 with a disability traveling with a wheelchair who has pur-  
4 chased a ticket for a flight from an air carrier, but who  
5 cannot travel on the aircraft for such flight because the  
6 wheelchair of such qualified individual cannot be phys-  
7 ically accommodated in the cargo hold of the aircraft, the  
8 Secretary shall require such air carrier to offer a refund  
9 to such qualified individual of any previously paid fares,  
10 fees, and taxes applicable to such flight.

11           (c) EVALUATION OF DATA REGARDING DAMAGED  
12 WHEELCHAIRS.—Not later than 12 months after the date  
13 of enactment of this Act, and annually thereafter, the Sec-  
14 retary shall—

15                   (1) evaluate data regarding the type and fre-  
16 quency of incidents of the mishandling of wheel-  
17 chairs on aircraft and delineate such data by—

18                           (A) types of wheelchairs involved in such  
19 incidents; and

20                           (B) the ways in which wheelchairs are mis-  
21 handled, including the type of damage to wheel-  
22 chairs (such as broken drive wheels or casters,  
23 bent or broken frames, damage to electrical  
24 connectors or wires, control input devices,

1 joysticks, upholstery or other components, loss,  
2 or delay of return);

3 (2) determine whether there are trends with re-  
4 spect to the data evaluated under paragraph (1);  
5 and

6 (3) make available on the public website of the  
7 Department of Transportation, in an accessible  
8 manner, a report containing the results of the eval-  
9 uation of data and determination made under para-  
10 graphs (1) and (2) and a description of how the Sec-  
11 retary plans to address such results.

12 (d) FEASIBILITY OF IN-CABIN WHEELCHAIR RE-  
13 STRAINT SYSTEMS.—

14 (1) ROADMAP.—Not later than 1 year after the  
15 date of enactment of this Act, the Secretary 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 a publicly available strategic  
20 roadmap that describes how the Department of  
21 Transportation and the United States Access Board,  
22 respectively, shall, in accordance with the rec-  
23 ommendations from the National Academies of  
24 Science, Engineering, and Mathematics Transpor-  
25 tation Research Board Special Report 341—

1 (A) establish a program of research, in col-  
2 laboration with the Rehabilitation Engineering  
3 and Assistive Technology Society of North  
4 America, the assistive technology industry, air  
5 carriers, original equipment manufacturers, na-  
6 tional disability and disabled veterans organiza-  
7 tions, and any other relevant stakeholders, to  
8 test and evaluate an appropriate selection of  
9 WC19-compliant wheelchairs and accessories in  
10 accordance with applicable Federal Aviation Ad-  
11 ministration crashworthiness and safety per-  
12 formance criteria, including the issues and con-  
13 siderations set forth in such Special Report  
14 341; and

15 (B) sponsor studies that assess issues and  
16 considerations, including those set forth in such  
17 Special Report 341, such as—

18 (i) the likely demand for air travel by  
19 individuals who are nonambulatory if such  
20 individuals could remain seated in their  
21 personal wheelchairs in flight; and

22 (ii) the feasibility of implementing  
23 seating arrangements that would accommo-  
24 date passengers in wheelchairs in the main  
25 cabin in flight.

1           (2) STUDY.—If determined to be technically  
2 feasible by the Secretary, not later than 2 years  
3 after making such determination, the Secretary shall  
4 commence a study to assess the economic and finan-  
5 cial feasibility of air carriers and foreign air carriers  
6 implementing seating arrangements that accommo-  
7 date passengers with wheelchairs (including power  
8 wheelchairs, manual wheelchairs, and scooters) in  
9 the main cabin during flight. Such study shall in-  
10 clude an assessment of—

11                   (A) the cost of such seating arrangements,  
12                   equipment, and installation;

13                   (B) the demand for such seating arrange-  
14                   ments;

15                   (C) the impact of such seating arrange-  
16                   ments on passenger seating and safety on air-  
17                   craft;

18                   (D) the impact of such seating arrange-  
19                   ments on the cost of operations and airfare;  
20                   and

21                   (E) any other information determined ap-  
22                   propriate by the Secretary.

23           (3) REPORT.—Not later than 1 year after the  
24 date on which the study under paragraph (2) is  
25 completed, the Secretary shall submit to the Com-

1       mittee on Transportation and Infrastructure of the  
2       House of Representatives and the Committee on  
3       Commerce, Science, and Transportation of the Sen-  
4       ate a publicly available report describing the results  
5       of the study conducted under paragraph (2), to-  
6       gether with any recommendations the Secretary de-  
7       termines appropriate.

8       (e) DEFINITIONS.—In this section:

9           (1) AIR CARRIER.—The term “air carrier” has  
10       the meaning given such term in section 40102 of  
11       title 49, United States Code.

12          (2) DISABILITY; QUALIFIED INDIVIDUAL WITH  
13       A DISABILITY.—The terms “disability” and “quali-  
14       fied individual with a disability” have the meanings  
15       given such terms in section 382.3 of title 14, Code  
16       of Federal Regulations (as in effect on date of en-  
17       actment of this Act).

18          (3) WHEELCHAIR.—The term “wheelchair” has  
19       the meaning given such term in section 37.3 of title  
20       49, Code of Federal Regulations (as in effect on  
21       date of enactment of this Act), including power  
22       wheelchairs, manual wheelchairs, and scooters.

1 **SEC. 713. PRIORITIZING ACCOUNTABILITY AND ACCESSI-**  
2 **BILITY FOR AVIATION CONSUMERS.**

3 (a) ANNUAL REPORT.—Not later than 1 year after  
4 the date of enactment of this Act, and annually thereafter,  
5 the Secretary of Transportation shall provide to the Com-  
6 mittee on Transportation and Infrastructure of the House  
7 of Representatives and the Committee on Commerce,  
8 Science, and Transportation of the Senate a report on dis-  
9 ability-related aviation consumer complaints filed with the  
10 Department of Transportation, and shall make each an-  
11 nual report publicly available.

12 (b) SCOPE OF REPORT.—In each report required  
13 under subsection (a), the Secretary shall include, at min-  
14 imum, a description of the following:

15 (1) The number of disability-related aviation  
16 consumer complaints filed with the Department of  
17 Transportation during the calendar year preceding  
18 the year in which such report is submitted.

19 (2) The nature of such complaints, such as re-  
20 ported issues with—

21 (A) an air carrier;

22 (B) mishandling of passengers with a dis-  
23 ability, including mishandling of a wheelchair,  
24 mobility aid, or other accessibility equipment of  
25 a passenger by an air carrier;

1 (C) the condition or availability of accessi-  
2 bility equipment or materials operated by an air  
3 carrier;

4 (D) the accessibility of in-flight services,  
5 including accessing and utilizing onboard lava-  
6 tories, for passengers with a disability;

7 (E) difficulties experienced by passengers  
8 with a disability in communicating with an air  
9 carrier employee;

10 (F) difficulties experienced by passengers  
11 with a disability in being moved, handled, or  
12 otherwise assisted;

13 (G) an air carrier changing the flight  
14 itinerary of a passenger with a disability with-  
15 out the consent of such passenger;

16 (H) difficulties experienced by passengers  
17 with a disability traveling with a service animal;  
18 and

19 (I) any other issues the Secretary of  
20 Transportation determines appropriate.

21 (3) The review process for such complaints.

22 (4) The average amount of days before the De-  
23 partment initiated a formal review of such com-  
24 plaints.

1           (5) The average amount of days until such  
2           complaints were resolved by the Department.

3           (6) The number of such complaints that re-  
4           sulted in dismissal, a civil monetary penalty, or  
5           other injunctive relief.

6           (7) Of the complaints that were found to violate  
7           section 41705 of title 49, United States Code—

8                   (A) the number of such complaints for  
9                   which a formal enforcement order was issued;  
10                  and

11                   (B) the number of such complaints for  
12                   which a formal enforcement order was not  
13                   issued.

14           (8) The number of disability-related aviation  
15           consumer complaints filed with the Department of  
16           Transportation involving airport staff or other mat-  
17           ters under the jurisdiction of the Federal Aviation  
18           Administration that were referred to the Federal  
19           Aviation Administration.

20           (9) The number of disability-related aviation  
21           consumer complaints filed with the Department of  
22           Transportation involving Transportation Security  
23           Administration staff that were referred to the  
24           Transportation Security Administration or the De-  
25           partment of Homeland Security.

1       (c) REPORT TO CONGRESS.—The Secretary shall  
2 submit annually to the Committee on Transportation and  
3 Infrastructure of the House of Representatives and the  
4 Committee on Commerce, Science, and Transportation of  
5 the Senate the report required under subsection (a).

6       (d) DEFINITIONS.—In this section:

7           (1) IN GENERAL.—Except as otherwise pro-  
8 vided, the terms used in this section have the mean-  
9 ings given such terms in section 40102 of title 49,  
10 United States Code, or section 382.3 of title 14,  
11 Code of Federal Regulations, as applicable.

12           (2) AIR CARRIER.—The term “air carrier”  
13 means an air carrier conducting passenger oper-  
14 ations under part 121 of title 14, Code of Federal  
15 Regulations.

16           (3) PASSENGER WITH A DISABILITY.—The term  
17 “passenger with a disability” has the meaning given  
18 the term “qualified individual with a disability” in  
19 section 382.3 of title 14, Code of Federal Regula-  
20 tions.

21 **SEC. 714. AIRCRAFT ACCESSIBILITY.**

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 initiate a program to study and evaluate im-

1 improvements to transport category aircraft accessibility, in-  
2 cluding—

3           (1) determining whether and, if so, how per-  
4           sonal wheelchairs, including manual and powered  
5           wheelchairs, can be safely secured in the passenger  
6           seating areas of an aircraft certificated under part  
7           25 of title 14, Code of Federal Regulations;

8           (2) considering the safe evacuation processes  
9           for such aircraft, including individuals who use man-  
10          ual and powered wheelchairs; and

11          (3) determining how various types or aircraft  
12          described in paragraph (1) can safely and efficiently  
13          be retrofit for accessible lavatories.

14          (b) REPORT AND RECOMMENDATIONS.—Not later  
15 than 2 years after the date of enactment of this Act, the  
16 Secretary shall provide to the Committee on Transpor-  
17 tation and Infrastructure of the House of Representatives  
18 and the Committee on Commerce, Science, and Transpor-  
19 tation of the Senate a report on the findings of the study  
20 and evaluation described in subsection (a) and rec-  
21 ommendations to address the findings of such study and  
22 evaluation.

1 **SEC. 715. ACCESSIBILITY OF WEBSITES, SOFTWARE APPLI-**  
2 **CATIONS, AND KIOSKS FOR INDIVIDUALS**  
3 **WITH DISABILITIES.**

4 Not later than 2 years after the date of enactment  
5 of this Act, the Secretary of Transportation shall, in direct  
6 consultation with the United States Architectural and  
7 Transportation Barriers Compliance Board, prescribe reg-  
8 ulations setting forth minimum standards to ensure that  
9 individuals with disabilities are able to access kiosks, soft-  
10 ware applications, and websites in a manner that is equal-  
11 ly as effective as individuals without disabilities, with a  
12 substantially equivalent ease of use. Such standards shall  
13 be consistent with the standards set forth in the Web Con-  
14 tent Accessibility Guidelines 2.1 Level AA of the Web Ac-  
15 cessibility Initiative of the World Wide Web Consortium  
16 or any subsequent version.

17 **SEC. 716. REVIEW OF METHODS TO REPORT FLIGHT DELAY**  
18 **AND CANCELLATION STATISTICS.**

19 (a) **IN GENERAL.**—No later than 1 year after the  
20 date of enactment of this Act, the Secretary of Transpor-  
21 tation, in consultation with the Administrator of the Fed-  
22 eral Aviation Administration, shall conduct a review of the  
23 means of reporting flight delay and cancellation statistics  
24 to the Secretary and the accuracy of such data.

25 (b) **COORDINATION REQUIREMENT.**—In conducting  
26 the review required in paragraph (1), the Secretary shall

1 coordinate and collaborate with air carriers (as such term  
2 is defined in section 40102 of title 49, United States  
3 Code) to assist in conducting the review and providing rec-  
4 ommendations on improving the means of reporting flight  
5 delay and cancellation statistics to the Secretary and the  
6 accuracy of such data.

7 **SEC. 717. REIMBURSEMENT FOR INCURRED COSTS.**

8 (a) IN GENERAL.—Not later than 1 year after the  
9 date of enactment of this Act, the Secretary of Transpor-  
10 tation shall direct all air carriers providing scheduled pas-  
11 senger interstate or intrastate air transportation to estab-  
12 lish policies regarding reimbursement for lodging, trans-  
13 portation between such lodging and the airport, and meal  
14 costs incurred due to a flight cancellation or significant  
15 delay directly attributable to the air carrier.

16 (b) DEFINITION OF SIGNIFICANTLY DELAYED.—In  
17 this section, the term “significantly delayed” means, with  
18 respect to air transportation, the departure or arrival at  
19 the originally ticketed destination associated with such  
20 transportation has changed—

21 (1) in the case of air transportation within the  
22 United States, by 3 or more hours; or

23 (2) in the case of air transportation to or from  
24 a location outside the United States, by 6 or more  
25 hours.

1 **SEC. 718. AIRLINE OPERATIONAL RESILIENCY PLANS.**

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 require a covered carrier to develop and regu-  
5 larly update an operational resiliency strategy to prevent  
6 or limit the impact of future flight disruptions on pas-  
7 sengers.

8 (b) OPERATIONAL RESILIENCY STRATEGY.—In each  
9 operational resiliency strategy developed under subsection  
10 (a), a covered carrier shall include a description of—

11 (1) the potential impact of severe weather and  
12 other reasonably anticipated disruptive events on the  
13 operations of the carrier and how the carrier seeks  
14 to prevent or limit the impact of such events on pas-  
15 sengers;

16 (2) the potential impact of severe weather  
17 events and other reasonably anticipated disruptive  
18 events on—

19 (A) staffing models and the preparedness  
20 of the current workforce of the carrier to ad-  
21 dress such conditions; and

22 (B) the current information and technology  
23 systems of the carrier, including crew sched-  
24 uling systems, and the preparedness of such  
25 systems to continue operations after such an  
26 event or disruption;

1           (3) the preparedness of the carrier to maintain  
2           operations and limit or prevent the impact of other  
3           potential disruptive events identified by the carrier;

4           (4) the extent to which the carrier addresses  
5           known cybersecurity risks to prevent potential flight  
6           disruptions; and

7           (5) any other issues the Secretary determines  
8           appropriate to protect consumers and maintain the  
9           operational stability of the airline industry.

10          (c) PROPRIETARY INFORMATION.—The Secretary  
11          shall develop a method to protect the confidentiality of any  
12          trade secret or proprietary information submitted in an  
13          operational resiliency strategy under subsection (b).

14          (d) EVALUATION.—

15                 (1) AUDIT.—Not later than 3 years after the  
16                 date of enactment of this Act, the Comptroller Gen-  
17                 eral of the United States shall initiate an audit to  
18                 evaluate the effectiveness of the operational resil-  
19                 iency strategies developed under this section by cov-  
20                 ered air carriers.

21                 (2) REPORT.—Not later than 1 year after com-  
22                 pletion of the audit conducted under paragraph (1),  
23                 the Comptroller General shall submit to the Com-  
24                 mittee on Transportation and Infrastructure of the  
25                 House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Sen-  
2 ate a report on the findings of the audit.

3 (e) COVERED CARRIER.—In this section, the term  
4 “covered carrier” has the meaning given such term in sec-  
5 tion 259.3 of title 14, Code of Federal Regulations (or  
6 successor regulations).

7 **SEC. 719. FAMILY SEATING.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of enactment of this Act, the Secretary of Transpor-  
10 tation shall issue a notice of proposed rulemaking to estab-  
11 lish a policy directing air carriers that assign seats, or  
12 allow individuals to select seats in advance of the date of  
13 departure of a flight, to sit each young child adjacent to  
14 an accompanying adult, to the greatest extent practicable,  
15 if adjacent seat assignments are available at any time  
16 after the ticket is issued for each young child and before  
17 the first passenger boards the flight.

18 (b) PROHIBITION ON FEES.—The notice of proposed  
19 rulemaking described in subsection (a) shall include a pro-  
20 vision that prohibits an air carrier from charging a fee,  
21 or imposing an additional cost beyond the ticket price of  
22 the additional seat, to seat each young child adjacent to  
23 an accompanying adult within the same class of service.

24 (c) RULE OF CONSTRUCTION.—Notwithstanding the  
25 requirement in subsection (a), nothing in this section may

1 be construed to allow the Secretary to impose a change  
2 in the overall seating or boarding policy of an air carrier  
3 that has an open or flexible seating policy in place that  
4 generally allows adjacent family seating as described  
5 under this section.

6 (d) YOUNG CHILD.—In this section, the term “young  
7 child” means an individual who has not attained 14 years  
8 of age.

9 **SEC. 720. SEAT DIMENSIONS.**

10 Not later than 60 days after the date of enactment  
11 of this Act, the Administrator of the Federal Aviation Ad-  
12 ministration shall—

13 (1) initiate a rulemaking activity based on the  
14 regulation described in section 577 of the FAA Re-  
15 authorization Act of 2018 (49 U.S.C. 42301 note);  
16 and

17 (2) if the Administrator decides not to pursue  
18 the rulemaking described in paragraph (1), the Ad-  
19 ministrator shall brief the Committee on Transpor-  
20 tation and Infrastructure of the House of Represent-  
21 atives and the Committee on Commerce, Science,  
22 and Transportation of the Senate on the justifica-  
23 tion of such decision.

1 **SEC. 721. IMPROVED TRAINING STANDARDS FOR ASSIST-**  
2 **ING PASSENGERS WHO USE WHEELCHAIRS.**

3 (a) RULEMAKING.—Not later than 6 months after  
4 the date of enactment of this Act, the Secretary of Trans-  
5 portation shall issue a notice of proposed rulemaking to  
6 develop requirements for minimum training standards for  
7 airline personnel or contractors who assist wheelchair  
8 users who must board or deplane using an aisle chair or  
9 other boarding device.

10 (b) REQUIREMENTS.—The training standards devel-  
11 oped under subsection (a) shall require, at a minimum,  
12 that airline personnel or contractors who assist passengers  
13 who use wheelchairs who must board or deplane using an  
14 aisle chair or other boarding device—

15 (1) complete refresher training within 18  
16 months and be recertified on the job within 18  
17 months by a superior in order to remain qualified  
18 for providing aisle chair assistance; and

19 (2) be able to successfully demonstrate each of  
20 following skills in hands-on training sessions before  
21 being allowed to board or deplane a passenger using  
22 an aisle chair or other boarding device:

23 (A) How to safely use the aisle chair, or  
24 other boarding device, including the use of all  
25 straps, brakes, and other safety features.

1           (B) How to assist in the transfer of pas-  
2           sengers to and from their wheelchair, the aisle  
3           chair, and the aircraft's passenger seat, either  
4           by physically lifting the passenger or deploying  
5           a mechanical device for the lift or transfer.

6           (C) How to effectively communicate with,  
7           and take instruction from, the passenger.

8           (e) CONSIDERATIONS.—In conducting the rulemaking  
9           under subsection (a), the Secretary shall consider, at a  
10          minimum—

11           (1) whether to require air carriers and foreign  
12          air carriers to partner with national disability orga-  
13          nizations and disabled veterans organizations rep-  
14          resenting individuals with disabilities who use wheel-  
15          chairs and scooters in developing and reviewing  
16          training; and

17           (2) whether individuals able to provide boarding  
18          and deplaning assistance for passengers with limited  
19          or no mobility should receive training incorporating  
20          procedures from medical professionals on how to  
21          properly lift these passengers.

22          (d) FINAL RULE.—Not later than 12 months after  
23          the date of enactment of this Act, the Secretary shall issue  
24          a final rule pursuant to the rulemaking conducted under  
25          this section.

1 (e) PENALTIES.—The Secretary may assess a civil  
2 penalty in accordance with section 46301 of title 49,  
3 United States Code, to any air carrier or foreign air car-  
4 rier who fails to meet the requirements established under  
5 the final rule under subsection (d).

6 **SEC. 722. TRAINING STANDARDS FOR STOWAGE OF WHEEL-**  
7 **CHAIRS AND SCOOTERS.**

8 (a) RULEMAKING.—Not later than 6 months after  
9 the date of enactment of this Act, the Secretary of Trans-  
10 portation shall issue a notice of proposed rulemaking to  
11 develop minimum training standards related to stowage of  
12 wheelchairs and scooters used by passengers with disabil-  
13 ities on aircraft.

14 (b) REQUIREMENTS.—The training standards devel-  
15 oped under subsection (a) shall require, at a minimum,  
16 that personnel and contractors of air carriers and foreign  
17 air carriers who stow wheelchairs and scooters on air-  
18 craft—

19 (1) complete refresher training within 18  
20 months and be recertified on the job within 18  
21 months by a superior in order to remain qualified  
22 for handling and stowing wheelchairs and scooters;  
23 and

24 (2) be able to successfully demonstrate the each  
25 of following skills in hands-on training sessions be-

1 fore being allowed to handle or stow a wheelchair or  
2 scooter:

3 (A) How to properly handle and configure,  
4 at a minimum on a common design for power  
5 and manual wheelchairs and scooters for stow-  
6 age on each aircraft type operated by the air  
7 carrier or foreign air carrier.

8 (B) How to properly review any wheelchair  
9 or scooter information provided by the pas-  
10 senger or the wheelchair or scooter manufac-  
11 turer.

12 (C) How to properly load, secure, and un-  
13 load wheelchairs and scooters, including how to  
14 use any specialized equipment for loading or  
15 unloading, on each aircraft type operated by the  
16 air carrier or foreign air carrier.

17 (c) CONSIDERATIONS.—In conducting the rulemaking  
18 under subsection (a), the Secretary shall consider, at a  
19 minimum whether to require air carriers and foreign air  
20 carriers to partner with wheelchair or scooter manufactur-  
21 ers, national disability and disabled veterans organizations  
22 representing individuals who use wheelchairs and scooters,  
23 and aircraft manufacturers, in developing training.

24 (d) FINAL RULE.—Not later than 12 months after  
25 the date of enactment of this Act, the Secretary shall issue

1 a final rule pursuant to the rulemaking conducted under  
2 this section.

3 (e) PENALTIES.—The Secretary may assess a civil  
4 penalty in accordance with section 46301 of title 49,  
5 United States Code, to any air carrier or foreign air car-  
6 rier who fails to meet the requirements established under  
7 the final rule under subsection (d).

8 **SEC. 723. INVESTIGATION OF COMPLAINTS.**

9 Section 41705(c) of title 49, United States Code, is  
10 amended by striking paragraph (1), and inserting the fol-  
11 lowing:

12 “(1) IN GENERAL.—The Secretary shall—

13 “(A) not later than 120 days after the re-  
14 ceipt of any complaint of a violation of this sec-  
15 tion or a regulation prescribed under this sec-  
16 tion, investigate such complaint; and

17 “(B) provide, in writing, to the individual  
18 that filed the complaint and the air carrier or  
19 foreign air carrier alleged to have violated this  
20 section or a regulation prescribed under this  
21 section, the determination of the Secretary with  
22 respect to—

23 “(i) whether the air carrier or foreign  
24 air carrier violated this section or a regula-  
25 tion prescribed under this section;

1                   “(ii) the facts underlying the com-  
2                   plaint; and

3                   “(iii) any action the Secretary is tak-  
4                   ing in response to the complaint.”.

5 **SEC. 724. STANDARDS.**

6       (a) AIRCRAFT ACCESS STANDARDS.—

7           (1) STANDARDS.—

8                   (A) ADVANCE NOTICE OF PROPOSED RULE-  
9                   MAKING.—Not later than 1 year after the date  
10                   of enactment of this Act, the Secretary of  
11                   Transportation shall issue an advanced notice  
12                   of proposed rulemaking regarding standards to  
13                   ensure that the aircraft boarding and deplaning  
14                   process is accessible, in terms of design for,  
15                   transportation of, and communication with, in-  
16                   dividuals with disabilities, including individuals  
17                   who use wheelchairs.

18                   (B) NOTICE OF PROPOSED RULE-  
19                   MAKING.—Not later than 1 year after the date  
20                   on which the advanced notice of proposed rule-  
21                   making under subparagraph (A) is completed,  
22                   the Secretary shall issue a notice of proposed  
23                   rulemaking regarding standards addressed in  
24                   subparagraph (A).

1 (C) FINAL RULE.—Not later than 1 year  
2 after the date on which the notice of proposed  
3 rulemaking under subparagraph (B) is com-  
4 pleted, the Secretary shall issue a final rule.

5 (2) COVERED AIRPORT, EQUIPMENT, AND FEA-  
6 TURES.—The standards prescribed under paragraph  
7 (1)(A) shall address, at a minimum—

8 (A) boarding and deplaning equipment;

9 (B) improved procedures to ensure the pri-  
10 ority cabin stowage for manual assistive devices  
11 pursuant to section 382.67 of title 14, Code of  
12 Federal Regulations; and

13 (C) improved cargo hold storage to prevent  
14 damage to assistive devices.

15 (3) CONSULTATION.—For purposes of the rule-  
16 making under this subsection, the Secretary shall  
17 consult with the Access Board and any other rel-  
18 evant department or agency to determine appro-  
19 priate accessibility standards.

20 (b) IN-FLIGHT ENTERTAINMENT RULEMAKING.—  
21 Not later than 1 year after the date of the enactment of  
22 this Act, the Secretary shall issue a notice of proposed  
23 rulemaking in accordance with the November 22, 2016,  
24 resolution of the Department of Transportation ACCESS  
25 Committee and the consensus recommendation set forth

1 in the Term Sheet Reflecting Agreement of the Access  
2 Committee Regarding In-Flight Entertainment.

3 (c) NEGOTIATED RULEMAKING ON IN-CABIN WHEEL-  
4 CHAIR RESTRAINT SYSTEMS AND ENPLANING AND  
5 DEPLANING STANDARDS.—

6 (1) TIMING.—

7 (A) IN GENERAL.—Not later than 1 year  
8 after completion of the report required by sec-  
9 tion 712(d)(3), and if such report finds eco-  
10 nomic and financial feasibility of air carriers  
11 and foreign air carriers implementing seating  
12 arrangements that accommodate individuals  
13 with disabilities using wheelchairs (including  
14 power wheelchairs, manual wheelchairs, and  
15 scooters) in the main cabin during flight, the  
16 Secretary shall conduct a negotiated rulemaking  
17 on new type certificated aircraft standards for  
18 seating arrangements that accommodate such  
19 individuals in the main cabin during flight or  
20 an accessible route to a minimum of 2 aircraft  
21 passenger seats for passengers to access from  
22 personal assistive devices of such individuals.

23 (B) REQUIREMENT.—The negotiated rule-  
24 making under subparagraph (A) shall include  
25 participation of representatives of—

- 1 (i) air carriers;
- 2 (ii) aircraft manufacturers;
- 3 (iii) national disability organizations;
- 4 (iv) aviation safety experts; and
- 5 (v) mobility aid manufacturers.

6 (2) NOTICE OF PROPOSED RULEMAKING.—Not  
7 later than 1 year after the completion of the nego-  
8 tiated rulemaking required under paragraph (1), the  
9 Secretary shall issue a notice of proposed rule-  
10 making regarding the standards described in para-  
11 graph (1).

12 (3) FINAL RULE.—Not later than 1 year after  
13 the date on which the notice of proposed rulemaking  
14 under paragraph (2) is completed, the Secretary  
15 shall issue a final rule regarding the standards de-  
16 scribed in paragraph (1).

17 (4) CONSIDERATIONS.—In the negotiated rule-  
18 making and rulemaking required under this sub-  
19 section, the Secretary shall consider—

20 (A) a reasonable period for the design, cer-  
21 tification, and construction of aircraft that meet  
22 the requirements;

23 (B) the safety of all persons on-board the  
24 aircraft, including necessary wheelchair stand-  
25 ards and wheelchair compliance with Federal

1 Aviation Administration crashworthiness and  
2 safety performance criteria; and

3 (C) the costs of design, installation, equi-  
4 page, and aircraft capacity impacts, including  
5 partial fleet equipage and fare impacts.

6 (d) VISUAL AND TACTILELY ACCESSIBLE AN-  
7 NOUNCEMENTS.—The Advisory Committee established  
8 under section 439(g) of the FAA Reauthorization Act of  
9 2018 (49 U.S.C. 41705 note) shall examine technical solu-  
10 tions and the feasibility of visually and tactilely accessible  
11 announcements on-board aircraft.

12 (e) AIRPORT FACILITIES.—Not later than 2 years  
13 after the date of enactment of this Act, the Secretary  
14 shall, in direct consultation with the Access Board, pre-  
15 scribe regulations setting forth minimum standards under  
16 section 41705 of title 49, United States Code, that ensure  
17 all gates (including counters), ticketing areas, and cus-  
18 tomer service desks covered under such section at airports  
19 are accessible to and usable by all individuals with disabil-  
20 ities, including through the provision of visually and  
21 tactilely accessible announcements and full and equal ac-  
22 cess to aural communications.

23 (f) DEFINITIONS.—In this section:

1           (1) ACCESS BOARD.—The term “Access board”  
2 means the Architectural and Transportation Bar-  
3 riers Compliance Board.

4           (2) AIR CARRIER.—The term “air carrier” has  
5 the meaning given such term in section 40102 of  
6 title 49, United States Code.

7           (3) INDIVIDUAL WITH A DISABILITY.—The term  
8 “individual with a disability” has the meaning given  
9 such term in section 382.3 of title 14, Code of Fed-  
10 eral Regulations.

11           (4) FOREIGN AIR CARRIER.—The term “foreign  
12 air carrier” has the meaning given such term in sec-  
13 tion 40102 of title 49, United States Code.

14 **SEC. 725. SEATING ACCOMMODATIONS FOR QUALIFIED IN-**  
15 **DIVIDUALS WITH DISABILITIES.**

16 (a) IN GENERAL.—

17           (1) ADVANCED NOTICE OF PROPOSED RULE-  
18 MAKING.—Not later than 180 days after the date of  
19 enactment of this section, the Secretary of Trans-  
20 portation shall issue an advanced notice of proposed  
21 rulemaking regarding seating accommodations for  
22 any qualified individual with a disability.

23           (2) NOTICE OF PROPOSED RULEMAKING.—Not  
24 later than 2 years after the date on which the ad-  
25 vanced notice of proposed rulemaking under para-

1 graph (1) is completed, the Secretary shall issue a  
2 notice of proposed rulemaking regarding seating ac-  
3 commodations for any qualified individual with a  
4 disability.

5 (b) CONSIDERATIONS.—In carrying out the advanced  
6 notice of proposed rulemaking required in subsection  
7 (a)(1), the Secretary shall consider the following:

8 (1) The scope and anticipated number of quali-  
9 fied individuals with a disability who—

10 (A) may need to be seated with a com-  
11 panion to receive assistance during a flight; or

12 (B) should be afforded bulkhead seats or  
13 other seating considerations.

14 (2) The types of disabilities that may need seat-  
15 ing accommodations.

16 (3) Whether such qualified individuals with a  
17 disability are unable to obtain, or have difficulty ob-  
18 taining, such a seat.

19 (4) The scope and anticipated number of indi-  
20 viduals assisting a qualified individual with a dis-  
21 ability who should be afforded an adjoining seat pur-  
22 suant to section 382.81 of title 14, Code of Federal  
23 Regulations.

1           (5) Any notification given to qualified individ-  
2 uals with a disability regarding available seating ac-  
3 commodations.

4           (6) Any method that is adequate to identify  
5 fraudulent claims for seating accommodations.

6           (7) Any other information determined appro-  
7 priate by the Secretary.

8           (c) ACCREDITED SERVICE ANIMAL TRAINING PRO-  
9 GRAMS AND AUTHORIZED REGISTRARS.—Not later than  
10 6 months after the date of enactment of this section, the  
11 Secretary shall publish on the website of the Department  
12 of Transportation and maintain a list of—

13           (1) accredited programs that train service ani-  
14 mals; and

15           (2) authorized registrars that evaluate service  
16 animals.

17           (d) REPORT TO CONGRESS ON SERVICE ANIMAL RE-  
18 QUESTS.—Not later than 1 year after the date of enact-  
19 ment of this section, and annually thereafter, the Sec-  
20 retary shall submit to the Committee on Transportation  
21 and Infrastructure of the House of Representatives and  
22 the Committee on Commerce, Science, and Transportation  
23 of the Senate a report on requests for air travel with serv-  
24 ice animals, including—

1           (1) during the reporting period, how many re-  
2           requests to board an aircraft with a service animal  
3           were made; and

4           (2) the number and percentage of such re-  
5           quests, categorized by type of request, that were re-  
6           ported by air carriers or foreign air carriers as—

7                   (A) granted;

8                   (B) denied; or

9                   (C) fraudulent.

10          (e) TRAINING.—

11           (1) IN GENERAL.—Not later than 180 days  
12           after the date of enactment of this section, the Sec-  
13           retary shall, in consultation with the Air Carrier Ac-  
14           cess Act Advisory Committee, issue guidance regard-  
15           ing improvements to training for airline personnel  
16           (including contractors) in recognizing when a quali-  
17           fied individual with a disability is traveling with a  
18           service animal.

19           (2) REQUIREMENTS.—The guidance issued  
20           under paragraph (1) shall—

21                   (A) take into account respectful engage-  
22                   ment with and assistance for individuals with a  
23                   wide range of visible and non-visible disabilities;

24                   (B) provide information on—

1 (i) service animal behavior and wheth-  
2 er the service animal is appropriately har-  
3 nessed, leashed, or otherwise tethered; and

4 (ii) the various types of service ani-  
5 mals, such as guide dogs, hearing or signal  
6 dogs, psychiatric service dogs, sensory or  
7 social signal dogs, and seizure response  
8 dogs; and

9 (C) outline the rights and responsibilities  
10 of the handler of the service animal.

11 (f) DEFINITIONS.—In this section, the following defi-  
12 nitions apply:

13 (1) AIR CARRIER.—The term “air carrier” has  
14 the meaning given that term in section 40102 of  
15 title 49, United States Code.

16 (2) FOREIGN AIR CARRIER.—The term “foreign  
17 air carrier” has the meaning given that term in sec-  
18 tion 40102 of title 49, United States Code.

19 (3) QUALIFIED INDIVIDUAL WITH A DIS-  
20 ABILITY.—The term “qualified individual with a dis-  
21 ability” has the meaning given that term in section  
22 382.3 of title 14, Code of Federal Regulations.

23 (4) SERVICE ANIMAL.—The term “service ani-  
24 mal” has the meaning given that term in section  
25 382.3 of title 14, Code of Federal Regulations.

1 **SEC. 726. PROVISION OF DRINKING WATER TO PAS-**  
2 **SENGERS.**

3 The Administrator of the Federal Aviation Adminis-  
4 tration shall issue such regulations as are necessary to re-  
5 quire air carriers and foreign air carriers to provide com-  
6 plementary drinking water to passengers on all domestic  
7 and international flights with a scheduled duration of 1  
8 hour or more.

9 **SEC. 727. GAO REPORT ON MASS FLIGHT CANCELLATION**  
10 **EVENT.**

11 (a) **REPORT REQUIRED.**—Not later than 1 year after  
12 the date of enactment of this Act, the Comptroller General  
13 of the United States shall submit to the Committee on  
14 Transportation and Infrastructure of the House of Rep-  
15 resentatives and the Committee on Commerce, Science,  
16 and Transportation of the Senate a report on the actions  
17 of the Department of Transportation during the period be-  
18 ginning 2 weeks before July 4th, 2023, and ending two  
19 weeks after July 4th, 2023, that resulted in substantial  
20 flight cancellations during such period.

21 (b) **EXAMINATION.**—In developing the report under  
22 subsection (a), the Comptroller general shall examine—

23 (1) all actions the Secretary of Transportation  
24 and the Administrator of the Federal Aviation Ad-  
25 ministration took to mitigate flight disruptions and  
26 flight cancellations during such period; and

1           (2) any actions not taken by the Secretary or  
2           the Administrator that may have mitigated flight  
3           disruptions and cancellations during such period.

## 4           **Subtitle B—Air Traffic**

### 5   **SEC. 741. TRANSFERS OF AIR TRAFFIC SYSTEMS ACQUIRED** 6           **WITH AIP.**

7           Section 44502(e) of title 49, United States Code, is  
8   amended—

9           (1) in paragraph (1) by inserting “in a non-  
10          contiguous State” after “An airport”;

11          (2) in paragraph (3)—

12                 (A) in subparagraph (B) by striking “or”  
13                 at the end;

14                 (B) in subparagraph (C) by striking the  
15                 period at the end and inserting “; or”; and

16                 (C) by adding at the end the following:

17                         “(D) a Medium Intensity Approach Light-  
18                         ing System with Runway Alignment Indicator  
19                         Lights.”; and

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

21                 “(4) EXCEPTION.—The requirement under  
22                 paragraph (1) that an eligible air traffic system or  
23                 equipment be purchased in part using a Government  
24                 airport aid program, airport development aid pro-  
25                 gram, or airport improvement project grant shall not

1 apply if the system or equipment is installed at an  
2 airport that is categorized as a basic or local general  
3 aviation airport under the most recently published  
4 national plan of integrated airport systems under  
5 section 47103.”.

6 **SEC. 742. NEXTGEN PROGRAMS.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of enactment of this Act, and periodically thereafter  
9 as the Administrator of the Federal Aviation Administra-  
10 tion determines appropriate, the Administrator shall con-  
11 vene Administration officials to evaluate and expedite the  
12 implementation of NextGen programs and capabilities.

13 (b) NEXTGEN PROGRAM PRIORITIZATION.—In allo-  
14 cating amounts appropriated pursuant to section 48101(a)  
15 of title 49, United States Code, the Secretary of Transpor-  
16 tation shall give priority to the following activities:

- 17 (1) Performance-based navigation.
- 18 (2) Data communications.
- 19 (3) Terminal flight data manager.
- 20 (4) Aeronautical information management.

21 (c) PERFORMANCE-BASED NAVIGATION.—

22 (1) IN GENERAL.—Not later than 3 years after  
23 the date of enactment of this Act, the Administrator  
24 shall fully implement performance-based navigation  
25 procedures for all terminal and enroute routes, in-

1 including approach and departure procedures for cov-  
2 ered airports.

3 (2) SPECIFIC PROCEDURES.—Pursuant to para-  
4 graph (1), the Administrator shall prioritize the fol-  
5 lowing performance-based navigation procedures:

6 (A) Trajectory-based operations.

7 (B) Optimized profile descents.

8 (C) Multiple airport route separation.

9 (D) Established on required navigation  
10 performance.

11 (E) Converging runway display aids.

12 (3) PERFORMANCE-BASED NAVIGATION BASE-  
13 LINE EQUIPAGE REQUIREMENTS.—In carrying out  
14 paragraph (1), the Administrator shall issue such  
15 regulations as may be required, and publish applica-  
16 ble advisory circulars, to establish the equipage base-  
17 line appropriate for aircraft to safely use perform-  
18 ance-based navigation procedures.

19 (d) DATA COMMUNICATIONS.—

20 (1) IN GENERAL.—Not later than 2 years after  
21 the date of enactment of this Act, the Administrator  
22 shall fully implement the use of data communica-  
23 tions.

24 (2) SPECIFIC CAPABILITIES.—In carrying out  
25 subsection (a) and this subsection, the Administrator

1 shall prioritize the following data communications  
2 capabilities:

3 (A) Ground-to-ground message exchange  
4 for surface aircraft operations and runway safe-  
5 ty at airports.

6 (B) Automated message generation and re-  
7 ceipt.

8 (C) Message routing and transmission.

9 (D) Direct communications with aircraft  
10 avionics.

11 (E) Implementation of data communica-  
12 tions at all Air Route Traffic Control Centers.

13 (F) The Future Air Navigation System.

14 (e) TERMINAL FLIGHT DATA MANAGER.—

15 (1) IN GENERAL.—Not later than 4 years after  
16 the date of enactment of this Act, the Administrator  
17 shall replace the traffic flow management system  
18 with the flow data management system at covered  
19 airports.

20 (2) ELECTRONIC FLIGHT STRIPS.—In carrying  
21 out paragraph (1), the Administrator shall imple-  
22 ment electronic flight strips, at a minimum, at the  
23 air traffic control towers of covered airports and all  
24 terminal radar approach control and air route traffic  
25 control centers.

1 (f) AERONAUTICAL INFORMATION MANAGEMENT  
2 SYSTEMS.—

3 (1) IN GENERAL.—Not later than 3 years after  
4 the date of enactment of this Act, the Administrator  
5 shall fully modernize the aeronautical information  
6 management systems of the Federal Aviation Ad-  
7 ministration to improve the functionality, useability,  
8 durability, and reliability of such systems used in the  
9 national airspace system.

10 (2) REQUIREMENTS.—In carrying out para-  
11 graph (1), the Administrator shall—

12 (A) improve the distribution of critical  
13 safety information to pilots, air traffic control,  
14 and other relevant aviation stakeholders;

15 (B) fully develop and implement the Enter-  
16 prise Information Display System; and

17 (C) notwithstanding a centralized aero-  
18 nautical information management system, re-  
19 structure the back-up systems of aeronautical  
20 information management systems to be inde-  
21 pendent and self-sufficient from one another.

22 (g) EFFECT OF FAILURE TO MEET DEADLINE.—

23 (1) NOTIFICATION OF CONGRESS.—If the Ad-  
24 ministrator determines that the Administration has  
25 not or will not meet a deadline established under

1 subsection (a), (c), (d), or (e), the Administrator  
2 shall, not later than 30 days after such determina-  
3 tion, notify the Committee on Transportation and  
4 Infrastructure of the House of Representatives and  
5 the Committee on Commerce, Science, and Trans-  
6 portation of the Senate about the failure to meet the  
7 target deadlines.

8 (2) CONTENTS OF NOTIFICATION.—A notifica-  
9 tion under paragraph (1) shall be accompanied by  
10 the following:

11 (A) An explanation as to why the agency  
12 will not or did not meet the target deadlines de-  
13 scribed in such paragraph.

14 (B) A description of the actions the Ad-  
15 ministration plans to take to meet the target  
16 deadlines described in such paragraph.

17 (3) BRIEFING.—If the Administrator is re-  
18 quired to provide notice under paragraph (1), the  
19 Administrator shall provide the Committee on  
20 Transportation and Infrastructure of the House of  
21 Representatives and the Committee on Commerce,  
22 Science, and Transportation of the Senate bi-  
23 monthly, in-person briefings as to the progress made  
24 by the Administration regarding implementation  
25 under the respective subsection for which the target

1 deadline will not or was not met until such time as  
2 the Administrator has completed the required work  
3 under such subsection.

4 (h) NEXTGEN ADVISORY COMMITTEE CONSULTA-  
5 TION.—

6 (1) IN GENERAL.—The Administrator shall con-  
7 sult and task the NextGen Advisory Committee with  
8 providing recommendations on ways to expedite,  
9 prioritize, and fully implement NextGen programs to  
10 realize the operational benefits of such programs.

11 (2) CONSIDERATIONS.—In providing rec-  
12 ommendations under paragraph (1), the NextGen  
13 Advisory Committee shall consider—

14 (A) air traffic throughput of the national  
15 airspace system;

16 (B) daily operational performance, includ-  
17 ing delays and cancellations; and

18 (C) the potential need for performance-  
19 based operational metrics related to NextGen  
20 programs.

21 (i) SUNSET OF NEXTGEN BRAND.—

22 (1) IN GENERAL.— Not later than 3 years after  
23 the date of enactment of this Act, the Administrator  
24 shall terminate the use of the term “Next Genera-  
25 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. AIRSPACE TRANSITION COMPLETION.**

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 ensure that respon-  
11          sibility for the Newark, New Jersey radar sector is moved  
12          to the Philadelphia terminal radar approach control facil-  
13          ity.

14          (b) **STAFFING.**—In carrying out subsection (a), the  
15          Administrator may not—

16                (1) require the temporary or permanent move-  
17                ment of any personnel from the New York terminal  
18                radar approach control facility to the Philadelphia  
19                terminal radar approach control facility, but may so-  
20                licit such personnel to volunteer to temporarily or  
21                permanently facilitate the move required under sub-  
22                section (a); or

23                (2) reduce the target staffing level of the New  
24                York terminal radar approach control facility.

1           (c) CONGRESSIONAL BRIEFINGS.—Not later than  
2 180 days after the date of enactment of this Act and every  
3 60 days thereafter, the Administrator and the head of the  
4 collective bargaining unit representing air traffic control-  
5 lers shall brief 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 on the status of the move required under sub-  
9 section (a) until such time as the Newark, New Jersey  
10 radar sector is under the full responsibility of the Philadel-  
11 phia terminal radar approach control facility.

12 **SEC. 745. FAA CONTRACT TOWERS.**

13           (a) OPERATIONAL READINESS INSPECTIONS.—Not  
14 later than 180 days after the date of enactment of this  
15 Act, the Administrator of the Federal Aviation Adminis-  
16 tration shall update applicable regulations, standards, and  
17 guidance on operational readiness inspections related to  
18 the Federal Aviation Administration Contract Tower pro-  
19 gram to provide airport sponsors acting in good faith with  
20 7 years to complete such inspections after receiving a ben-  
21 efit-to-cost ratio of air traffic control services for an air-  
22 port.

23           (b) FCT CONTROLLER AIRSPACE AWARENESS.—

24                 (1) IN GENERAL.—Not later than 1 year after  
25 the date of enactment of this Act, the Administrator

1 shall authorize the use of advanced technology at  
2 Federal Aviation Administration contract towers to  
3 enhance air traffic controller situational awareness.

4 (2) EQUIPMENT STANDARDS.—In carrying out  
5 paragraph (1), the Administrator shall establish  
6 standards and criteria identical to such standards  
7 and criteria applicable to Federal Aviation Adminis-  
8 tration air traffic controllers for the use of advanced  
9 technology in air traffic control towers.

10 (3) RECURRENCE TRAINING.—In carrying out  
11 this subsection, the Administrator, in coordination  
12 with Federal Aviation Administration contract tower  
13 contractors, shall establish an appropriate training  
14 program to periodically train air traffic controllers  
15 employed by such contractors to ensure proper inte-  
16 gration and use of advanced technologies at Federal  
17 Aviation Administration contract towers.

18 (c) LIABILITY INSURANCE.—Not later than 2 years  
19 after the date of enactment of this Act, the Secretary of  
20 Transportation, in consultation with industry experts in-  
21 cluding Federal Aviation Administration contract tower  
22 contractors and aviation insurance providers, shall—

23 (1) assess existing liability limits for contract  
24 tower contractors established by the Secretary; and

1           (2) determine whether such limits should be up-  
2       dated.

3 **SEC. 746. FAA CONTRACT TOWER WORKFORCE AUDIT.**

4       (a) IN GENERAL.—Not later than 90 days after the  
5 date of enactment of this Act, the inspector general of the  
6 Department of Transportation shall initiate an audit of  
7 the workforce needs of the Federal Aviation Administra-  
8 tion Contract Tower Program.

9       (b) CONTENTS.—In conducting the audit required  
10 under subsection (a), the inspector general shall, at a min-  
11 imum—

12           (1) review the assumptions and methodologies  
13 used in assessing the source of Federal Aviation Ad-  
14 ministration contract towers staffing to determine  
15 the adequacy of staffing levels at such towers;

16           (2) determine whether there is a need to estab-  
17 lish an air traffic controller training program to  
18 allow Federal Aviation Administration contract  
19 tower contractors to conduct—

20               (A) initial training of air traffic controllers  
21 employed by such contractors; or

22               (B) on-the-job training of such controllers;

23           (3) assess whether establishing pathways to  
24 allow Federal Aviation Administration contract  
25 tower contractors to use the air traffic technical

1 training academy of the Federal Aviation Adminis-  
2 tration, or other means such as higher educational  
3 institutions, to provide initial technical training for  
4 air traffic controllers employed by such contractors  
5 could help address the workforce needs of the FAA  
6 contract tower program; and

7 (4) consult with the exclusive bargaining rep-  
8 resentative of the air traffic controllers certified  
9 under section 7111 of title 5, United States Code.

10 (c) REPORT.—Not later than 90 days after the com-  
11 pletion of the audit under subsection (a), the inspector  
12 general shall submit to the Committee on Transportation  
13 and Infrastructure of the House of Representatives and  
14 the Committee on Commerce, Science, and Transportation  
15 of the Senate a report on the findings of such audit and  
16 any recommendations as a result of such audit.

17 **SEC. 747. AVIATION INFRASTRUCTURE SUSTAINMENT.**

18 (a) IN GENERAL.—Not later than 2 years after the  
19 date of enactment of this Act, the Administrator of the  
20 Federal Aviation Administration shall develop perform-  
21 ance metrics with which the Administrator can assess the  
22 operation of safety-critical communication, navigation,  
23 and surveillance aviation infrastructure within the na-  
24 tional airspace system.

1 (b) PERFORMANCE METRICS NECESSARY TO REMAIN  
2 IN SERVICE.—

3 (1) IN GENERAL.—After developing the per-  
4 formance metrics under subsection (a), the Adminis-  
5 trator shall carry out an assessment to determine  
6 which applicable aviation infrastructure are to re-  
7 main in operational service.

8 (2) CONSIDERATIONS.—In making an assess-  
9 ment under paragraph (1), the Administrator shall  
10 take into consideration the following:

11 (A) The expected lifespan of such aviation  
12 infrastructure.

13 (B) The number and type of mechanical  
14 failures of such aviation infrastructure.

15 (C) The average annual costs of maintain-  
16 ing such aviation infrastructure over a 5-year  
17 timespan and whether such costs exceed the  
18 amount to replace such aviation infrastructure.

19 (D) The availability of replacement parts  
20 or labor capable of maintaining such aviation  
21 infrastructure.

22 (E) Any other factors the Administrator  
23 determines are necessary.

24 (c) PUBLICATION.—The Administrator shall make  
25 the performance metrics established under subsection (b)

1 available to the public through the website of the Adminis-  
2 tration, or other appropriate methods of publication, and  
3 shall ensure that any information made available to the  
4 public under this subsection is made available in a manner  
5 that—

6 (1) does not provide identifying information re-  
7 garding an individual or entity;

8 (2) prevents inappropriate disclosure of propri-  
9 etary information; and

10 (3) does not disclose information that may pose  
11 a cybersecurity risk.

12 **SEC. 748. AIR TRAFFIC CONTROL TOWER SAFETY.**

13 In designing, adopting a design, or constructing an  
14 air traffic control tower based on a previously adopted de-  
15 sign, the Administrator of the Federal Aviation Adminis-  
16 tration shall ensure that the safety of the national airspace  
17 system, the safety of employees of the Administration, the  
18 operational reliability of air traffic control towers, and the  
19 costs of such towers are the primary consideration in such  
20 design, adoption, or construction.

21 **SEC. 749. AIR TRAFFIC SERVICES DATA REPORTS.**

22 Section 45303(g)(2)(A) of title 49, United States  
23 Code, is amended by striking “8 years” and inserting “14  
24 years”.

1 **SEC. 750. 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. 751. 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 **SEC. 752. FAA CONTRACT TOWER PILOT PROGRAM.**

6           (a) IN GENERAL.—Not later than 180 days after the  
7           date of enactment of this Act, the Administrator of the  
8           Federal Aviation Administration shall establish a pilot  
9           program to convert up to 3 high-activity contract towers  
10          under the Federal Aviation Administration Contract  
11          Tower Program under section 47124 of title 49, United  
12          States Code, to visual flight rule towers staffed by the Ad-  
13          ministration.

14          (b) PRIORITY.—In selecting facilities to participate in  
15          the pilot program under subsection (a), the Administrator  
16          shall give priority to towers that—

17                (1) had over 200,000 in annual tower oper-  
18                ations in calendar year 2022 or a small hub airport  
19                with more than 900,000 passenger enplanements in  
20                calendar year 2021;

21                (2) have controls towers that are either owned  
22                by the Administration or are constructed to Admin-  
23                istration standards; and

1           (3) operate within a complex air space, includ-  
2           ing space used by air carriers, for general aviation,  
3           and by military aircraft.

4           (c) CONTROLLER RETENTION.—The Administrator  
5 shall appoint to the position of air traffic controller all  
6 air traffic controllers employed as a Federal contract  
7 tower operator and assigned to the air traffic control tower  
8 pilot program as of the date of enactment of this Act so  
9 long as such operator—

10           (1) meets the qualifications contained in section  
11           44506(f)(1)(A) of title 49, United States Code; and

12           (2) has all other pre-employment qualifications  
13           required by law.

14 **SEC. 753. AGREEMENTS FOR STATE AND LOCAL OPER-**  
15 **ATION OF AIRPORT FACILITIES.**

16           Section 47124(b)(3)(C) of title 49, United States  
17 Code, is amended by adding at the end the following:

18                   “(viii) Air traffic control towers at  
19                   airports with safety or operational prob-  
20                   lems related to the lack of an existing  
21                   tower.

22                   “(ix) Air traffic control towers at air-  
23                   ports with projected commercial and mili-  
24                   tary increases in aircraft or flight oper-  
25                   ations.

1 “(x) Air traffic control towers at air-  
2 ports with a variety of aircraft operations,  
3 including a variety of commercial and mili-  
4 tary flight operations”.

## 5 **Subtitle C—Small Community Air** 6 **Service**

### 7 **SEC. 771. ESSENTIAL AIR SERVICE REFORMS.**

8 (a) REDUCTION IN SUBSIDY CAP.—Section  
9 41731(a)(1)(C) of title 49, United States Code, is amend-  
10 ed to read as follows:

11 “(C) had an average subsidy per pas-  
12 senger—

13 “(i) of less than \$1,000 during the  
14 most recent fiscal year beginning before  
15 October 1, 2026, as determined in sub-  
16 paragraph (D) by the Secretary; or

17 “(ii) of \$500 or less during the most  
18 recent fiscal year beginning on or after Oc-  
19 tober 1, 2026; and”.

20 (b) RESTRICTION ON LENGTH OF ROUTES.—

21 (1) IN GENERAL.—Section 41732(a)(1) of title  
22 49, United States Code, is amended by inserting  
23 “less than 650 miles from an eligible place (unless  
24 such airport or eligible place are located in a non-  
25 contiguous State)” after “hub airport”.

1           (2) EXCEPTION.—The amendment made by  
2 paragraph (1) shall not apply to an eligible place  
3 that is served by an air carrier selected to receive es-  
4 sential air service compensation under subchapter II  
5 of chapter 417 of title 49, if—

6           (A) such service is in effect upon the date  
7 of enactment of this Act; and

8           (B) such service is provided by the same  
9 air carrier that provided service on the date of  
10 enactment of this Act.

11          (3) SUNSET.—Paragraph (2) shall cease to  
12 have effect after September 30, 2028.

13          (c) APPLICANT SELECTION CONSIDERATIONS.—Sec-  
14 tion 41733(c)(1) of title 49, United States Code, is  
15 amended—

16           (1) by striking “giving substantial weight to”  
17 and inserting “including”;

18           (2) in subparagraph (E) by striking “and” at  
19 the end;

20           (3) in subparagraph (F) by striking the period  
21 at the end and inserting “; and”; and

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

23           “(G) the total compensation proposed by the air  
24 carrier for providing scheduled air service under this  
25 section.”.

1 (d) COST SHARE.—

2 (1) SECTION 41737.—Section 41737(a)(1) of  
3 title 49, United States Code, is amended—

4 (A) in subparagraph (D) by striking “and”  
5 at the end;

6 (B) in subparagraph (E) by striking the  
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(F) require that, for a contract to provide air  
10 service that is entered into or renewed under this  
11 subchapter after September 30, 2026, the Govern-  
12 ment’s share of the compensation is 95 percent.”.

13 (2) SECTION 41731.—Section 41731 of title 49,  
14 United States Code, is amended—

15 (A) in subsection (c) by inserting “and sec-  
16 tion 41737(a)(1)(F)” after “subsection (a)(1)”;  
17 and

18 (B) in subsection (d) by inserting “and  
19 section 41737(a)(1)(F)” after “Subsection  
20 (a)(1)(B)”.

21 (e) SENSE OF CONGRESS.—It is the sense of Con-  
22 gress that route structures to rural airports serve a critical  
23 function to our Nation by connecting many of our military  
24 installations to major regional airline hubs.

1 **SEC. 772. ESSENTIAL AIR SERVICE AUTHORIZATION.**

2 Section 41742(a)(2) of title 49, United States Code,  
3 is amended by striking “\$155,000,000 for fiscal year  
4 2018” an all that follows through “\$172,000,000 for fiscal  
5 year 2023” and inserting “\$332,000,000 for fiscal year  
6 2024, \$312,000,000 for fiscal year 2025, \$300,000,000  
7 for fiscal year 2026, \$265,000,000 for fiscal year 2027,  
8 and \$252,000,000 for fiscal year 2028”.

9 **SEC. 773. SMALL COMMUNITY AIR SERVICE DEVELOPMENT**  
10 **PROGRAM REFORM AND AUTHORIZATION.**

11 (a) SAME PROJECTS LIMIT.—Section 41743(c)(4)(B)  
12 of title 49, United States Code, is amended by striking  
13 “10-year” and inserting “6-year”.

14 (b) PRIORITIES.—Section 41743(c)(5) of title 49,  
15 United States Code, is amended—

16 (1) by redesignating subparagraphs (B)  
17 through (G) as subparagraphs (C) through (H), re-  
18 spectively; and

19 (2) by adding after subparagraph (A) the fol-  
20 lowing—

21 “(B) the community has demonstrated  
22 support from at least 1 air carrier to provide  
23 service;”.

24 (c) AUTHORIZATION.—Section 41743(e)(2) of title  
25 49, United States Code, is amended by striking “2023”  
26 and inserting “2028”.

1 **SEC. 774. GAO STUDY ON INCREASED COSTS OF ESSENTIAL**  
2 **AIR SERVICE.**

3 (a) STUDY.—The Comptroller General of the United  
4 States shall conduct a study of the change in costs of the  
5 essential air service program under sections 41731  
6 through 41742 of title 49, United States Code.

7 (b) CONTENTS.—In conducting the study required  
8 under subsection (a), the Comptroller General shall—

9 (1) assess trends in costs of the essential air  
10 service program under sections 41731 through  
11 41742 of title 49, United States Code, over the 10-  
12 year period ending on the date of enactment of this  
13 Act;

14 (2) review potential causes for the increased  
15 cost of the essential air service program, including—

16 (A) labor costs;

17 (B) fuel costs;

18 (C) aging aircraft costs;

19 (D) air carrier opportunity costs; and

20 (E) airport costs; and

21 (3) assess the effects of the COVID–19 pan-  
22 demic on the costs of the essential air service pro-  
23 gram under sections 41731 through 41742 of title  
24 49, United States Code.

25 (c) REPORT.—Not later than 18 months after the  
26 date of enactment of this Act, the Comptroller General

1 shall submit to the Committee on Transportation and In-  
2 frastructure of the House of Representatives and to the  
3 Committee on Commerce, Science, and Transportation of  
4 the Senate a report on the results of the study conducted  
5 under subsection (a).

6 **SEC. 775. RESPONSE TIME FOR APPLICATIONS TO PROVIDE**  
7 **ESSENTIAL AIR SERVICE.**

8 The Secretary of Transportation shall take such ac-  
9 tions as are necessary to respond with an approval or de-  
10 nial of any application filed by an applicant to provide es-  
11 sential air service under subchapter II of chapter 417 of  
12 title 49, United States Code, to the greatest extent prac-  
13 ticable no later than 6 months after receiving such appli-  
14 cation.

15 **SEC. 776. GAO STUDY ON CERTAIN AIRPORT DELAYS.**

16 The Comptroller General of the United States shall  
17 conduct a study on flight delays in the States of New  
18 York, New Jersey, and Connecticut and the possible  
19 causes of such delays.

20 **SEC. 777. REPORT ON RESTORATION OF SMALL COMMU-**  
21 **NITY AIR SERVICE.**

22 (a) IN GENERAL.—Not later than 90 days after the  
23 date of enactment of this Act, the Secretary of the Depart-  
24 ment of Transportation shall enter into the appropriate  
25 arrangements with the National Academies to conduct a

1 study on the loss of commercial air service in small com-  
2 munities in the United States and options to restore such  
3 service.

4 (b) CONTENTS.—In conducting the study required  
5 under subsection (a), that National Academies shall—

6 (1) assess the reduction of scheduled commer-  
7 cial air service to small communities over a 5-year  
8 period ending on the date of enactment of this Act,  
9 to include small communities that have lost all  
10 scheduled commercial air service;

11 (2) review economic trends that have resulted in  
12 reduction or loss of scheduled commercial air service  
13 to such communities;

14 (3) review the economic losses of such commu-  
15 nities who have suffered a reduction or loss of sched-  
16 uled commercial air service;

17 (4) identify the causes that prompted air car-  
18 riers to reduce or eliminate scheduled commercial air  
19 service to such communities;

20 (5) assess the impact of changing aircraft eco-  
21 nomics; and

22 (6) identify recommendations that can be imple-  
23 mented by such communities or Federal, State, or  
24 local agencies to aid in the restoration or replace-  
25 ment of scheduled commercial air service.

1 (c) CASE STUDIES.—In conducting the study re-  
2 quired under subsection (a), the National Academies shall  
3 assess not fewer than 7 communities that have lost com-  
4 mercial air service or have had commercial air service sig-  
5 nificantly reduced in the past 15 years, including—

6 (1) Williamsport Regional Airport;

7 (2) Alamogordo-White Sands Regional Airport;

8 and

9 (3) Chautauqua County Jamestown Airport.

10 (d) REPORT.—Not later than 1 year after the date  
11 of enactment of this Act, the National Academies shall  
12 submit to the Secretary, the Committee on Transportation  
13 and Infrastructure of the House of Representatives, and  
14 the Committee on Commerce, Science and Transportation  
15 of the Senate a report containing—

16 (1) the results of the study described in sub-  
17 section (a); and

18 (2) recommendations to Congress and commu-  
19 nities on action that can be taken to improve or re-  
20 store scheduled commercial service to small commu-  
21 nities.

## 22 **TITLE VIII—MISCELLANEOUS**

### 23 **SEC. 801. DIGITALIZATION OF FAA PROCESSES.**

24 (a) IDENTIFICATION.—Not later than 2 years after  
25 the date of enactment of this Act, the Administrator of

1 the Federal Aviation Administration shall identify and  
2 catalog programs, activities, or processes that require  
3 paper-based information exchange between—

- 4 (1) external entities and the Administration; or
- 5 (2) offices within the Administration.

6 (b) DIGITALIZATION.—On an ongoing basis, and as  
7 appropriate, the Administrator shall transition the paper-  
8 based processes identified under subsection (a) to proc-  
9 esses that support secure digital information submission,  
10 exchange, collaboration, and approval.

11 (c) BRIEFING.—Not later than 60 days after com-  
12 pleting the required identification and catalog in sub-  
13 section (a), the Administrator shall brief the Committee  
14 on Transportation and Infrastructure of the House of  
15 Representatives and the Committee on Commerce,  
16 Science, and Transportation of the Senate on the pro-  
17 grams, activities, and processes identified under sub-  
18 section (a) and such programs, activities, and processes  
19 that have been identified for transition under subsection  
20 (b).

21 **SEC. 802. FAA TELEWORK.**

22 (a) IN GENERAL.—The Administrator of the Federal  
23 Aviation Administration—

- 24 (1) may establish telework policies for employ-  
25 ees that allow for the Administration to reduce the

1 office footprint and associated expenses of the Ad-  
2 ministration, increase workforce retention, and pro-  
3 vide flexibilities that the Administrator believes in-  
4 creases efficiency and effectiveness of the Adminis-  
5 tration, while requiring that any such policy—

6 (A) does not adversely impact the mission  
7 of the Administration;

8 (B) does not reduce the safety and effi-  
9 ciency of the national airspace system;

10 (C) for any employee that is designated as  
11 an officer or executive in the Federal Aviation  
12 Administration Executive System or a political  
13 appointee (as such term is defined in section  
14 106 of title 49, United States Code)—

15 (i) maximizes time at a duty station  
16 for such employee, excluding official travel;  
17 and

18 (ii) may include telework provisions as  
19 determined appropriate by the Adminis-  
20 trator, commensurate with official duties  
21 for such employee;

22 (D) provides for on-the-job training oppor-  
23 tunities for Administration personnel that are  
24 not less than such opportunities available in  
25 2019;

1           (E) reflects the appropriate work status of  
2 employees based on the job functions of such  
3 employee;

4           (F) optimizes the work status of inspec-  
5 tors, investigators, and other personnel per-  
6 forming safety-related functions to ensure time-  
7 ly completion of safety oversight activities;

8           (G) provides for personnel, including such  
9 personnel performing work related to aircraft  
10 certification and flight standards, who are re-  
11 sponsible for actively working with regulated  
12 entities, external stakeholders, or other mem-  
13 bers of the public to be—

14           (i) routinely available on a predictable  
15 basis for in-person and virtual communica-  
16 tions with external persons; and

17           (ii) not hindered from meeting with,  
18 visiting, auditing, or inspecting facilities or  
19 projects of regulated persons due to any  
20 telework policy; and

21           (H) provides offices of the Administration  
22 opportunities for in-person dialogue, collabora-  
23 tion, and ideation for all employees;

1           (2) ensures that locality pay for an employee of  
2           the Administrator accurately reflects the telework  
3           status and duty station of such employee;

4           (3) may not establish a telework policy for an  
5           employee of the Administration unless such em-  
6           ployee will be provided with secure network capacity,  
7           communications tools, necessary and secure access  
8           to appropriate agency data assets and Federal  
9           records, and equipment sufficient to enable such em-  
10          ployee to be fully productive; and

11          (4) not later than 2 years after the date of en-  
12          actment of this Act, shall evaluate and address any  
13          telework policies in effect on the day before such  
14          date of enactment to ensure that such policies meet  
15          the requirements of paragraph (1).

16          (b) CONGRESSIONAL UPDATE.—Not later than 1  
17          year after the date of enactment of this Act, and 1 year  
18          thereafter, the Administrator shall brief 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 on any telework policies  
22          currently in place, the implementation of such policies,  
23          and the benefits of such policies.

24          (c) CONSULTATION.—If the Administrator deter-  
25          mines that telework agreements must be updated to imple-

1 ment the requirements of subsection (a), the Adminis-  
2 trator shall, prior to updating such agreements, consult  
3 with—

4 (1) exclusive bargaining representatives of air  
5 traffic controllers certified under section 7111 of  
6 title 5, United States Code; and

7 (2) labor organizations certified under such sec-  
8 tion as the exclusive bargaining representative of  
9 airway transportation systems specialists and avia-  
10 tion safety inspectors and engineers of the Federal  
11 Aviation Administration.

12 **SEC. 803. REVIEW OF OFFICE SPACE.**

13 (a) FAA REVIEW.—

14 (1) INITIATION OF REVIEW.—Not later than 30  
15 months after the date of enactment of this Act, the  
16 Secretary of Transportation shall initiate an inven-  
17 tory review of the domestic office footprint of the  
18 Department of Transportation.

19 (2) COMPLETION OF REVIEW.—Not later than  
20 40 months after the date of enactment of this Act,  
21 the Secretary shall complete the inventory review re-  
22 quired under paragraph (1).

23 (b) CONTENTS OF REVIEW.—In completing the re-  
24 view under subsection (a), the Secretary shall—

1           (1) delineate the domestic office footprint into  
2 units of property, as determined appropriate by the  
3 Secretary;

4           (2) determine unit adequacy related to—

5                 (A) the Architectural Barriers Act of 1968  
6                 (42 U.S.C. 4151 et seq.) and the corresponding  
7                 accessibility guidelines established under part  
8                 1191 of title 36, Code of Federal Regulations;  
9                 and

10                (B) the Americans with Disabilities Act of  
11                1990 (42 U.S.C. 12101 et seq.);

12           (3) determine the feasible occupancy of each  
13 such unit, and provide the methodology used to  
14 make the determination;

15           (4) determine the number of individuals who  
16 are full-time equivalent employees, other employees,  
17 or contractors that have each such unit as a duty  
18 station and determine how telework policies will im-  
19 pact the usage of each such unit;

20           (5) calculate the amount of available, unused,  
21 or underutilized space in each such unit;

22           (6) consider any lease terms for leased units  
23 contained in the domestic office footprint, including  
24 cost and effective dates for each such leased unit;  
25 and

1           (7) based on the findings in paragraphs (2)  
2 through (6), and any other metrics the Secretary de-  
3 termines relevant, provide recommendations for opti-  
4 mizing the use of units of property across the De-  
5 partment in consultation with appropriate employee  
6 labor representatives.

7           (c) REPORT.—Not later than 2 months after com-  
8 pleting the review under subsection (a), the Secretary 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 final report that proposes opportunities to opti-  
13 mize the domestic office footprint of the Administration  
14 (and associated costs). In compiling such final report, the  
15 Secretary shall describe opportunities for—

16           (1) consolidation of offices within a reasonable  
17 distance from one another;

18           (2) the collocation of regional or satellite offices  
19 of separate modes of the Department, including the  
20 cost benefits of shared amenities; and

21           (3) the use of coworking spaces instead of per-  
22 manent offices.

23           (d) DEFINITION OF DOMESTIC OFFICE FOOT-  
24 PRINT.—In this section, the term “domestic office foot-  
25 print” means buildings, offices, facilities, and other real

1 property rented, owned, or occupied by the Administration  
2 or Department—

3 (1) in which employees report for permanent or  
4 temporary duty that are not being used for active  
5 operations of the air traffic control system; and

6 (2) which are located within the United States.

7 **SEC. 804. AIRCRAFT WEIGHT REDUCTION TASK FORCE.**

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 establish a task  
11 force to identify ways to safely reduce covered aircraft  
12 weight for purposes of reducing fuel burn.

13 (b) COMPOSITION.—The task force established under  
14 subsection (a) shall consist of not more than 20 individ-  
15 uals and shall include representatives of—

16 (1) the Federal Aviation Administration;

17 (2) other Federal agencies as the Administrator  
18 determines appropriate;

19 (3) air carriers;

20 (4) certified labor organizations representing  
21 flight attendants at air carriers operating under part  
22 121 of title 14, Code of Federal Regulations;

23 (5) certified labor organizations representing  
24 aircraft maintenance technicians;

1           (6) certified labor organizations representing  
2 other aviation workers, as appropriate; and

3           (7) aerospace manufacturers.

4           (c) REVIEW.—The task force established under sub-  
5 section (a) shall review and evaluate—

6           (1) regulations, requirements, advisory circu-  
7 lars, orders, or other such directives of the Adminis-  
8 tration related to covered aircraft or covered aircraft  
9 operations that may inhibit certification of new ma-  
10 terials, manufacturing processes, components, or  
11 technologies that could reduce aircraft weight or in-  
12 crease fuel efficiency without decreasing safety;

13           (2) aspects of covered aircraft design that are  
14 outdated or underutilized on the date of enactment  
15 of this Act that may unnecessarily increase covered  
16 aircraft weight or reduce aircraft fuel efficiency that  
17 are not necessary for the safe operation of such air-  
18 craft;

19           (3) novel technologies and manufacturing proc-  
20 esses, including the use of advanced materials, that  
21 can safely be used in the construction or modifica-  
22 tion of covered aircraft, including a component or  
23 the interior of such aircraft, to reduce weight or im-  
24 prove fuel efficiency; and

1           (4) nonproprietary methods that air carriers  
2           have used to safely decrease covered aircraft weight  
3           or improve fuel efficiency.

4           (d) REPORT.—

5           (1) TASK FORCE REPORT.—

6           (A) IN GENERAL.—Not later than 3 years  
7           after the establishment of the task force under  
8           subsection (a), the task force shall submit a re-  
9           port on the findings and results of the review  
10          and evaluation conducted under subsection (c)  
11          to the Administrator.

12          (B) RECOMMENDATIONS.—In submitting  
13          the report required under subparagraph (A),  
14          the task force shall include recommendations—

15               (i) on actions the Administrator may  
16               take to updated regulations, processes, ad-  
17               visory circulars, orders, or other such di-  
18               rections of the Administration to enable  
19               the certification of new materials, compo-  
20               nents, manufacturing processes, or tech-  
21               nologies that may allow for the safe reduc-  
22               tion of covered aircraft weight or the im-  
23               provement of fuel efficiency; and

24               (ii) on best practices for air carriers  
25               and aerospace manufacturers to certify

1           such materials, components, manufac-  
2           turing processes, or technologies.

3           (C) APPROXIMATION OF BENEFITS.—For  
4           each recommendation made under subpara-  
5           graph (B), the task force shall approximate the  
6           fuel savings that could be expected if such rec-  
7           ommendation was adopted.

8           (D) SUBMISSION TO CONGRESS.—Not later  
9           than 3 days after receipt of the report required  
10          under subparagraph (A), the Administrator  
11          shall 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 the  
15          report and recommendations.

16          (2) FAA REPORT.—Not later than 120 days  
17          after submission of the report under paragraph (1),  
18          the Administrator shall submit 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 a re-  
22          port—

23                  (A) describing the recommendations of the  
24                  task force with which the Administrator fully  
25                  concurs, partially concurs, or does not concur;

1 (B) detailing, for the recommendations  
2 with which the Administrator fully or partially  
3 concurs—

4 (i) a timeline for implementing such  
5 recommendations; and

6 (ii) possible benefits of using new ma-  
7 terials, manufacturing processes, compo-  
8 nents, or technologies, including fuel sav-  
9 ings, increased capacity, or other benefits  
10 as determined reasonable by the task force;  
11 and

12 (C) explaining, for the recommendations  
13 with which the Administrator does not concur,  
14 the reason for which the Administrator will not  
15 implement such recommendations.

16 (e) SUNSET.—

17 (1) IN GENERAL.—The task force established  
18 under subsection (a) shall terminate upon submis-  
19 sion of the report required under subsection  
20 (d)(1)(A).

21 (2) EXCEPTION.—The Administrator may  
22 choose to extend such task force after the submis-  
23 sion of the report required under subsection  
24 (d)(1)(A), if the Administrator determines that such  
25 an extension would be in the public interest.

1 (f) DEFINITION.—In this section:

2 (1) AIR CARRIER.—The term “air carrier”  
3 means an air carrier (as such term is defined in sec-  
4 tion 40102 of title 49, United States Code) that  
5 holds a certificate issued under part 121 of title 14,  
6 Code of Federal Regulations.

7 (2) AIRCRAFT WEIGHT.—The term “aircraft  
8 weight” means the gross weight of a covered aircraft  
9 in operation.

10 (3) COVERED AIRCRAFT.—The term “covered  
11 aircraft” means an aircraft that is operated by an  
12 air carrier that is operating pursuant to a certificate  
13 issued under part 121 of title 14, Code of Federal  
14 Regulations.

15 **SEC. 805. AUDIT OF TECHNICAL WRITING RESOURCES AND**  
16 **CAPABILITIES.**

17 (a) AUDIT BY INSPECTOR GENERAL.—Not later than  
18 90 days after the date of enactment of this Act, the inspec-  
19 tor general of the Department of Transportation shall ini-  
20 tiate an audit of the technical writing resources and capa-  
21 bilities of the Federal Aviation Administration as such re-  
22 sources and capabilities relate to producing rulemaking,  
23 policy, and guidance, to—

24 (1) determine if such resources and capabilities  
25 are adequate; and

1           (2) make recommendations for improvement of  
2           such resources and capabilities.

3           (b) REVIEW.—In conducting the review required  
4           under subsection (a), the inspector general shall evaluate  
5           the technical writing resources and capabilities of the Ad-  
6           ministration in each line of business of the Administration,  
7           the Office of Policy, International Affairs, and Environ-  
8           ment, and the Office of the Chief Counsel, including by  
9           reviewing—

10           (1) the process and resources required to  
11           produce initial drafts of rulemaking, policy, and  
12           guidance documents;

13           (2) the quality of such initial drafts;

14           (3) the amount of edits that are required  
15           throughout the production of rulemaking, policy, and  
16           guidance documents;

17           (4) writing support and education tools pro-  
18           vided to engineers, managers, and other technical  
19           staff of the Administration involved in writing or ed-  
20           iting such documents; and

21           (5) whether—

22           (A) the Administration has and adheres to  
23           best practices for the drafting of rulemaking,  
24           policy, and guidance documents; and

25           (B) such best practices are—

1 (i) easily accessible and understand-  
2 able by employees of the Administration;  
3 and

4 (ii) reflect modern writing conven-  
5 tions.

6 (c) RECOMMENDATIONS.—In making the rec-  
7 ommendations required under subsection (a)(2), the in-  
8 spector general shall make recommendations to the Ad-  
9 ministrator of the Federal Aviation Administration on how  
10 to improve the quality of written rulemaking, policy, and  
11 guidance documents and the speed at which such docu-  
12 ments can be produced, internally reviewed, and approved.

13 (d) DECONFLICTING SCOPE.—The inspector general  
14 shall ensure that the audit required under subsection (a)  
15 does not duplicate the evaluation required under section  
16 125, except to the extent that duplication is necessary to  
17 fully evaluate the technical writing resources and capabili-  
18 ties of the Administration.

19 (e) REPORT.—Not later than 1 year after the inspec-  
20 tor general initiates the audit under subsection (a), the  
21 inspector general shall submit to the Committee on Trans-  
22 portation and Infrastructure of the House of Representa-  
23 tives and the Committee on Commerce, Science, and  
24 Transportation of the Senate a report on the results of  
25 the audit, including findings and recommendations.

1 **SEC. 806. FAA PARTICIPATION IN INDUSTRY STANDARDS**  
2 **ORGANIZATIONS.**

3 (a) IN GENERAL.—The Administrator of the Federal  
4 Aviation Administration shall ensure the participation of  
5 employees of the Administration in the activities of recog-  
6 nized industry standards organizations to advance the  
7 adoption, reference, and acceptance rate of standards and  
8 means of compliance developed by such organizations by  
9 the Administrator.

10 (b) PARTICIPATION.—An employee directed by the  
11 Administrator to participate in a working group, task  
12 group, committee, or similar body of a recognized industry  
13 standards organization shall—

14 (1) actively participate in the discussions and  
15 work of such organization;

16 (2) accurately represent the position of the Ad-  
17 ministration on the subject matter of such discus-  
18 sions and work;

19 (3) contribute to the development of work prod-  
20 ucts of such organization, unless determined to be  
21 inappropriate by such organization;

22 (4) make reasonable efforts to identify and  
23 make any concerns of the Administration relating to  
24 such work products known to such organization, in-  
25 cluding through providing formal comments, as may

1 be allowed for under the procedures of such organi-  
2 zation;

3 (5) provide regular updates to other Adminis-  
4 tration employees and management on the progress  
5 of such work products; and

6 (6) seek advice and input from other Adminis-  
7 tration employees and management, as needed.

8 (c) INVITATIONS.—

9 (1) IN GENERAL.—The Administrator may ac-  
10 cept an invitation to participate in and contribute to  
11 the work of a recognized industry standards organi-  
12 zation as described in subsection (b).

13 (2) DECLINATION OF INVITATION.—If the Ad-  
14 ministrator declines an invitation described in para-  
15 graph (1), the Administrator shall provide—

16 (A) the recognized industry standards or-  
17 ganization a written response to the invitation  
18 that articulates the reasons for declining the in-  
19 vitation; and

20 (B) a copy of such written response to the  
21 Committee on Transportation and Infrastruc-  
22 ture of the House of Representatives and the  
23 Committee on Commerce, Science, and Trans-  
24 portation of the Senate not later than 5 days

1 after providing the response to such organiza-  
2 tion under subparagraph (A).

3 (d) **RECOGNIZED INDUSTRY STANDARDS ORGANIZA-**  
4 **TION DEFINED.**—In this section, the term “recognized in-  
5 dustry standards organization” means a domestic or inter-  
6 national organization that—

7 (1) uses agreed upon procedures to develop  
8 aviation-related industry standards or means of com-  
9 pliance, particularly standards or means of compli-  
10 ance that satisfy Administration requirements or  
11 guidance;

12 (2) is comprised of members of the public, in-  
13 cluding subject matter experts, industry representa-  
14 tives, academics and researchers, and government  
15 employees; and

16 (3) has had at least one standard or means of  
17 compliance accepted by the Administrator or ref-  
18 erenced in guidance material or a regulation issued  
19 by the Federal Aviation Administration after the  
20 date of enactment of the Vision 100—Century of  
21 Aviation Reauthorization Act (Public Law 108–176).

22 **SEC. 807. SENSE OF CONGRESS ON USE OF VOLUNTARY**  
23 **CONSENSUS STANDARDS.**

24 It is the sense of Congress that the Administrator  
25 of the Federal Aviation Administration should make every

1 effort to abide by the policies set forth in the Office of  
2 Management and Budget Circular A–119, titled “Federal  
3 Participation in the Development and Use of Voluntary  
4 Consensus Standards and Conformity Assessment Activi-  
5 ties”.

6 **SEC. 808. REQUIRED DESIGNATION.**

7 The Administrator of the Federal Aviation Adminis-  
8 tration shall designate any aviation rulemaking committee  
9 convened under this Act pursuant to section 106(p)(5) of  
10 title 49, United States Code.

11 **SEC. 809. SENSITIVE SECURITY INFORMATION.**

12 (a) IN GENERAL.—Chapter 401 of title 49, United  
13 States Code, is amended by inserting after section 40118  
14 the following:

15 **“§ 40119. Sensitive security information**

16 “(a) IN GENERAL.—Notwithstanding section 552 of  
17 title 5, the Secretary of Transportation shall issue regula-  
18 tions prohibiting the disclosure of information obtained or  
19 developed in the process of ensuring security under this  
20 title if the Secretary determines that disclosing the infor-  
21 mation would—

22 “(1) be an unwarranted invasion of personal  
23 privacy;

24 “(2) reveal a trade secret or privileged or con-  
25 fidential commercial or financial information; or

1           “(3) be detrimental to transportation safety.

2           “(b) WITHHELD INFORMATION.—In carrying out  
3 subsection (a), the Secretary shall ensure that the prohibi-  
4 tions described in such subsection do not apply to any in-  
5 formation provided to a committee of Congress authorized  
6 to have such information, including the Committee on  
7 Transportation and Infrastructure and the Committee on  
8 Science, Space, and Technology of the House of Rep-  
9 resentatives and the Committee on Commerce, Science,  
10 and Transportation of the Senate.

11          “(c) RULE OF CONSTRUCTION.—Nothing in sub-  
12 section (a) shall be construed to authorize the designation  
13 of information as sensitive security information (as de-  
14 fined in section 15.5 of title 49, Code of Federal Regula-  
15 tions) to—

16           “(1) conceal—

17               “(A) a violation of law;

18               “(B) inefficiency; or

19               “(C) an administrative error;

20           “(2) prevent embarrassment to a person, orga-  
21 nization, or governmental agency;

22           “(3) restrain competition; or

23           “(4) prevent or delay the release of information  
24 that does not require protection in the interest of  
25 transportation security, including basic scientific re-

1 search information not clearly related to transpor-  
2 tation security.

3 “(d) NONDISCLOSURE.—Section 552a of title 5 shall  
4 not apply to disclosures that the Administrator of the Fed-  
5 eral Aviation Administration may make from the systems  
6 of records of the Administration to any Federal law en-  
7 forcement, intelligence, protective service, immigration, or  
8 national security official in order to assist the official re-  
9 ceiving the information in the performance of official du-  
10 ties.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-  
12 ter 401 of title 49, United States Code, is amended by  
13 striking the item related to section 40119 and inserting  
14 the following:

“40119. Sensitive security information.”.

15 **SEC. 810. PRESERVING OPEN SKIES WHILE ENSURING FAIR**  
16 **SKIES.**

17 (a) ADDITION OF LABOR STANDARDS.—Section  
18 40101 of title 49, United States Code, is amended—

19 (1) in subsection (a) by adding at the end the  
20 following:

21 “(17) preventing the undermining of labor  
22 standards.”; and

23 (2) in subsection (e) by adding at the end the  
24 following:

1           “(11) preventing the undermining of labor  
2 standards.”.

3           (b) UPDATE TO FOREIGN AIR CARRIER PERMITS.—  
4 Section 41302(2)(B) of title 49, United States Code, is  
5 amended by striking “the foreign air transportation” and  
6 inserting “after considering the totality of the cir-  
7 cumstances, including the matters described in section  
8 40101(a), the foreign air transportation”.

9           (c) SAVINGS CLAUSE.—Nothing in this section, or  
10 the amendments made by this section, shall be construed  
11 to affect the validity of a foreign air carrier permit held,  
12 or air transport agreement in place, on the date of enact-  
13 ment of this Act.

14 **SEC. 811. COMMERCIAL PREFERENCE.**

15           Section 40110(d) of title 49, United States Code, is  
16 further amended—

17           (1) in paragraph (1) by striking “and imple-  
18 ment” and inserting “, implement, and periodically  
19 update”;

20           (2) in paragraph (2) by striking “the new ac-  
21 quisition management system developed and imple-  
22 mented” and inserting “the acquisition management  
23 system developed, implemented, and periodically up-  
24 dated” each place it appears;

25           (3) in paragraph (3)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “new”; and

4 (ii) by striking “and implemented”  
5 and inserting “, implemented, and periodi-  
6 cally updated”; and

7 (B) in subparagraph (B) by striking  
8 “Within” and all that follows through “the Ad-  
9 ministrator” and inserting “The Adminis-  
10 trator”;

11 (4) by redesignating paragraph (4) as para-  
12 graph (5); and

13 (5) by inserting after paragraph (3) the fol-  
14 lowing:

15 “(4) COMMERCIAL PRODUCTS AND SERVICES.—  
16 In implementing and updating the acquisition man-  
17 agement system pursuant to paragraph (1), the Ad-  
18 ministrator shall, whenever possible—

19 “(A) describe the requirements with re-  
20 spect to a solicitation for the procurement of  
21 supplies or services in terms of—

22 “(i) functions to be performed;

23 “(ii) performance required; or

24 “(iii) essential physical and system  
25 characteristics;

1           “(B) ensure that commercial services or  
2 commercial products may be procured to fulfill  
3 such solicitation, or to the extent that commer-  
4 cial products suitable to meet the needs of the  
5 Administration are not available, ensure that  
6 nondevelopmental items other than commercial  
7 products may be procured to fulfill such solici-  
8 tation;

9           “(C) provide offerors of commercial serv-  
10 ices, commercial products, and nondevelop-  
11 mental items other than commercial products  
12 an opportunity to compete in any solicitation  
13 for the procurement of supplies or services;

14           “(D) revise the procurement policies, prac-  
15 tices, and procedures of the Administration to  
16 reduce any impediments to the acquisition of  
17 commercial products and commercial services;

18           “(E) ensure that any procurement of new  
19 equipment takes into account the life cycle, reli-  
20 ability, performance, service support, and costs  
21 to guarantee the acquisition of equipment that  
22 is of high quality and reliability resulting in  
23 greater performance and cost-related benefits  
24 for airports; and

25           “(F) ensure that procurement officials—

1           “(i) acquire commercial services, com-  
2           mercial products, or nondevelopmental  
3           items other than commercial products to  
4           meet the needs of the Administration;

5           “(ii) in a solicitation for the procure-  
6           ment of supplies or services, state the spec-  
7           ifications for such supplies or services in  
8           terms that enable and encourage bidders  
9           and offerors to supply commercial services  
10          or commercial products, or to the extent  
11          that commercial products suitable to meet  
12          the needs of the Administration are not  
13          available, to supply nondevelopmental  
14          items other than commercial products;

15          “(iii) require that prime contractors  
16          and subcontractors at all levels under con-  
17          tracts with the Administration incorporate  
18          commercial services, commercial products,  
19          or nondevelopmental items other than com-  
20          mercial products as components of items  
21          supplied to the Administration;

22          “(iv) modify procurement require-  
23          ments in appropriate circumstances to en-  
24          sure that such requirements can be met by  
25          commercial services or commercial prod-

1           ucts, or to the extent that commercial  
2           products suitable to meet the needs of the  
3           Administration are not available, non-  
4           developmental items other than commercial  
5           products; and

6                   “(v) require training of appropriate  
7           personnel in the acquisition of commercial  
8           products and commercial services.”.

9   **SEC. 812. CONSIDERATION OF THIRD-PARTY SERVICES.**

10       (a) PLANS AND POLICY.—Section 44501 of title 49,  
11 United States Code, is amended—

12           (1) in subsection (a) by striking “development  
13           and location of air navigation facilities” and insert-  
14           ing “development of air navigation facilities and  
15           services”; and

16           (2) in subsection (b)—

17                   (A) by striking “and development” and in-  
18           serting “procurement, and development” each  
19           place it appears;

20                   (B) by striking “facilities and equipment”  
21           and inserting “facilities, services, and equip-  
22           ment”;

23                   (C) by striking “first and 2d years” and  
24           inserting “first and second years”;

1 (D) by striking “subclauses (A) and (B) of  
2 this clause” and inserting “subparagraphs (A)  
3 and (B)”;

4 (E) by striking “the 3d, 4th, and 5th” and  
5 inserting “the third, fourth, and fifth”;

6 (F) by striking “systems and facilities”  
7 and inserting “systems, services, and facilities”;  
8 and

9 (G) by striking “growth of aviation” and  
10 inserting “growth of the aerospace industry”.

11 (b) SYSTEMS, PROCEDURES, FACILITIES, AND DE-  
12 VICES.—Section 44505 of title 49, United States Code,  
13 is amended—

14 (1) in subsection (a)—

15 (A) by striking “develop, alter” and insert-  
16 ing “develop when necessary, alter”; and

17 (B) by striking “and devices” and insert-  
18 ing “services, and devices” each place it ap-  
19 pears; and

20 (2) in subsection (b) by striking “develop dy-  
21 namic simulation models” and inserting “develop or  
22 procure dynamic simulation models and tools” each  
23 place it appears.

1 **SEC. 813. CERTIFICATES OF AUTHORIZATION OR WAIVER.**

2 (a) IN GENERAL.—Notwithstanding any other provi-  
3 sion of law, the Secretary of Transportation, acting  
4 through the Administrator of the Federal Aviation Admin-  
5 istration, may issue a certificate of authorization or waiver  
6 to a person to operate an aircraft within an area covered  
7 by a temporary flight restriction under such conditions as  
8 the Administrator may prescribe, except for airspace that  
9 is subject to a permanent, continuous flight restriction,  
10 unless the authorization or waiver is issued to the entity  
11 for which the flight restriction was created.

12 (b) SPECIAL CONSIDERATIONS.—If a temporary  
13 flight restriction is related to a sporting event and issued  
14 pursuant to section 541 of division F of the Consolidated  
15 Appropriations Act, 2004 (49 U.S.C. 40103 note), the  
16 conditions prescribed by the Administrator under sub-  
17 section (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 521 of di-  
26 vision F of the Consolidated Appropriations Act,

1 2004 (49 U.S.C. 40103 note)) for a purpose that  
2 the Secretary determines is directly related to the  
3 event for which the temporary flight restriction is  
4 active.

5 (c) REQUIRED COORDINATION.—

6 (1) IN GENERAL.—On an annual basis, the Ad-  
7 ministrator shall convene a meeting with representa-  
8 tives of Administration-approved air shows, the gen-  
9 eral aviation community, stadiums and other large  
10 outdoor events and venues or organizations that run  
11 such events, the Department of Homeland Security,  
12 and the Department of Justice—

13 (A) to identify scheduling conflicts between  
14 Administration-approved air shows and large  
15 outdoor events and venues where—

16 (i) flight restrictions will be imposed  
17 pursuant to section 521 of division F of  
18 the Consolidated Appropriations Act, 2004  
19 (49 U.S.C. 40103 note); or

20 (ii) any other restriction will be im-  
21 posed pursuant to Federal Aviation Ad-  
22 ministration Flight Data Center Notice to  
23 Airmen 4/3621 (or any successor notice to  
24 airmen); and

1 (B) in instances where a scheduling con-  
2 flict between events is identified or is found to  
3 be likely to occur, develop appropriate oper-  
4 ational and communication procedures to en-  
5 sure for the safety and security of both events,  
6 pursuant to the authority prescribed in sub-  
7 section (a).

8 (2) SCHEDULING CONFLICT.—If the Adminis-  
9 trator or any other stakeholder party to the required  
10 annual coordination required in paragraph (1) iden-  
11 tifies a scheduling conflict outside of the annual  
12 meeting at any point prior to the scheduling conflict,  
13 the Administrator shall work with impacted stake-  
14 holders to develop appropriate operational and com-  
15 munication procedures to ensure for the safety and  
16 security of both events, pursuant to the authority  
17 prescribed in subsection (a).

18 (3) NOTICE.—Prior to issuing a certificate of  
19 authorization or waiver pursuant to subsection (a),  
20 the Administrator shall give appropriate due notice  
21 to impacted stakeholders and develop appropriate  
22 operational and communication procedures to ensure  
23 for the safety and security of all impacted events,  
24 pursuant to the authority prescribed in subsection  
25 (a).

1 (d) BRIEFING.—Not later than 18 months after the  
2 date of enactment of this Act, the Secretary shall brief  
3 the Committee on Transportation and Infrastructure of  
4 the House of Representatives and the Committee on Com-  
5 merce, Science, and Transportation of the Senate on the  
6 implementation of this section, including the number and  
7 nature of certificates of authorization or waiver that have  
8 been issued under subsection (a) subject to restrictions  
9 under subsection (b).

10 (e) OPERATIONAL PURPOSES.—Section  
11 521(a)(2)(B)(ii) of division F of the Consolidated Appro-  
12 priations Act, 2004 (49 U.S.C. 40103 note) is amended  
13 by inserting “(or attendees approved by)” after “guests”.

14 **SEC. 814. WING-IN-GROUND-EFFECT CRAFT.**

15 (a) MEMORANDUM OF UNDERSTANDING.—

16 (1) IN GENERAL.—Not later than 24 months  
17 after the date of enactment of this Act, the Adminis-  
18 trator of the Federal Aviation Administration and  
19 the Commandant of the Coast Guard shall execute  
20 a memorandum of understanding governing the spe-  
21 cific roles, delineations of responsibilities, resources,  
22 and commitments of the Federal Aviation Adminis-  
23 tration and the Coast Guard, respectively, pertaining  
24 to wing-in-ground-effect craft that are—

1 (A) only capable of operating either in  
2 water or in ground effect over water; and

3 (B) operated exclusively over waters sub-  
4 ject to the jurisdiction of the United States.

5 (2) CONTENTS.—The memorandum of under-  
6 standing described in paragraph (1) shall—

7 (A) cover the processes the Federal Avia-  
8 tion Administration and the United States  
9 Coast Guard will follow to promote communica-  
10 tions, efficiency, and nonduplication of effort in  
11 carrying out such memorandum of under-  
12 standing;

13 (B) account for the special rule in accord-  
14 ance with subsection (b); and

15 (C) provide procedures for, at a minimum,  
16 the following:

17 (i) Approval of wing-in-ground-effect  
18 craft designs.

19 (ii) Operations of wing-in-ground-ef-  
20 fect craft.

21 (iii) Pilotage of wing-in-ground-effect  
22 craft.

23 (iv) Inspections of wing-in-ground-ef-  
24 fect craft.

1 (v) Maintenance of wing-in-ground-ef-  
2 fect craft.

3 (b) SPECIAL RULE PROHIBITING SECRETARY FROM  
4 REGULATING CERTAIN WIG CRAFT OPERATORS AS AIR  
5 CARRIERS.—Notwithstanding any other provision of law  
6 or regulation, the Secretary of Transportation may not  
7 regulate an operator of a wing-in-ground-effect craft as  
8 an air carrier (as such term is defined in section 40102(a)  
9 of title 49, United States Code).

10 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
11 tion shall be construed to—

12 (1) limit the authority of the Secretary or the  
13 Administrator to regulate aircraft that are not wing-  
14 in-ground-effect craft, including aircraft that are—

15 (A) capable of the operations described in  
16 subsection (d); and

17 (B) capable of sustained flight out of  
18 ground effect;

19 (2) confer upon the Commandant the authority  
20 to determine the impact of any civil aircraft oper-  
21 ation on the safety or efficiency of the National Air-  
22 space System; or

23 (3) confer upon the Administrator the authority  
24 to issue a certificate of documentation, with or with-  
25 out a registry, fishery or coastwise endorsement, for,

1 or inspect any vessel as that term is defined in sec-  
2 tion 115 of title 46, United States Code.

3 (d) WING-IN-GROUND-EFFECT CRAFT DEFINED.—In  
4 this section, the term “wing-in-ground-effect craft” means  
5 a craft that is capable of operating completely above the  
6 surface of the water on a dynamic air cushion created by  
7 aerodynamic lift due to the ground effect between the craft  
8 and the surface of the water.

9 **SEC. 815. QUASQUICENTENNIAL OF AVIATION.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) December 17, 2028, is the 125th anniver-  
12 sary of the first successful manned, free, controlled,  
13 and sustained flight by an aircraft.

14 (2) The first flight by Orville and Wilbur  
15 Wright in Kitty Hawk, North Carolina, is a defining  
16 moment in the history of the United States and the  
17 world.

18 (3) The Wright brothers’ achievement is a tes-  
19 tament to their ingenuity, perseverance, and commit-  
20 ment to innovation, which has inspired generations  
21 of aviators and scientists alike.

22 (4) The advent of aviation and the air transpor-  
23 tation industry has fundamentally transformed the  
24 United States and the world for the better.

1           (5) The 125th anniversary of the Wright brothers' first flight is worthy of recognition and celebration to honor their legacy and to inspire a new generation of Americans as aviation reaches an inflection point of innovation and change.

2           (b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the heads of other appropriate Federal agencies should facilitate and participate in local, national, and international observances and activities that commemorate and celebrate the 125th anniversary of powered flight.

3           **SEC. 816. FEDERAL CONTRACT TOWER WAGE DETERMINATIONS AND POSITIONS.**

4           The Secretary of Transportation shall request that the Secretary of Labor—

5           (1) review and update, as necessary, including to account for cost-of-living adjustments, the basis for the wage determination for air traffic controllers who are employed at air traffic control towers operated under the Contract Tower Program established under section 47124 of title 49, United States Code;

6           (2) create a new wage determination category or occupation code for managers of air traffic con-

1 trollers who are employed at air traffic control tow-  
2 ers in the Contract Tower Program; and

3 (3) consult with the Administrator of the Fed-  
4 eral Aviation Administration in carrying out the re-  
5 quirements of paragraphs (1) and (2).

6 **SEC. 817. INTERNAL PROCESS IMPROVEMENTS REVIEW.**

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 review the coordina-  
10 tion and approval processes of non-regulatory materials  
11 produced by the Federal Aviation Administration to im-  
12 prove the timeliness, transparency, development, and  
13 issuance of such materials.

14 (b) CONTENTS OF REVIEW.—In conducting the re-  
15 view under subsection (a), the inspector general shall—

16 (1) provide recommendations for improving  
17 processes and eliminating nonvalue-added reviews of  
18 non-regulatory materials within the Federal Aviation  
19 Administration and Department of Transportation,  
20 in consideration of the authority of the Adminis-  
21 trator under section 106 of title 49, United States  
22 Code, and other applicable laws;

23 (2) consider, with respect to each office within  
24 the Federal Aviation Administration and the Depart-

1       ment of Transportation that reviews non-regulatory  
2       materials—

3               (A) the timeline assigned to each such of-  
4               fice to complete the review of such materials;

5               (B) the actual time spent for such review;  
6       and

7               (C) opportunities to reduce the actual time  
8               spent for such review;

9       (3) describe any organizational changes and ad-  
10       ditional resources that the Administration needs, if  
11       necessary, to reduce delays in the development and  
12       publication of proposed non-regulatory materials;

13       (4) consider to what extent reporting mecha-  
14       nisms and templates could be used to provide the  
15       public with more consistent information on the de-  
16       velopment status of non-regulatory materials;

17       (5) consider changes to the application of rules  
18       governing *ex parte* communications by the Adminis-  
19       trator to provide flexibility for employees of the Ad-  
20       ministration to discuss non-regulatory materials with  
21       aviation stakeholders and foreign aviation authorities  
22       to promote United States aviation leadership;

23       (6) recommend methods by which the Adminis-  
24       tration can incorporate standards set by recognized  
25       industry standards organizations, as such term is

1 defined in section 806, into non-regulatory materials  
2 to keep pace with rapid changes in aerospace tech-  
3 nology and processes; and

4 (7) evaluate the processes and best practices  
5 other civil aviation authorities and other Federal de-  
6 partments and agencies use to produce non-regu-  
7 latory materials, particularly the processes of enti-  
8 ties that produce such materials in an expedited  
9 fashion to respond to safety risks, incidents, or new  
10 technology adoption.

11 (c) CONSULTATION.—In conducting the review under  
12 subsection (a), the inspector general may, as appropriate,  
13 consult with industry stakeholders, academia, and other  
14 individuals with relevant background or expertise in im-  
15 proving the efficiency of Federal non-regulatory material  
16 production.

17 (d) REPORT.—Not later than 1 year after the inspec-  
18 tor general initiates the review under subsection (a), the  
19 inspector general shall submit to the Administrator a re-  
20 port on such review.

21 (e) ACTION PLAN.—

22 (1) IN GENERAL.—The Administrator shall de-  
23 velop an action plan to implement the recommenda-  
24 tions contained in the report submitted under sub-  
25 section (d).



1 terms, conditions, reservations, restrictions, and obliga-  
2 tions contained in the Quitclaim Deed and permit the  
3 State of Arizona to deposit all proceeds of the disposition  
4 of Buckeye 940 in the appropriate fund for the benefit  
5 of the beneficiaries of the Arizona State Land Trust.

6 (b) DEFINITIONS.—In this section:

7 (1) BUCKEYE 940.—The term “Buckeye 940”  
8 means all of section 12, T.1 N., R.3 W. and all of  
9 adjoining fractional section 7, T.1 N., R.2 W., Gila  
10 and Salt River Meridian, Arizona, which property  
11 was the subject of the Quitclaim Deed between the  
12 United States and the State of Arizona, dated July  
13 11, 1949, and which is currently owned by the State  
14 of Arizona and held in trust for the beneficiaries of  
15 the Arizona State Land Trust.

16 (2) QUITCLAIM DEED.—The term “Quitclaim  
17 Deed” means the Quitclaim Deed between the  
18 United States and the State of Arizona, dated July  
19 11, 1949.

20 (3) SECRETARY.—The term “Secretary” means  
21 the Secretary of Transportation.

22 (c) RELEASE OF ANY AND ALL INTEREST IN BUCK-  
23 EYE 940.—

24 (1) IN GENERAL.—Notwithstanding any other  
25 provision of law, the United States, acting through

1 the Secretary, shall issue to the State of Arizona a  
2 Deed of Release to release all terms, conditions, res-  
3 ervations, restrictions, and obligations contained in  
4 the Quitclaim Deed, including any and all rever-  
5 sionary interest of the United States in Buckeye  
6 940.

7 (2) TERMS AND CONDITIONS.—The Deed of  
8 Release described in paragraph (1) shall be subject  
9 to such additional terms and conditions, consistent  
10 with such paragraph, as the Secretary considers ap-  
11 propriate to protect the interests of the United  
12 States.

13 (3) NO RESTRICTION ON USE OF PROCEEDS.—  
14 Notwithstanding any other provision of law, the  
15 State of Arizona may dispose of Buckeye 940 and  
16 any proceeds thereof, including proceeds already col-  
17 lected by the State and held in a suspense account,  
18 without regard to any restriction imposed by the  
19 Quitclaim Deed or by section 155.7 of title 14, Code  
20 of Federal Regulations.

21 (4) MINERAL RESERVATION.—The Deed of Re-  
22 lease described in paragraph (1) shall include the re-  
23 lease of all interests of the United States to the min-  
24 eral rights on Buckeye 940 included in the Quit-  
25 claim Deed.

1 **SEC. 820. FEDERAL AVIATION ADMINISTRATION INFORMA-**  
2 **TION TECHNOLOGY SYSTEM INTEGRITY.**

3 (a) **IN GENERAL.**—Not later than 180 days after the  
4 date of enactment of this Act, the Administrator of the  
5 Federal Aviation Administration shall initiate a review to  
6 identify and address aging information technology systems  
7 within the Administration.

8 (b) **CONTENTS.**—The review required under sub-  
9 section (a) shall—

10 (1) identify and inventory critical software and  
11 hardware systems of the Administration;

12 (2) assess the vulnerabilities of such systems to  
13 degradation, errors (including human errors), and  
14 malicious attacks (including cyber attacks); and

15 (3) identify upgrades to, or replacements for,  
16 such systems that are necessary to mitigate such  
17 vulnerabilities.

18 (c) **MITIGATION.**—The Administrator shall take such  
19 action as may be necessary to mitigate the vulnerabilities  
20 identified under the review conducted under subsection  
21 (a).

22 (d) **LEVERAGING EXTERNAL EXPERTISE.**—To the  
23 maximum extent practicable, the actions carried out pur-  
24 suant to this section shall—

1           (1) be consistent with the acquisition manage-  
2           ment system established and updated pursuant to  
3           section 40110(d) of title 49, United States Code;

4           (2) incorporate input from industry, academia,  
5           or other external experts on information technology;  
6           and

7           (3) identify technologies in existence or in de-  
8           velopment that, with or without adaptation, are ex-  
9           pected to be suitable to meet the technical informa-  
10          tion technology needs of the Administration.

11          (e) REPORT.—Not later than 2 years 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 detailing the results of the review required under  
17 subsection (a).

18          (f) INSPECTOR GENERAL REVIEW.—

19           (1) IN GENERAL.—After the Administrator  
20           completes the review under subsection (a), the in-  
21           spector general of the Department of Transportation  
22           shall conduct an audit of the integrity of the infor-  
23           mation technology systems of the Administration  
24           and assess the efforts of the Administration to ad-

1 dress the Administration's aging information tech-  
2 nology systems.

3 (2) REPORT.—The inspector general shall sub-  
4 mit to the Committee on Transportation and Infra-  
5 structure of the House of Representatives and the  
6 Committee on Commerce, Science, and Transpor-  
7 tation of the Senate a report on the results of the  
8 audit carried out under this subsection.

9 **SEC. 821. BRIEFING ON RADIO COMMUNICATIONS COV-**  
10 **ERAGE AROUND MOUNTAINOUS TERRAIN.**

11 (a) BRIEFING REQUIREMENT.—Not later than 180  
12 days after the date of enactment of this Act, the Adminis-  
13 trator of the Federal Aviation Administration shall provide  
14 to the Committee on Transportation and Infrastructure  
15 of the House of Representatives and the Committee on  
16 Commerce, Science, and Transportation of the Senate a  
17 briefing on the radio communications coverage within the  
18 airspace surrounding the Mena Intermountain Municipal  
19 Airport in Mena, Arkansas.

20 (b) BRIEFING CONTENTS.—The briefing required  
21 under subsection (a) shall include the following:

22 (1) The radio communications coverage within  
23 the airspace surrounding the Mena Intermountain  
24 Municipal Airport with the applicable Air Route  
25 Traffic Control Center.

1           (2) The altitudes at which radio communica-  
2           tions capabilities are lost within such airspace.

3           (3) Recommendations on changes that may in-  
4           crease radio communications coverage below 4,000  
5           feet above ground level within such airspace.

6 **SEC. 822. STUDY ON CONGESTED AIRSPACE.**

7           (a) STUDY.—Not later than 180 days after the date  
8           of enactment of this Act, the Comptroller General of the  
9           United States shall initiate a study on the efficiency and  
10          efficacy of scheduled commercial air service transiting con-  
11          gested airspace.

12          (b) CONTENTS.—In carrying out the study required  
13          under subsection (a), the Comptroller General shall exam-  
14          ine—

15                (1) various regions of congested airspace and  
16                the differing factors of such regions;

17                (2) commercial air service;

18                (3) military flight activity;

19                (4) emergency response activity;

20                (5) commercial space launch and reentry activi-  
21                ties;

22                (6) weather; and

23                (7) air traffic controller staffing.

24          (c) REPORT.—Not later than 18 months after the  
25          date of enactment of this Act, the Comptroller General

1 shall submit to the Committee on Transportation and In-  
2 frastructure of the House of Representatives and the Com-  
3 mittee on Commerce, Science, and Transportation of the  
4 Senate a report on the results of the study and rec-  
5 ommendations to reduce the impacts to scheduled air serv-  
6 ice transiting congested airspace.

7 **SEC. 823. ADMINISTRATIVE SERVICES FRANCHISE FUND.**

8 Title I of the Department of Transportation and Re-  
9 lated Agencies Appropriations Act, 1997 (49 U.S.C.  
10 40113 note) is amended under the heading “Administra-  
11 tive Services Franchise Fund” by striking “shall be paid  
12 in advance” and inserting “may be reimbursed after per-  
13 formance or paid in advance”.

14 **SEC. 824. USE OF BIOGRAPHICAL ASSESSMENTS.**

15 Section 44506(f)(2)(A) of title 49, United States  
16 Code, is amended by striking “paragraph (1)(B)(ii)” and  
17 inserting “paragraph (1)(B)”.

18 **SEC. 825. WHISTLEBLOWER PROTECTION ENFORCEMENT.**

19 Section 42121(b)(5) of title 49, United States Code,  
20 is amended to read as follows:

21 “(5) ENFORCEMENT OF ORDER.—Whenever  
22 any person has failed to comply with an order issued  
23 under paragraph (3), the Secretary of Labor and the  
24 Administrator of the Federal Aviation Administra-

1       tion shall consult with each other to determine the  
2       most appropriate action to be taken, in which—

3               “(A) the Secretary of Labor may file a  
4               civil action in the United States district court  
5               for the district in which the violation was found  
6               to occur to enforce such order, for which, in ac-  
7               tions brought under this paragraph, the district  
8               courts shall have jurisdiction to grant all appro-  
9               priate relief including, injunctive relief and com-  
10              pensatory damages; and

11              “(B) the Administrator of the Federal  
12              Aviation Administration may assess a civil pen-  
13              alty pursuant to section 46301.”.

14 **SEC. 826. FINAL RULEMAKING ON CERTAIN MANUFAC-**  
15 **TURING STANDARDS.**

16       Not later than December 16, 2023, the Administrator  
17       of the Federal Aviation Administration shall issue a final  
18       rule for the notice of proposed rulemaking titled “Airplane  
19       Fuel Efficiency Certification” and published June 15,  
20       2022 (RIN 2120–AL54).

21 **SEC. 827. REMOTE DISPATCH.**

22       (a) IN GENERAL.—Section 44711(a) of title 49,  
23       United States Code, is amended—

24              (1) in paragraph (9) by striking “or” at the  
25       end;

1           (2) in paragraph (10) by striking the period  
2           and inserting “; or”; and

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

4           “(11) work as an aircraft dispatcher outside of  
5           a physical location designated as a dispatching cen-  
6           ter or flight following center of an air carrier, except  
7           as provided under section 44747.”.

8           (b) AIRCRAFT DISPATCHING.—Chapter 447 of title  
9           49, United States Code, is further amended by adding at  
10          the end the following:

11        “**§ 44747. Aircraft dispatching**

12           “(a) AIRCRAFT DISPATCHING CERTIFICATE.—No  
13          person may serve as an aircraft dispatcher for an air car-  
14          rier unless that person holds the appropriate aircraft dis-  
15          patcher certificate issued by the Administrator of the Fed-  
16          eral Aviation Administration.

17           “(b) PROOF OF CERTIFICATE.—Upon the request of  
18          the Administrator or an authorized representative of the  
19          National Transportation Safety Board, or other appro-  
20          priate Federal agency, a person who holds such a certifi-  
21          cate, and is performing dispatching shall present the cer-  
22          tificate for inspection.

23           “(c) DISPATCH CENTERS AND FLIGHT FOLLOWING  
24          CENTERS.—

1           “(1) ESTABLISHMENT.—Air carriers shall es-  
2           tablish and maintain sufficient dispatch centers and  
3           flight following centers necessary to maintain oper-  
4           ational control of each flight at all times.

5           “(2) REQUIREMENTS.—Air carrier dispatch  
6           centers and flight following centers shall—

7                   “(A) have a sufficient number of aircraft  
8                   dispatchers at dispatch centers and flight fol-  
9                   lowing centers to ensure proper operational con-  
10                  trol of each flight at all times;

11                  “(B) have the equipment necessary and in  
12                  good repair to maintain proper operational con-  
13                  trol of each flight at all times; and

14                  “(C) include appropriate physical and cy-  
15                  bersecurity protections, as determined by the  
16                  Administrator.

17           “(3) LOCATION LIMITATION.—No air carrier  
18           may dispatch aircraft from any location other than  
19           the designated dispatch centers or flight following  
20           centers of such air carrier.

21           “(d) EMERGENCY AUTHORITY FOR REMOTE DIS-  
22           PATCHING.—Notwithstanding subsection (c), an air car-  
23           rier may dispatch aircraft from locations other than from  
24           designated dispatch centers or flight following centers for  
25           a limited period of time in the event of an emergency or

1 other event that renders a center inoperable. An air carrier  
2 may not dispatch aircraft under the emergency authority  
3 under this subsection for longer than 30 consecutive days  
4 without the approval of the Administrator.”.

5 (c) CLERICAL AMENDMENT.—The analysis for chap-  
6 ter 447 of title 49, United States Code, is further amend-  
7 ed by adding at the end the following:

“44747. Aircraft dispatching.”.

8 **SEC. 828. EMPLOYEE ASSAULT PREVENTION AND RE-**  
9 **SPONSE PLANS AMENDMENT.**

10 Section 551 of the FAA Reauthorization Act of 2018  
11 (49 U.S.C. 44903 note) is amended—

12 (1) in subsection (a)—

13 (A) by striking “Not later than 90 days  
14 after the date of enactment of this Act,” and  
15 inserting “The Administrator shall require”;  
16 and

17 (B) by striking “shall submit to the Ad-  
18 ministrator” and inserting “to submit”; and

19 (2) in subsection (c) by striking “A part 121  
20 air carrier shall” and inserting “The Administrator  
21 shall require a part 121 air carrier to”.

22 **SEC. 829. CREW MEMBER SELF-DEFENSE TRAINING.**

23 Section 44918(b) of title 49, United States Code, is  
24 amended—

1 (1) in paragraph (4) by striking “Neither” and  
2 inserting “Except as provided in paragraph (8), nei-  
3 ther”; and

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

5 “(8) AIR CARRIER ACCOMMODATION.—An air  
6 carrier with a crew member participating in the  
7 training program under this subsection shall provide  
8 a process through which each such crew member  
9 may obtain reasonable accommodations.”.

10 **SEC. 830. FORMAL SEXUAL ASSAULT AND HARASSMENT**  
11 **POLICIES ON AIR CARRIERS AND FOREIGN**  
12 **AIR CARRIERS.**

13 (a) IN GENERAL.—Chapter 417 of title 49, United  
14 States Code, is further amended by adding at the end the  
15 following:

16 **“§ 41729. Formal sexual assault and harassment poli-**  
17 **cies**

18 “(a) REQUIREMENT.—Not later than 180 days after  
19 the date of enactment of this section, each air carrier and  
20 foreign air carrier transporting passengers for compensa-  
21 tion shall issue, in consultation with labor unions rep-  
22 resenting personnel of the air carrier or foreign air carrier,  
23 a formal policy with respect to transportation sexual as-  
24 sault or harassment incidents.

1       “(b) CONTENTS.—The policy required under sub-  
2 section (a) shall include—

3               “(1) a statement indicating that no transpor-  
4 tation sexual assault or harassment incident is ac-  
5 ceptable under any circumstance;

6               “(2) procedures that facilitate the reporting of  
7 a transportation sexual assault or harassment inci-  
8 dent, including—

9                       “(A) appropriate public outreach activities;  
10                      and

11                      “(B) confidential phone and internet-based  
12 opportunities for reporting;

13               “(3) procedures that personnel should follow  
14 upon the reporting of a transportation sexual assault  
15 or harassment incident, including actions to protect  
16 affected individuals from continued sexual assault or  
17 harassment and to notify law enforcement when ap-  
18 propriate;

19               “(4) procedures that may limit or prohibit, to  
20 the extent practicable, future travel with the air car-  
21 rier or foreign air carrier by any passenger who  
22 causes a transportation sexual assault or harassment  
23 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:

“41729. 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 RECORD CHECKS.—Section 40130(a)(1)(A) of title  
23  
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(c) of title  
8 49, United States Code, is amended—

9 (1) in paragraph (2)(B)(i), by striking  
10 “40119,”; and

11 (2) in paragraph (3) by striking “Subject to  
12 section 40119(b) of this title and regulations pre-  
13 scribed under section 40119(b),” and inserting  
14 “Subject to section 44912(d)(2) and regulations pre-  
15 scribed under such section,”.

16 (j) USE AND LIMITATION OF AMOUNTS.—Section  
17 44508 of title 49, United States Code, is amended by  
18 striking “40119,” each place it appears.

19 (k) STRUCTURES INTERFERING WITH AIR COM-  
20 MERCE OR NATIONAL SECURITY.—Section 44718(h) of  
21 title 49, United States Code, is amended to read as fol-  
22 lows:

23 “(h) DEFINITIONS.—In this section, the terms ‘ad-  
24 verse impact on military operations and readiness’ and  
25 ‘unacceptable risk to the national security of the United

1 States' have the meaning given those terms in section  
2 183a(h) of title 10.”.

3 (l) METEOROLOGICAL SERVICES.—Section  
4 44720(b)(2) of title 49, United States Code, is amended—

5 (1) by striking “the Administrator to persons”  
6 and inserting “the Administrator, to persons”; and

7 (2) by striking “the Administrator and to” and  
8 inserting “the Administrator, and to”.

9 (m) AERONAUTICAL CHARTS.—Section 44721(c)(1)  
10 of title 49, United States Code, is amended by striking  
11 “1947,” and inserting “1947”.

12 (n) FLIGHT ATTENDANT CERTIFICATION.—Section  
13 44728(c) of title 49, United States Code, is amended by  
14 striking “Regulation,” and inserting “Regulations,”.

15 (o) MANUAL SURCHARGE.—The analysis for chapter  
16 453 of title 49, United States Code, is amended by adding  
17 at the end the following:

“45306. Manual surcharge.”.

18 (p) SCHEDULE OF FEES.—Section 45301(a) of title  
19 49, United States Code, is amended by striking “The Ad-  
20 ministrator shall establish” and inserting “The Adminis-  
21 trator of the Federal Aviation Administration shall estab-  
22 lish”.

23 (q) JUDICIAL REVIEW.—Section 46110(a) of title 49,  
24 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 **SEC. 834. TRANSPORTATION OF ORGANS.**

15 (a) IN GENERAL.—Not later than 90 days after the  
16 date of enactment of this Act, the Secretary of Transpor-  
17 tation, in consultation with the Administrator of the Fed-  
18 eral Aviation Administration, shall convene a working  
19 group (in this section referred to as the “working group”)  
20 to assist in developing best practices for transportation of  
21 an organ in the cabin of an aircraft operating under part  
22 121 of title 14, Code of Federal Regulations, and to iden-  
23 tify regulations that hinder such transportation, if applica-  
24 ble.

1 (b) COMPOSITION.—The working group shall be com-  
2 prised of representatives from the following:

3 (1) Air carriers operating under part 121 of  
4 title 14, Code of Federal Regulations.

5 (2) Organ procurement organizations.

6 (3) Organ transplant hospitals.

7 (4) Flight attendants.

8 (5) Other relevant Federal agencies involved in  
9 organ transportation or air travel.

10 (c) CONSIDERATIONS.—In establishing the best prac-  
11 tices described in subsection (a), the working group shall  
12 consider—

13 (1) a safe, standardized process for acceptance,  
14 handling, management, and transportation of an  
15 organ in the cabin of such aircraft; and

16 (2) protocols to ensure the safe and timely  
17 transport of an organ in the cabin of such aircraft,  
18 including through connecting flights.

19 (d) RECOMMENDATIONS.—Not later than 1 year  
20 after the convening of the working group, such working  
21 group shall submit to the Secretary a report containing  
22 recommendations for the best practices described in sub-  
23 section (a).

24 (e) DEFINITION OF ORGAN.—In this section, the  
25 term “organ”—

1           (1) has the meaning given such term in section  
2           121.2 of title 42, Code of Federal Regulations; and  
3           (2) includes organ-related tissue.

4 **SEC. 835. REPORT ON APPLICATION APPROVAL TIMING.**

5           Not later than 120 days after the date of enactment  
6 of this Act, the Administrator of the Federal Aviation Ad-  
7 ministration shall submit to the Committee on Transpor-  
8 tation and Infrastructure of the House of Representatives  
9 and the Committee on Commerce, Science, and Transpor-  
10 tation of the Senate a report detailing the amount of time  
11 the application approval process takes for agricultural air-  
12 craft operations under part 137 of title 14, Code of Fed-  
13 eral Regulations.

14 **SEC. 836. STUDY ON AIR CARGO OPERATIONS.**

15           (a) IN GENERAL.—Not later than 180 days after the  
16 date of enactment of this Act, the Comptroller General  
17 of the United States shall initiate a study on the economic  
18 sustainability of air cargo operations.

19           (b) CONTENTS.—In conducting the study required  
20 under subsection (a), the Comptroller General shall ad-  
21 dress the following:

22           (1) Airport and cargo development strategies,  
23 including the pursuit of new air carriers and plans  
24 for physical expansion.

1           (2) Key historical statistics for passenger, cargo  
2 volumes, including freight, express, and mail cargo,  
3 and operations, including statistics distinguishing  
4 between passenger and freight operations.

5           (3) A description of air cargo facilities, includ-  
6 ing the age and condition of such facilities and the  
7 square footage and configuration of the landside and  
8 airside infrastructure of such facilities, and cargo  
9 buildings.

10          (4) The projected square footage deficit of the  
11 cargo facilities and infrastructure described in para-  
12 graph (3).

13          (5) The projected requirements and square  
14 footage deficit for air cargo support facilities.

15          (6) The general physical and operating issues  
16 and constraints associated with air cargo operations.

17          (7) A description of delays in truck bays associ-  
18 ated with the infrastructure and critical landside  
19 issues, including truck maneuvering and queuing  
20 and parking for employees and customers.

21          (8) The estimated cost of developing new cargo  
22 facilities and infrastructure, including the identifica-  
23 tion of percentages for development with a return on  
24 investment and without a return on investment.

1           (9) The projected leasing costs to tenants per  
2 square foot with and without Federal funding of the  
3 non-return on investment allocation.

4           (10) A description of customs and general staff-  
5 ing issues associated with air cargo operations and  
6 the impacts of such issues on service.

7           (11) An assessment of the impact, cost, and es-  
8 timated cost savings of using modern comprehensive  
9 communications and technology systems in air cargo  
10 operations.

11           (12) A description of the impact of Federal reg-  
12 ulations and local enforcement of interdiction and  
13 facilitation policies on throughput.

14       (c) REPORT.—The Comptroller General shall submit  
15 to the Committee on Transportation and Infrastructure  
16 of the House of Representatives and the Committee on  
17 Commerce, Science, and Transportation of the Senate the  
18 results of the study carried out under this section.

19 **SEC. 837. NEXT GENERATION RADIO ALTIMETERS.**

20       (a) IN GENERAL.—Not later than 60 days after the  
21 date of enactment of this Act, the Administrator of the  
22 Federal Aviation Administration, in coordination with in-  
23 dustry and other relevant government stakeholders, shall  
24 carry out an accelerated program to assist with the devel-  
25 opment, testing, and certification of the standards and

1 technology necessary to ensure industry and the Adminis-  
2 tration can certify, produce and meet the installation re-  
3 quirements for next generation radio altimeters across all  
4 necessary aircraft by January 1, 2028.

5 (b) GRANT PROGRAM.—The Administrator may  
6 award grants for the purposes of research and develop-  
7 ment, testing, and other activities necessary to ensure that  
8 next generation radio altimeter technology is developed,  
9 tested, certified, and installed on necessary aircraft by  
10 2028, including through public-private partnership grants  
11 (which shall include protections for necessary intellectual  
12 property with respect to any private sector entity testing,  
13 certifying, or producing next generation radio altimeters  
14 under the program carried out under this section) with  
15 industry to ensure the accelerated production and installa-  
16 tion by January 1, 2028.

17 (c) REVIEW AND REPORT.—Not later than 180 days  
18 after the enactment of this Act, the Administrator shall  
19 submit to the Committee on Transportation and Infra-  
20 structure of the House of Representatives and the Com-  
21 mittee on Commerce, Science, and Transportation of the  
22 Senate a report on the steps the Administrator has taken  
23 as of the date on which such report is submitted and any  
24 actions the Administrator plans to take, including as part  
25 of the program carried out under this section, to ensure

1 that next generation radio altimeter technology is devel-  
2 oped, tested, certified, and installed by 2028.

3 **SEC. 838. SENSE OF CONGRESS REGARDING SAFETY AND**  
4 **SECURITY OF AVIATION INFRASTRUCTURE.**

5 It is the sense of Congress that aviation provides es-  
6 sential services critical to the United States economy and  
7 that it is important to ensure the safety and security of  
8 aviation infrastructure and protect such infrastructure  
9 from unlawful breaches with appropriate legal safeguards.

10 **SEC. 839. RESTRICTED CATEGORY AIRCRAFT MAINTENANCE AND OPERATIONS.**  
11

12 Notwithstanding any other provision of law, the Ad-  
13 ministrator of the Federal Aviation Administration shall  
14 have sole jurisdiction over the maintenance and operations  
15 of aircraft owned by civilian operators and type-certifi-  
16 cated in the restricted category under section 21.25 of title  
17 14, Code of Federal Regulations.

18 **SEC. 840. REPORT ON TELEWORK.**

19 Not later than 120 days after the date of the enact-  
20 ment of this Act, the Secretary of Transportation shall  
21 submit to the Committee on Transportation and Infra-  
22 structure of the House of Representatives, the Committee  
23 on Commerce, Science, and Transportation of the Senate,  
24 and the Committees on Appropriations of the Senate and  
25 the House of Representatives, and make publicly available

1 on a website of the Administration, a detailed report on  
2 any direct and indirect costs and inefficiencies associated  
3 with COVID-era telework policies at the Federal Aviation  
4 Administration.

5 **SEC. 841. CREWMEMBER PUMPING GUIDANCE.**

6 (a) IN GENERAL.—Not later than 180 days after the  
7 date of enactment of this Act, the Administrator of the  
8 Federal Aviation Administration shall issue guidance to  
9 part 121 air carriers relating to the expression of milk  
10 by crewmembers on an aircraft during noncritical phases  
11 of flight, consistent with the performance of the crew-  
12 member’s duties aboard the aircraft. The guidance shall  
13 be equally applicable to any lactating crewmember. In de-  
14 veloping the guidance, the Administrator shall—

15 (1) consider multiple methods of expressing  
16 breast milk that could be used by crewmembers, in-  
17 cluding the use of wearable lactation technology; and

18 (2) ensure the guidance will not require an air  
19 carrier or foreign air carrier to incur significant ex-  
20 pense, such as through—

21 (A) the addition of an extra crewmember  
22 in response to providing a break;

23 (B) removal or retrofitting of seats on the  
24 aircraft; or

1 (C) modification or retrofitting of an air-  
2 craft.

3 (b) DEFINITIONS.—In this section:

4 (1) CREWMEMBER.—The term “crewmember”  
5 has the meaning given such term in section 1.1 of  
6 title 14, Code of Federal Regulations.

7 (2) CRITICAL PHASES OF FLIGHT.—The term  
8 “critical phases of flight” has the meaning given  
9 such term in section 121.542 of title 14, Code of  
10 Federal Regulations.

11 (3) PART 121.—The term “part 121” means  
12 part 121 of title 14, Code of Federal Regulations.

13 (c) AVIATION SAFETY.—Nothing in this section shall  
14 limit the authority of the Administrator relating to avia-  
15 tion safety under subtitle VII of title 49, United States  
16 Code.

17 **SEC. 842. AIRCRAFT INTERCHANGE AGREEMENT LIMITA-**  
18 **TIONS.**

19 (a) STUDY.—Not later than 90 days after the date  
20 of enactment of this Act, the Administrator of Federal  
21 Aviation Administration shall conduct a study of foreign  
22 interchange agreements.

23 (b) CONTENTS.—In carrying out the study required  
24 under subsection (a), the Administrator shall address the  
25 following:

1           (1) Methods for updating regulations under  
2 part 121.569 of title 14, Code of Federal Regula-  
3 tions, for foreign interchange agreements.

4           (2) Time limits for foreign aircraft interchange  
5 agreements.

6           (3) Minimum breaks between foreign aircraft  
7 interchange agreements.

8           (4) Limits for no more than 1 foreign aircraft  
9 interchange agreement between 2 airlines.

10          (5) Limits for no more than 2 foreign aircraft  
11 on the interchange agreement.

12 **SEC. 843. FEDERAL AVIATION ADMINISTRATION ACADEMY**  
13 **AND FACILITY EXPANSION PLAN.**

14 (a) PLAN.—

15           (1) IN GENERAL.—No later than 90 days after  
16 the date of enactment of this section, the Adminis-  
17 trator of the Federal Aviation Administration shall  
18 initiate the development of a plan to expand overall  
19 Federal Aviation Administration capacity relating to  
20 facilities, instruction, equipment, and training re-  
21 sources to grow the number of developmental air  
22 traffic controllers enrolled per fiscal year and sup-  
23 port increases in FAA air controller staffing to ad-  
24 vance the safety of the national airspace system.

1           (2) CONSIDERATIONS.—In developing the plan  
2 under paragraph (1), the Administrator shall con-  
3 sider—

4           (A) the resources needed to support an in-  
5 crease in the total number of developmental air  
6 traffic controllers enrolled at the FAA Acad-  
7 emy;

8           (B) the resources needed to lessen FAA  
9 Academy attrition per fiscal year;

10          (C) how to modernize the education and  
11 training of developmental air traffic controllers,  
12 including through the use of new techniques  
13 and technologies to support instruction;

14          (D) the equipment needed to support ex-  
15 panded instruction, including air traffic control  
16 simulation systems, virtual reality, and other  
17 virtual training platforms;

18          (E) projected staffing needs associated  
19 with FAA Academy expansion and the oper-  
20 ation of education platforms, including the  
21 number of on-the-job instructors needed to edu-  
22 cate and train additional developmental air traf-  
23 fic controllers;

24          (F) the costs of expanding Federal Avia-  
25 tion Administration capacity at the existing air

1 traffic control academy (as described in para-  
2 graph (1)(A));

3 (G) soliciting input from, and coordinating  
4 with, relevant stakeholders as appropriate, in-  
5 cluding the exclusive bargaining representative  
6 of air traffic control specialists of the Federal  
7 Aviation Administration certified under section  
8 7111 of title 5, United States Code; and

9 (H) other logistical and financial consider-  
10 ations as determined by appropriate the Admin-  
11 istrator.

12 (b) REPORT.—Not later than 1 year after the date  
13 of enactment of this Act, the Administrator shall submit  
14 to the Committee on Transportation and Infrastructure  
15 of the House of Representatives and the Committee on  
16 Commerce, Science, and Transportation of the Senate the  
17 plan developed under subsection (a).

18 (c) BRIEFING.—Not later than 180 days after the  
19 submission of the plan under subsection (b), the Adminis-  
20 trator shall brief 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 on the plan, including the implementation of  
24 the plan.

1 **SEC. 844. LIMITATIONS FOR CERTAIN CARGO AIRCRAFT.**

2 (a) IN GENERAL.—The standards adopted by the Ad-  
3 ministrator of the Environmental Protection Agency in  
4 part 1030 of title 40, Code of Federal Regulations, and  
5 the requirements finalized by the Administrator of the  
6 Federal Aviation Administration from the notice of pro-  
7 posed rulemaking titled “Airplane Fuel Efficiency Certifi-  
8 cation”, and published on June 15, 2022 (RIN2120-  
9 AL54) in part 38 of title 14, Code of Federal Regulations,  
10 shall not apply to any covered airplane before the date  
11 that is 5 years after January 1, 2028.

12 (b) OPERATIONAL LIMITATION.—The Administrator  
13 of the Federal Aviation Administration shall limit the op-  
14 eration of any covered airplane to domestic use or inter-  
15 national operations, consistent with relevant international  
16 agreements and standards, that—

17 (1) does not meet the standards and require-  
18 ments described in subsection (a); and

19 (2) received an original certificate of airworthi-  
20 ness issued by the Administrator of the Federal  
21 Aviation Administration on or after January 1,  
22 2028.

23 (c) DEFINITIONS.—In this section:

24 (1) COVERED AIRPLANE.—The term “covered  
25 airplane” means an airplane that—

1 (A) is a subsonic jet that is a purpose-built  
2 freighter;

3 (B) has a maximum takeoff mass greater  
4 than 180,000 kilograms but not greater than  
5 240,000 kilograms; and

6 (C) has a type design certificated prior to  
7 January 1, 2023.

8 (2) PURPOSE-BUILT FREIGHTER.—The term  
9 “purpose-built freighter” means any airplane that—

10 (A) was configured to carry cargo rather  
11 than passengers prior to receiving an original  
12 certificate of airworthiness; and

13 (B) is configured to carry cargo rather  
14 than passengers.

15 **SEC. 845. COPYRIGHT PROTECTION FOR ORIGINAL DE-**  
16 **SIGNS OF AIRCRAFT FLOATS.**

17 (a) IN GENERAL.—The Administrator of the Federal  
18 Aviation Administration shall, as appropriate, coordinate  
19 with the Register of Copyrights to help, to the extent fea-  
20 sible, aircraft float manufacturers receive design protec-  
21 tions provided under section 1301 of title 17, United  
22 States Code.

23 (b) AIRCRAFT FLOAT DEFINED.—In this section, the  
24 term “aircraft float” means a device suitable for use on  
25 an airplane that meets the standards set forth in the tech-

1 nical standard order related to Twin Seaplane Floats  
2 issued by the Federal Aviation Administration on July 31,  
3 2018 (TSO-C27a), or any successor standard.

4 **SEC. 846. DELIVERY OF CLEARANCE TO PILOTS VIA INTER-**  
5 **NET PROTOCOL.**

6 (a) IN GENERAL.—Not later than 1 year after the  
7 date of enactment of this Act, the Administrator of the  
8 Federal Aviation Administration shall conduct testing and  
9 an evaluation to determine the feasibility of the use, in  
10 air traffic control towers, technology for delivering clear-  
11 ances via internet protocol to enable mobile device access  
12 for general aviation and on-demand Part 135 air carriers  
13 at airports that do not have Towered Data Link Services.

14 (b) AIRPORT SELECTION.—The Administrator shall  
15 designate five airports for participation in the initial air-  
16 port pilot program after consultation with the exclusive  
17 representatives of air traffic controllers certified under  
18 section 7111 of title 5, United States Code, airport spon-  
19 sors, aircraft and avionics manufacturers, MITRE, and  
20 aircraft operators and the designation should include air-  
21 ports of different size and complexity.

22 (c) PROGRAM OBJECTIVE.—The program shall ad-  
23 dress and include safety, security, and operational require-  
24 ments for mobile clearance delivery at airports and heli-  
25 ports across the United States.

1 (d) DEFINITIONS.—In this section:

2 (1) MOBILE CLEARANCE DELIVERY.—The term  
3 “mobile clearance delivery” means providing access  
4 to departure clearance and clearance cancellation via  
5 Internet Protocol via applications to pilots while air-  
6 craft are on the ground where traditional data link  
7 installations are not feasible or possible.

8 (2) PART 135.—The term “Part 135” means  
9 part 135 of title 14, Code of Federal Regulations.

10 (3) TOWER DATA LINK SERVICES.—The term  
11 “tower data link services” means communications  
12 between controllers and pilots using controller-pilot  
13 data link communications.

14 (4) SUITABLE AIRPORT.—The term “suitable  
15 airport” shall include towered airports, non-towered  
16 airports, and heliports.

17 (e) REPORT.—Not later than 1 year after the date  
18 on which the mobile clearance delivery program becoming  
19 operational, the Administrator shall submit to the Com-  
20 mittee on Transportation and Infrastructure of the House  
21 of Representatives and the Committee on Commerce,  
22 Science, and Transportation of the Senate a report on the  
23 safety, security, and operational performance of the mobile  
24 clearance services at airports pursuant to this section and  
25 recommendations on how best to improve the program.

1 **SEC. 847. REPORT ON INDO-PACIFIC AIRPORTS.**

2       The Administrator of the Federal Aviation Adminis-  
3 tration, in consultation with the Secretary of State, shall  
4 submit to Congress a report on airports of strategic impor-  
5 tance in the Indo-Pacific region that includes each of the  
6 following:

7           (1) An identification of airports and air routes  
8       critical to national security, defense operations,  
9       emergency response, and continuity of government  
10      activities.

11          (2) An assessment of the economic impact and  
12      contribution of airports and air routes to national  
13      and regional economies.

14          (3) An evaluation of the connectivity and acces-  
15      sibility of airports and air routes, including their im-  
16      portance in supporting domestic and international  
17      travel, trade, and tourism.

18          (4) An analysis of infrastructure and techno-  
19      logical requirements necessary to maintain and en-  
20      hance the strategic importance of identified airports  
21      and air routes.

22          (5) An identification of potential vulnerabilities,  
23      risks, and challenges faced by airports and air  
24      routes of strategic importance, including cybersecu-  
25      rity threats and physical infrastructure  
26      vulnerabilities.



1 **SEC. 850. STRUCTURES INTERFERING WITH AIR COM-**  
2 **MERCE OR NATIONAL SECURITY.**

3 Section 44718 of title 49, United States Code, is  
4 amended—

5 (1) in subsection (a) by inserting “on a publicly  
6 available website” after “public notice”;

7 (2) by redesignating subsection (h) as sub-  
8 section (i);

9 (3) in subsection (i) (as so redesignated) by  
10 adding at the end the following:

11 “(3) ENERGY PROJECT.—The term ‘energy  
12 project’ has the meaning given such term in section  
13 183a(h) of title 10.

14 “(4) FOREIGN PRINCIPAL; AGENT OF A FOR-  
15 EIGN PRINCIPAL.—The terms ‘foreign principal’ and  
16 ‘agent of a foreign principal’ have the meaning given  
17 such terms in section 1 of the Foreign Agents Reg-  
18 istration Act of 1938 (22 U.S.C. 611).”;

19 (4) by inserting after subsection (g) the fol-  
20 lowing:

21 “(h) SPECIAL RULE FOR ENERGY PROJECTS.—

22 “(1) IN GENERAL.—Any person who is required  
23 to submit an application for an energy project under  
24 this section shall include in such application a disclo-  
25 sure of any relationship such person has with a for-

1       eign principal or with an agent of a foreign prin-  
2       cipal.

3               “(2) INACCURATE DISCLOSURE OF RELATION-  
4       SHIP WITH FOREIGN PRINCIPAL.—

5               “(A) IN GENERAL.—The Secretary of  
6       Transportation, in consultation with the Attor-  
7       ney General of the United States and the head  
8       of any other relevant Federal agency, shall es-  
9       tablish a process to evaluate the accuracy of a  
10      disclosure made under paragraph (1) and deter-  
11      mine whether a person has violated such para-  
12      graph.

13              “(B) INITIAL PENALTY FOR INACCURATE  
14      DISCLOSURE.—If the Secretary determines that  
15      a person has knowingly violated paragraph (1),  
16      such person shall be prohibited from submitting  
17      an application for an energy project under this  
18      section during the period beginning on the date  
19      on which the Secretary made the determination  
20      under subparagraph (A) and ending on the date  
21      that is 2 years after such determination.

22              “(C) PENALTIES FOR SUBSEQUENT INAC-  
23      CURATE DISCLOSURES.—If the Secretary deter-  
24      mines that a person knowingly violates para-  
25      graph (1) after an initial violation under sub-

1 paragraph (B), such person shall be perma-  
2 nently prohibited from submitting an applica-  
3 tion for an energy project under this section.”.

4 **SEC. 851. EFFECT OF AIRLINE MERGERS FOR CONSUMERS.**

5 (a) IN GENERAL.—The Comptroller General of the  
6 United States shall submit a report to Congress on the  
7 effect of airline mergers for consumers, including pas-  
8 senger fares (including add-on fees), the number of routes,  
9 the number of nonstop routes eliminated, and the number  
10 of flight delays and cancellations.

11 (b) REPORT.—Not later than 180 days after the date  
12 of the enactment of this Act, the Comptroller General shall  
13 submit a report on the results of the study conducted  
14 under subsection (a) to the following congressional com-  
15 mittees:

16 (1) the Committee on Transportation and In-  
17 frastructure and the Committee on the Judiciary of  
18 the House of Representatives; and

19 (2) the Committee on Commerce, Science, and  
20 Transportation and the Committee on the Judiciary  
21 of the Senate.

22 **SEC. 852. TASK FORCE ON HUMAN FACTORS IN AVIATION**  
23 **SAFETY.**

24 (a) IN GENERAL.—Not later than 6 months after the  
25 date of enactment of this Act, the Administrator of the

1 Federal Aviation Administration shall convene a task force  
2 on human factors in aviation safety (in this section re-  
3 ferred to as the “Task Force”).

4 (b) COMPOSITION.—The Task Force shall consist of  
5 members appointed by the Administrator and having ex-  
6 pertise in an operational or academic discipline that is rel-  
7 evant to the analysis of human errors in aviation. The  
8 number of members shall be determined by the Adminis-  
9 trator to ensure sufficient representation of relevant oper-  
10 ational and academic disciplines.

11 (c) DURATION.—

12 (1) IN GENERAL.—Members of the Task Force  
13 shall be appointed for the length of the existence of  
14 the Task Force.

15 (2) LENGTH OF EXISTENCE.—

16 (A) IN GENERAL.—The Task Force shall  
17 have an initial length of existence of 2 years.

18 (B) OPTION.—The Administrator may ex-  
19 ercise an option to lengthen the duration of the  
20 existence of the Task Force for a period of 2  
21 years.

22 (d) DISCIPLINES.—For purposes of subsection (b),  
23 disciplines may include air carrier operations, line pilot ex-  
24 pertise, air traffic control, technical operations, aero-  
25 nautical information, aircraft maintenance and mechanics

1 psychology, linguistics, human-machine integration, gen-  
2 eral aviation operations, and organizational behavior and  
3 culture.

4 (e) EXPERTISE.—

5 (1) IN GENERAL.—No less than half of the  
6 members shall have expertise in aviation.

7 (2) ADDITIONAL EXPERTISE.—The Task Force  
8 shall include members with expertise on human fac-  
9 tors but whose experience and training are not in  
10 aviation specifically and who have not previously  
11 been engaged in work related to the Federal Avia-  
12 tion Administration or the aviation industry. The  
13 Task Force shall also include pilot labor organiza-  
14 tion, certificated mechanic labor organizations, and  
15 at least one member from an air traffic controller  
16 labor organization.

17 (f) FEDERAL AVIATION ADMINISTRATION MEM-  
18 BERS.—

19 (1) IN GENERAL.—Not more than 4 members  
20 may be employees of the Federal Aviation Adminis-  
21 tration and National Transportation Safety Board,  
22 excluding representatives of the labor representatives  
23 of employees of the air traffic control system. Not  
24 more than 2 members may be employees of the Na-  
25 tional Transportation Safety Board. The Federal

1 Aviation Administration and the National Transpor-  
2 tation Safety Board members shall be non-voting.

3 (2) FEDERAL AVIATION ADMINISTRATION EM-  
4 PLOYEES.—Any member who is an Federal Aviation  
5 Administration employee shall have expertise in safe-  
6 ty.

7 (g) DUTIES.—In coordination with the Research, En-  
8 gineering, and Development Advisory Committee estab-  
9 lished under section 44508 of title 49, United States Code,  
10 the Task Force shall—

11 (1) not later than the date on which the Task  
12 Force is no longer in existence, produce a written re-  
13 port that—

14 (A) to the greatest extent possible, identi-  
15 fies the most significant human factors and the  
16 relative contribution of such factors to aviation  
17 safety risk;

18 (B) identifies new research priorities for  
19 research in human factors in aviation safety;

20 (C) reviews existing products by other  
21 working groups related to human factors in  
22 aviation safety including the Commercial Avia-  
23 tion Safety Team (CAST)'s work pertaining to  
24 flight crew responses to abnormal events;

1 (D) provides recommendations on potential  
2 revisions to any Federal Aviation Administra-  
3 tion regulations and guidance pertaining to the  
4 certification of aircraft under part 25 of title  
5 14, Code of Federal Regulations, including sec-  
6 tions related to presumed pilot response times  
7 and assumptions about the reliability of pilot  
8 performance during unexpected, stressful  
9 events;

10 (E) reviews rules, regulations, or standards  
11 regarding flight crew rest and fatigue, as well  
12 as maintenance personnel rest and fatigue, that  
13 are used by a sample of international air car-  
14 riers, including those deemed to be more strin-  
15 gent and less stringent than the current stand-  
16 ards pertaining to United States air carriers,  
17 and identify risks to the National Airspace Sys-  
18 tem from any such variation in standards  
19 across countries;

20 (F) reviews pilot training requirements and  
21 recommend any revisions necessary to ensure  
22 adequate understanding of automated systems  
23 on aircraft;

1 (G) reviews approach and landing mis-  
2 alignment and make any recommendations for  
3 improving these events;

4 (H) identifies ways to enhance instrument  
5 landing system maintenance schedules; deter-  
6 mines how a real-time smart system should be  
7 developed that informs the Air Traffic Control  
8 System, Airlines, and Airports about any  
9 changes in the state of runway and taxiway  
10 lights; and identifies how this system could be  
11 connected to the Federal Aviation Administra-  
12 tion's maintenance system;

13 (I) analyzes, with respect to human errors  
14 related to aviation safety of part 121 air car-  
15 riers—

16 (i) fatigue and distraction during crit-  
17 ical phases of work among pilots or other  
18 aviation personnel;

19 (ii) tasks and workload;

20 (iii) organizational culture;

21 (iv) communication among personnel;

22 (v) adherence to safety procedures;

23 (vi) mental state of personnel; and

1                   (vii) any other relevant factors that  
2                   are the cause or potential cause of human  
3                   error related to aviation safety;

4                   (J) includes a tabulation of the number of  
5                   accidents, incidents, or aviation safety database  
6                   entries received in which an item identified  
7                   under subparagraph (I) was a cause or poten-  
8                   tial cause of human error related to aviation  
9                   safety; and

10                  (K) includes a list of causes or potential  
11                  causes of human error related to aviation safety  
12                  about which the Administrator believes addi-  
13                  tional information is needed; and

14                  (2) if the Secretary exercises the option de-  
15                  scribed in subsection (c)(2)(B), not later than the  
16                  date that is 2 years after the date of establishment  
17                  of the Task Force, produce an interim report con-  
18                  taining the information described in paragraph (1).

19                  (h) **METHODOLOGY.**—To complete the report under  
20                  subparagraphs (I) through (K) of subsection (g)(1), the  
21                  Task Force shall consult with the National Transportation  
22                  Safety Board and use all available data compiled and anal-  
23                  ysis conducted on safety incidents and irregularities col-  
24                  lected during the relevant fiscal year from the following:

25                         (1) Flight Operations Quality Assurance.

1           (2) Aviation Safety Action Program.

2           (3) Aviation Safety Information Analysis and  
3       Sharing.

4           (4) The Aviation Safety Reporting System.

5           (5) Aviation safety recommendations and inves-  
6       tigation findings of the National Transportation  
7       Safety Board.

8           (6) Other relevant programs or sources.

9       (i) APPLICABLE LAW.—Section 1013 of title 5,  
10   United States Code, shall not apply to the Task Force.

11   **SEC. 853. SENSE OF CONGRESS ENCOURAGING THE FAA TO**

12                           **WELCOME THE USE OF UNMANNED AERIAL**

13                           **VEHICLES.**

14       It is the sense of Congress that Congress encourages  
15   the Federal Aviation Administration to welcome the use  
16   of unmanned aerial vehicles, such as drones, to bolster and  
17   augment traditional manual inspection, survey, and main-  
18   tenance operations, including operations that relate to  
19   electric transmission infrastructure, water quality and the  
20   presence of harmful algal blooms, transportation infra-  
21   structure, national parks, and telecommunications infra-  
22   structure.

23   **SEC. 854. EVALUATION OF EMERGENCY RESPONSE PLANS.**

24       (a) IN GENERAL.—The Comptroller General of the  
25   United States shall, in consultation with industry stake-

1 holders and the owners or operators of airports certified  
2 by the Administrator of the Federal Aviation Administra-  
3 tion, conduct an evaluation of a representative sample of  
4 the emergency plans in place at such airports.

5 (b) CONTENTS.—In conducting the evaluation under  
6 subsection (a), the Comptroller General shall assess, with  
7 respect to such airports, the following:

8 (1) Electricity supply on normal operating pro-  
9 cedures.

10 (2) Resiliency plans for maintaining appropriate  
11 electricity supply to continue airport operations in  
12 the case a natural disaster disrupts the airport's pri-  
13 mary power source.

14 (3) Backup electricity plans in the event a nat-  
15 ural disaster disrupts, partially or completely, the  
16 airport's primary power source.

17 (4) A comparison of previous versions of the  
18 airport's emergency response plans and how current  
19 and future airport emergency response plans may be  
20 similar or different than the emergency response  
21 plans of the past.

22 (5) The overall impact of an airport losing its  
23 primary power source on communities surrounding  
24 the airport and any public health and safety risks  
25 that may result.

1 (c) SUBMISSION.—Not later than 1 year 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 containing the results of the evaluation  
7 conducted under subsection (a).

8 **SEC. 855. STUDY ON AIR CARGO OPERATIONS IN PUERTO**  
9 **RICO.**

10 (a) IN GENERAL.—No later than 180 days after the  
11 date of enactment of this Act, the Comptroller General  
12 of the United States shall conduct a study on air cargo  
13 operations in Puerto Rico.

14 (b) CONTENTS.—In conducting the study required  
15 under subsection (a), the Comptroller General shall ad-  
16 dress the following:

17 (1) The economic impact of waivers authorized  
18 by the Secretary of the Department of Transpor-  
19 tation related to air cargo operations in Puerto Rico.

20 (2) Recommendations for security measures  
21 that may be necessary to support increased air cargo  
22 operations in Puerto Rico.

23 (3) Potential need for additional staff to safely  
24 accommodate additional air cargo operations.



1 Donu (URRV) Flight Information Regions (FIR))”  
2 to apply the prohibitions equally to air carriers and  
3 foreign air carriers landing in or taking off from an  
4 airport in the United States;

5 (2) take other actions within the authorities of  
6 the Secretary to apply to foreign air carriers landing  
7 in, or taking off from, an airport in the United  
8 States prohibitions consistent with the prohibitions  
9 in the NOTAM referred to in paragraph (1); or

10 (3) provide to the Committee on Transportation  
11 and Infrastructure of the House of Representatives  
12 and the Committee on Commerce, Science, and  
13 Transportation of the Senate, a briefing, in a classi-  
14 fied or unclassified setting, if the Secretary finds  
15 that the implementation of paragraph (1) or (2) is—

16 (A) unnecessary;

17 (B) not in the public interest; or

18 (C) not consistent with the foreign policy  
19 priorities of the United States.

20 (b) SUNSET.—Any prohibition implemented pursuant  
21 to subsection (a) shall terminate on the date on which the  
22 NOTAM referred to in subsection (a) is rescinded.

23 (c) SAVINGS CLAUSE.—Nothing in this section shall  
24 be construed as putting any limitation on the authority  
25 of the Secretary of Transportation to implement any pro-

1 hibition in addition or subsequent to a prohibition imple-  
2 mented under subsection (a).

3 (d) DEFINITIONS.—Each of the terms used in this  
4 section shall have the meanings given such terms in sec-  
5 tion 40102(a) of title 49, United States Code.

6 **SEC. 857. GAO STUDY ON AVIATION WORKFORCE.**

7 (a) IN GENERAL.—The Comptroller General of the  
8 United States shall conduct a study on methods related  
9 to the recruitment, retention, employment, education,  
10 training, and well-being of the aviation workforce specifi-  
11 cally within rural communities.

12 (b) COLLABORATION.—In conducting the study  
13 under subsection (a), the Comptroller General shall col-  
14 laborate with industry stakeholders and rural aviation fa-  
15 cilities to ascertain the best policies for increasing partici-  
16 pating in the aviation workforce community from individ-  
17 uals from rural communities.

18 (c) REPORT TO CONGRESS.—Not later than 120 days  
19 after the date of enactment of this Act, the Comptroller  
20 General shall submit the results of the study under sub-  
21 section (a) to the appropriate congressional committees.

22 (d) ADMINISTRATIVE ACTIONS.—The Administrator  
23 of the Federal Aviation Administration shall take such ac-  
24 tions as are reasonable to implement the recommendations

1 made by the Comptroller General from the study con-  
2 ducted under subsection (a).

3 **SEC. 858. ASSESSMENT BY INSPECTOR GENERAL OF THE**  
4 **DEPARTMENT OF TRANSPORTATION OF**  
5 **COUNTER-UAS SYSTEM OPERATIONS.**

6 (a) ASSESSMENT.—Not later than 180 days after the  
7 date of the enactment of this Act, the Inspector General  
8 of the Department of Transportation shall assess all ac-  
9 tions taken by the Federal Aviation Administration affect-  
10 ing the ability of U.S. Customs and Border Protection to  
11 conduct counter-UAS system operations at the southern  
12 border of the United States from January 1, 2021, to such  
13 date of enactment.

14 (b) CONSIDERATIONS.—The assessment under sub-  
15 section (a) shall consider the following impacts:

16 (1) Operational capabilities of U.S. Customs  
17 and Border Protection in detecting and mitigating  
18 unauthorized unmanned aircraft systems.

19 (2) Coordination efforts and information shar-  
20 ing between the Federal Aviation Administration  
21 and U.S. Customs and Border Protection regarding  
22 counter-UAS system operations.

23 (3) Any other impacts or considerations the In-  
24 spector General of the Department of Transpor-  
25 tation determines relevant.

1 (c) REPORT.—Not later than 90 days after the com-  
2 pletion of the assessment under subsection (a), the Inspec-  
3 tor General of the Department of Transportation shall  
4 submit to the Committee on Transportation and Infra-  
5 structure of the House of Representatives and the Com-  
6 mittee on Commerce, Science, and Transportation of the  
7 Senate a report detailing the findings of such assessment.

8 (d) DEFINITIONS.—In this section:

9 (1) COUNTER-UAS SYSTEM.—The term  
10 “counter-UAS system” has the meaning given such  
11 term in section 44801 of title 49, United States  
12 Code.

13 (2) UNMANNED AIRCRAFT SYSTEM.—The term  
14 “unmanned aircraft system” has the meaning given  
15 such term in section 44801 of title 49, United  
16 States Code.

17 **SEC. 859. BRIEFING ON LIT VORTAC PROJECT.**

18 (a) IN GENERAL.—Not later than 180 days after the  
19 date of enactment of this Act, the Administrator of the  
20 Federal Aviation Administration shall provide a briefing  
21 on the Little Rock Port Authority Very High Frequency  
22 Omni-Directional Radio Range Tactical Air Navigation  
23 Aid Project (LIT VORTAC) to the Committee on Trans-  
24 portation and Infrastructure of the House of Representa-

1 tives and the Committee on Commerce, Science, and  
2 Transportation of the Senate.

3 (b) BRIEFING CONTENTS.—The briefing required  
4 under subsection (a) shall include the following:

5 (1) (1) The status of the efforts by the Federal  
6 Aviation Administration to relocate the LIT  
7 VORTAC.

8 (2) The status of new flight planning of the re-  
9 located VORTAC.

10 (3) A description of and timeline for each re-  
11 maining phase of the relocation project.

12 **SEC. 860. REIMBURSEMENT FOR FINANCIAL LOSSES DUE**  
13 **TO CERTAIN AIRPORT CLOSURES.**

14 (a) NOTIFICATION REQUIRED.—Not later than 30  
15 days after the date on which a President takes office, the  
16 Administrator of the Federal Aviation Administration  
17 shall provide notification to specified aviation entities lo-  
18 cated at any airports that may be expected to close at any  
19 point during the term of such President due to temporary  
20 flight restrictions related to any residence of the President  
21 that is designated or identified to be secured by the United  
22 States Secret Service.

23 (b) REIMBURSEMENT REQUIRED.—Subject to the  
24 availability of appropriations, the Administrator shall pro-  
25 vide financial reimbursement to specified aviation entities

1 in an amount equal to the direct and incremental financial  
2 losses incurred while an airport, or portion thereof, is  
3 closed solely due to the actions of the Federal Government  
4 as described in subsection (a). The Administrator shall  
5 provide reimbursement for such losses.

6 (c) AUDIT REQUIRED.—The Administrator may not  
7 obligate or distribute reimbursement funding described in  
8 subsection (b) until an audit of the financial losses in-  
9 curred by a specified aviation entity is completed by the  
10 Administrator. The Administrator may request that speci-  
11 fied aviation entities provide documentation which the Ad-  
12 ministrator determines is necessary to complete such  
13 audit.

14 (d) INELIGIBLE COSTS.—In carrying out this section,  
15 the Administrator shall ensure that any loss incurred as  
16 a result of a violation of law, or through fault or neg-  
17 ligence, of a specified aviation entity are not eligible for  
18 reimbursements

19 (e) GOVERNMENT RELEASE FROM LIABILITY.—The  
20 United States Government shall not be liable for claims  
21 for financial losses resulting from airport closures de-  
22 scribed in subsection (a).

23 (f) SPECIFIED AVIATION ENTITY DEFINED.—In this  
24 section, the term “specified aviation entity” means—

- 1 (1) an airport sponsor that does not provide
- 2 gateway operations;
- 3 (2) a provider of general aviation ground sup-
- 4 port services; or
- 5 (3) an impacted aviation tenant.

6 **SEC. 861. PROHIBITION ON CERTAIN RUNWAY LENGTH RE-**  
7 **QUIREMENTS.**

8 Notwithstanding any other provision of law, the Sec-  
9 retary of Transportation may not require an airport to  
10 shorten the length or width of the airport's runway, apron,  
11 or taxiway as a condition for the receipt of federal finan-  
12 cial assistance if the airport directly supports a base of  
13 the United States Air Force or the Air National Guard  
14 at the airport, regardless of the stationing of military air-  
15 craft.

16 **SEC. 862. STUDY ON PILOT SUPPLY ISSUES.**

17 (a) IN GENERAL.—The Comptroller General of the  
18 United States shall conduct a study on the shortage of  
19 pilots faced by air carriers.

20 (b) CONTENTS.—In conducting the study under sub-  
21 section (a), the Comptroller General shall address ways  
22 to overcome challenges to the pilot workforce.

1 **SEC. 863. GAO STUDY ON FAA RESPONSIVENESS TO CON-**  
2 **GRESS.**

3 (a) GAO STUDY.—The Comptroller General of the  
4 United States shall conduct a study on—

- 5 (1) the level of responsiveness of the Adminis-  
6 trator of the Federal Aviation Administration to a  
7 request for information from a Member of Congress,  
8 including a written congressional inquiry and staff-  
9 ing a meeting at the request of such a Member; and  
10 (2) the average timeframe responses are pro-  
11 vided to the requests described in paragraph (1).

12 (b) ANNUAL BRIEFING TO CONGRESS.—Section 106  
13 of title 49, United States Code, is amended by adding at  
14 the end the following:

15 “(u) ANNUAL BRIEFING TO CONGRESS.—The Ad-  
16 ministrator shall annually brief the Committee on Trans-  
17 portation and Infrastructure of the House of Representa-  
18 tives and the Committee on Commerce, Science, and  
19 Transportation of the Senate on—

20 “(1) the efforts, activities, objectives, and plans  
21 of the Administration; and

22 “(2) the efforts of the Administration to engage  
23 with Congress and the public.”.

24 **SEC. 864. GAO STUDY ON TRANSIT ACCESS.**

25 (a) IN GENERAL.—Not later than 180 days after the  
26 date of enactment of this Act, the Comptroller General

1 of the United States shall conduct a study, and make the  
2 results of such study publicly accessible, on transit access  
3 to airports.

4 (b) CONTENTS.—In carrying out the study under  
5 subsection (a), the Comptroller General shall review public  
6 transportation access to commercial service airports  
7 throughout the United States, including cost, disability ac-  
8 cessibility, and other potential barriers for individuals.

9 **SEC. 865. APPRENTICESHIP PROGRAM FOR PILOTS.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPRENTICE.—The term “apprentice”  
12 means a student enrolled at a flight school.

13 (2) FLIGHT SCHOOL.—The term “flight school”  
14 means a flight academy certified under part 141 of  
15 title 14, Code of Federal Regulations.

16 (3) SECRETARY.—The term “Secretary” means  
17 the Secretary of Transportation.

18 (b) ESTABLISHMENT.—The Secretary, in consulta-  
19 tion with flight schools and other industry stakeholders,  
20 shall establish an apprenticeship program with flight  
21 schools to establish a pipeline of qualified and interested  
22 individuals to become commercial pilots.

23 (c) SELECTION.—Under the apprenticeship program  
24 established under subsection (b), each flight school partici-  
25 pating in the apprenticeship program established under

1 subsection (b) may select up to 8 applicants to flight  
2 school to serve as apprentices each academic year.

3 (d) CURRICULUM AND REQUIREMENTS.—

4 (1) IN GENERAL.—To graduate from an ap-  
5 prenticeship program established under subsection  
6 (b), an apprentice shall satisfy any relevant require-  
7 ments and minimum curriculum under part 141 of  
8 title 14, Code of Federal Regulations (or successor  
9 regulations), including all curriculum under subpart  
10 C of such part.

11 (2) MINIMUM REQUIREMENTS.—Nothing in this  
12 Act prevents a flight school from imposing additional  
13 requirements, such as modifying the terms of service  
14 of the apprenticeship program, on an apprentice tak-  
15 ing part in an apprenticeship program established  
16 pursuant to this section.

17 (e) OPTIONAL PROGRAM.—A flight school may  
18 choose not to participate in an apprenticeship program es-  
19 tablished under this section.

20 (f) REGULATIONS.—Not later than 1 year after the  
21 date of enactment of this Act, the Secretary shall issue  
22 such regulations as are necessary to implement this Act.

23 (g) INCENTIVIZING RETIRED PILOTS.—The Sec-  
24 retary shall take such actions as may be appropriate to  
25 develop methods to incentivize pilots, including retired

1 military pilots, retiring airline pilots, and graduates of the  
2 apprenticeship program established under this section, to  
3 become instructors at flight schools, including through the  
4 development of pathway programs for such pilots to gain  
5 initial qualification or concurrent qualification as certified  
6 flight instructors under part 61 of title 14, Code of Fed-  
7 eral Regulations.

8 **SEC. 866. WILDFIRE SUPPRESSION.**

9 (a) IN GENERAL.—To ensure that sufficient fire-  
10 fighting resources are available to suppress wildfires and  
11 protect public safety and property, and notwithstanding  
12 any other provision of law or agency regulation, not later  
13 than 18 months after the date of enactment of this sec-  
14 tion, the Administrator of the Federal Aviation Adminis-  
15 tration shall promulgate an interim final rule under  
16 which—

17 (1) an operation described in section  
18 21.25(b)(7) of title 14, Code of Federal Regulations,  
19 shall allow for the transport of firefighters to and  
20 from the site of a wildfire to perform ground wildfire  
21 suppression and designate the firefighters con-  
22 ducting such an operation as essential crewmembers  
23 on board a covered aircraft operated on a mission to  
24 suppress wildfire;

1           (2) the aircraft maintenance, inspections, and  
2 pilot training requirements under part 135 of such  
3 title 14 may apply to such an operation, if deter-  
4 mined by the Administrator to be necessary to main-  
5 tain the safety of firefighters carrying out wildfire  
6 suppression missions; and

7           (3) the noise standards described in part 36 of  
8 such title 14 shall not apply to such an operation.

9           (b) SURPLUS MILITARY AIRCRAFT.—In promul-  
10 gating any rule under subsection (a), the Administrator  
11 shall not enable any aircraft of a type that has been manu-  
12 factured in accordance with the requirements of and ac-  
13 cepted for use by any branch of the United States Military  
14 and has been later modified to be used for wildfire sup-  
15 pression operations, unless such aircraft is later type-rated  
16 by the Administrator.

17           (c) CONFORMING AMENDMENTS TO FAA DOCU-  
18 MENTS.—In promulgating an interim final rule under sub-  
19 section (a), the Administrator shall amend FAA Order  
20 8110.56, Restricted Category Type Certification (dated  
21 February 27, 2006), as well as any corresponding policy  
22 or guidance material, to reflect the requirements of sub-  
23 section (a).

24           (d) SAVINGS PROVISION.—Nothing in this section  
25 shall be construed to limit the Administrator’s authority

1 to take action otherwise authorized by law to protect avia-  
2 tion safety or passenger safety.

3 (e) DEFINITIONS.—In this section:

4 (1) COVERED AIRCRAFT.—The term “covered  
5 aircraft” means an aircraft type-certificated in the  
6 restricted category under section 21.25 of title 14,  
7 Code of Federal Regulations, used for transporting  
8 firefighters to and from the site of a wildfire in  
9 order to perform ground wildfire suppression for the  
10 purpose of extinguishing a wildfire on behalf of, or  
11 pursuant to a contract with, a Federal, State, or  
12 local government agency.

13 (2) FIREFIGHTERS.—The term “firefighters”  
14 means a trained fire suppression professional the  
15 transport of whom is necessary to accomplish a wild-  
16 fire suppression operation.

17 **SEC. 867. AIR STATISTIC REPORTS.**

18 Not later than 60 days after the date of the enact-  
19 ment of this Act, the Secretary of Transportation shall  
20 ensure that the Bureau of Transportation Statistics re-  
21 vises and maintains Technical Reporting Directive No. 31  
22 (14 CFR Part 234) to provide that the following events  
23 are not included within the air carrier codes specified in  
24 such Directive:

1           (1) Aircraft cleaning necessitated by such inci-  
2 dents as the death of a passenger, excessive bleed-  
3 ing, service animal (SVAN) soiling, and extensive  
4 debris left by customers.

5           (2) Aircraft damage caused by extreme weather,  
6 bird strike, foreign object debris (FOD), sabotage,  
7 and other similar causes.

8           (3) Awaiting the arrival of connecting pas-  
9 sengers or crew due to weather or local or National  
10 Airspace System logistics.

11          (4) Awaiting the results of an unexpected alco-  
12 hol test of a crewmember caused by the suspicion or  
13 accusation of a customer.

14          (5) Awaiting gate space due to congestion not  
15 within the carrier's control, including the utilization  
16 of common gates or uncontrollable gate returns re-  
17 sulting from constraints of the National Airspace  
18 System.

19          (6) A baggage or cargo loading delay caused by  
20 an outage of a bag system not controlled by a car-  
21 rier, including wind affecting ramp conditions, late  
22 connecting bags resulting from an air traffic con-  
23 troller delay, airport infrastructure failure, and simi-  
24 lar causes.

1           (7) Cabin servicing or catering delays due to  
2 weather or wind.

3           (8) Vendor computer outages, cybersecurity at-  
4 tacks (provided that the carrier is in compliance  
5 with applicable cybersecurity regulations), or issues  
6 related to the use of airport-supplied communica-  
7 tions equipment (such as common-use gates and ter-  
8 minals, power outage, and lighting).

9           (9) Availability of crew related to hours flown,  
10 rest periods, and on-duty times not caused by a car-  
11 rier, including a delay of a crew replacement or re-  
12 serve necessitated by a non-controllable event, and  
13 pilot or flight attendant rest related to weather, air  
14 traffic controller, or local logistics.

15           (10) An unscheduled engineering or safety in-  
16 spection.

17           (11) Public health issues.

18           (12) Fueling delays related to weather or air-  
19 port fueling infrastructure issues, including the inop-  
20 erability of a fuel farm or unusable fuel which does  
21 not meet specified requirements at delivery to an  
22 airport due to contamination in the supply chain.

23           (13) Government systems that are inoperable or  
24 otherwise unable to receive forms which have been  
25 properly completed by an air carrier.

1           (14) Overheated brakes resulting from a safety  
2 incident, including those resulting from emergency  
3 procedures.

4           (15) Mail from the U.S. Postal Service that was  
5 delayed in arrival.

6           (16) Unscheduled maintenance, including air-  
7 worthiness issues manifesting outside a scheduled  
8 maintenance program and that cannot be deferred  
9 or must be addressed before flight.

10          (17) A medical emergency.

11          (18) Positive passenger bag match flags that  
12 require removal of a bag in order to ensure security.

13          (19) The removal of an unruly passenger.

14          (20) Ramp service from a third-party con-  
15 tractor, including servicing of potable water, lavatory  
16 servicing, and shortage of third-party ramp equip-  
17 ment.

18          (21) Snow removal or aircraft de-icing due to  
19 the occurrence of extreme weather despite adequate  
20 carrier resources, or the removal of snow on ramps.

21          (22) An airport closure due to such factors as  
22 the presence of volcanic ash, wind or wind shear.

1 **SEC. 868. SENSE OF CONGRESS ON FAA ENGAGEMENT AND**  
2 **COLLABORATION WITH HBCUS AND MSIS.**

3 It is the sense of Congress that the Federal Aviation  
4 Administration should continue to partner with histori-  
5 cally Black colleges and universities and minority-serving  
6 institutions to promote awareness of career opportunities  
7 and develop curriculum related to aerospace, aviation and  
8 air traffic control.

9 **SEC. 869. REPORT ON IMPLEMENTATION OF RECOMMENDA-**  
10 **TIONS OF FEDERAL AVIATION ADMINISTRA-**  
11 **TION YOUTH ACCESS TO AMERICAN JOBS IN**  
12 **AVIATION TASK FORCE.**

13 Not later than 180 days after the date of the enact-  
14 ment of this Act, the Secretary of Transportation, acting  
15 through the Administrator of the Federal Aviation Admin-  
16 istration, shall submit to Congress a report on the imple-  
17 mentation of the following recommendations of the Fed-  
18 eral Aviation Administration Youth Access to American  
19 Jobs in Aviation Task Force established under section 602  
20 of the FAA Reauthorization Act of 2018 (Public Law  
21 115–254):

22 (1) The recommendation to improve informa-  
23 tion access about careers in aviation and aerospace.

24 (2) The recommendation to collaboration across  
25 regions of the Federal Aviation Administration on  
26 outreach and workforce development programs.

1           (3) The recommendation to increase opportuni-  
2           ties for mentoring, pre-apprenticeships, and appren-  
3           ticeships in aviation.

4 **SEC. 870. IMPLEMENTATION OF DYNAMIC SCHEDULING**  
5 **AND MANAGEMENT OF CERTAIN AIRSPACE.**

6           (a) IN GENERAL.—In carrying out the pilot program  
7 established under section 1093 of Public Law 117-263 (49  
8 U.S.C. 40103 note), the Administrator of the Federal  
9 Aviation Administration, in coordination with the Sec-  
10 retary of Defense, shall—

11           (1) evaluate the impact on the operation of the  
12 national airspace system of process improvements in  
13 how the Department of Defense shares real-time up-  
14 dates on the status of special activity airspace and  
15 special use airspace for activities described in para-  
16 graph (1) of section 1093 of Public Law 117-263  
17 (49 U.S.C. 40103, note); and

18           (2) ensure that such improvements make the  
19 Federal Aviation Administration able to use such  
20 status changes to effectively grant access to special  
21 activity airspace and special use airspace to civil op-  
22 erators in the national airspace system.

23           (b) DEVELOPMENT, TEST AND ASSESSMENT OF DY-  
24 Namic AIRSPACE TOOLS AND SYSTEMS.—

1           (1) TESTS.—Under the pilot program referred  
2 to in subsection (a), and to complete the evaluations  
3 prescribed above, the Administrator and Secretary  
4 shall jointly test software and services that automate  
5 the means by which the Department of Defense  
6 shares changes in the status of special activity air-  
7 space and special use airspace established by the  
8 Federal Aviation Administration for use by civil op-  
9 erators in the national airspace system.

10           (2) AUTOMATION.—The Secretary and the Ad-  
11 ministrator shall ensure that the processes referred  
12 to in paragraph (1)(B) of section 1093 of Public  
13 Law 117-263 (49 U.S.C. 40103, note) are auto-  
14 mated, adhere to advanced data protection protocols,  
15 and use tools and systems developed for this purpose  
16 that are in use by the Federal Aviation Administra-  
17 tion and by civil operators in the national airspace  
18 system.

19           (c) REPORT.—Not more than 365 days following the  
20 date of enactment of this section, the Secretary and the  
21 Administrator shall jointly submit a report to Congress  
22 on the impact of dynamic scheduling and management of  
23 special activity airspace and special use airspace, with spe-  
24 cific information on—

25           (1) impact on military training and readiness;

1           (2) impact on workload and accuracy of sharing  
2           status changes on airspace with the Federal Aviation  
3           Administration; and

4           (3) impact on the operation of the national air-  
5           space system including reductions in miles flown.

6           (d) REQUIREMENTS.—The capabilities referred to in  
7           subsection (a) shall not interfere with—

8           (1) the public’s right of transit consistent with  
9           national security;

10          (2) the use of airspace necessary to ensure the  
11          safety of aircraft within the national airspace sys-  
12          tem; or

13          (3) the use of airspace necessary to ensure the  
14          efficient use of the national airspace system.

15 **SEC. 871. PROHIBITION ON PROCUREMENT OF FOREIGN-**  
16 **MADE UNMANNED AIRCRAFT SYSTEMS.**

17          (a) IN GENERAL.—The Secretary of Transportation  
18          is prohibited from entering into a contract or awarding  
19          a grant for the procurement of a small unmanned aircraft  
20          system manufactured or assembled by a covered foreign  
21          entity.

22          (b) EXEMPTION.—

23                 (1) IN GENERAL.—The Secretary is exempt  
24                 from any restrictions under subsection (a) if the pro-

1       curement is for the purposes of testing, evaluation,  
2       analysis, or training related to—

3               (A) counter-unmanned aircraft systems, in-  
4               cluding activities conducted under the Federal  
5               Aviation Administration’s Alliance for System  
6               Safety of UAS through Research Excellence  
7               Center of Excellence or by the UAS test sites  
8               under section 44803 of title 49, United States  
9               Code; or

10              (B) the safe, secure, or efficient operation  
11              of the National Airspace System or mainte-  
12              nance of public safety.

13              (2) NATIONAL TRANSPORTATION SAFETY  
14              BOARD EXEMPTION.—The National Transportation  
15              Safety Board, in consultation with the Secretary of  
16              Homeland Security, is exempt from any restrictions  
17              under subsection (a) if the procurement is necessary  
18              for the sole purpose of conducting safety investiga-  
19              tions.

20              (c) WAIVER.—The Secretary of Transportation (or  
21              the Secretary’s designee) may waive any restrictions under  
22              subsection (a) on a case by case basis by certifying in writ-  
23              ing not later than 15 days after exercising such waiver  
24              to the Committee on Commerce, Science, and Transpor-  
25              tation of the Senate and the Committee on Transportation

1 and Infrastructure of the House of Representatives that  
2 the procurement is required in the national interest of the  
3 United States.

4 (d) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Beginning on the date of en-  
6 actment of this Act, the Secretary may not award a  
7 new grant for the procurement of an unmanned air-  
8 craft system manufactured by a covered foreign enti-  
9 ty.

10 (2) EXISTING GRANT.—This section shall not  
11 apply to grants awarded before the date of enact-  
12 ment of this Act.

13 (e) DEFINITIONS.—In this section:

14 (1) COVERED FOREIGN ENTITY.—The term  
15 “covered foreign entity” means an entity—

16 (A) included on the Consolidated Screening  
17 List or Entity List as designated by the Sec-  
18 retary of Commerce;

19 (B) domiciled in the People’s Republic of  
20 China or the Russian Federation;

21 (C) subject to influence or control by the  
22 government of the People’s Republic of China  
23 or by the Russian Federation; or

1 (D) that is a subsidiary or affiliate of an  
2 entity described in subparagraphs (A) through  
3 (C).

4 (2) SMALL UNMANNED AIRCRAFT; UNMANNED  
5 AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The  
6 terms “small unmanned aircraft”, “unmanned air-  
7 craft”, and “unmanned aircraft system” have the  
8 meanings given such terms in section 44801 of title  
9 49, United States Code.

10 **SEC. 872. BANNING MUNICIPAL AIRPORT.**

11 (a) IN GENERAL.—Not later than 90 days after the  
12 date of enactment of this Act, the Comptroller General  
13 of the United States shall initiate a study on the Banning  
14 Municipal Airport to identify—

15 (1) aviation traffic at the Airport in each of the  
16 last 10 years, and estimated future traffic each year  
17 in the next 10 years;

18 (2) associated annual revenues and costs in  
19 each year to service aviation traffic during the last  
20 10 years, and to continue to service it for another  
21 10 years;

22 (3) use of the facility for fighting wildfires and  
23 the degree of its utility to the local County fire de-  
24 partment or other emergency first responders;

1           (4) status of the Airport’s current infrastruc-  
2           ture and planned improvements, if any, and during  
3           the next 5 years and their associated costs;

4           (5) perspectives of and impact on the Morongo  
5           Band of Indians resulting from operation of the air-  
6           port near tribal lands; and

7           (6) Federal funds that would be required to  
8           modernize the Airport’s infrastructure to assure no  
9           annual operating financial losses for the next 10  
10          years.

11          (b) REPORT TO CONGRESS.—Not later than 1 year  
12          after the date of enactment of this Act, the Comptroller  
13          General shall submit to the appropriate committees of  
14          Congress a report on the results of the study.

15      **SEC. 873. FEASIBILITY STUDY OF HARDENING SATELLITES**  
16                              **THAT CONTRIBUTE TO UNITED STATES**  
17                              **AEROSPACE NAVIGATION.**

18          The Administrator of the Federal Aviation Adminis-  
19          tration shall conduct a feasibility study to determine the  
20          cost to harden satellites that contribute to United States  
21          aerospace navigation.

22      **SEC. 874. STUDY AND REPORT ON EFFECTS OF UNMANNED**  
23                              **FREE BALLOONS ON AVIATION SAFETY.**

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, in coordination with the  
2 heads of other relevant Federal agencies, shall submit a  
3 report to the appropriate committees of Congress on the  
4 effects unmanned free balloon operations, that do not emit  
5 electronic or radio signals for identification purposes,  
6 launched within the United States and its territories may  
7 have on aviation safety.

8 (b) CONSIDERATIONS.—In carrying out this section,  
9 the Administrator shall consider—

10 (1) current technology available and employed  
11 to track unmanned free balloon operations described  
12 under subsection (a);

13 (2) how the flights of such operations have af-  
14 fected, or could affect, aviation safety;

15 (3) how such operations have contributed, or  
16 could contribute, to misidentified threats to civil or  
17 military aviation operations or infrastructure; and

18 (4) how such operations have impacted, or  
19 could impact, national security and air traffic con-  
20 trol operations.

21 (c) RECOMMENDATIONS.—The report specified under  
22 subsection (a) shall contain recommendations on the fol-  
23 lowing:

24 (1) The need for unmanned free balloons  
25 launched within the United States and its territories

1 to be equipped with technology that may increase  
2 the near real-time trackability of such balloons to  
3 deconflict airspace and maintain aviation safety of  
4 the national airspace system in support of Adminis-  
5 tration and Department of Defense aviation oper-  
6 ations.

7 (2) The feasibility and efficacy in requiring the  
8 equipage and usage of such technology.

9 (d) APPROPRIATE.—In this section, the term “appro-  
10 priate congressional committees” means—

11 (1) the Committee on Armed Services of the  
12 House of Representatives;

13 (2) the Committee on Transportation and In-  
14 frastructure of the House of Representatives;

15 (3) the Committee on Armed Services of the  
16 Senate; and

17 (4) the Committee on Commerce, Science, and  
18 Transportation of the Senate.

19 **SEC. 875. UPDATE TO FAA ORDER ON AIRWAY PLANNING**  
20 **STANDARD.**

21 Not later than 180 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 update FAA Order 7031.2c, titled “Airway Planning  
25 Standard Number One—Terminal Air Navigation Facilities

1 and Air Traffic Control Services”, to lower the remote  
2 radar bright display scope installation requirement from  
3 30,000 annual itinerant operations to 15,000 annual  
4 itinerant operations.

5 **SEC. 876. SURFACE SURVEILLANCE.**

6 (a) IN GENERAL.—Not later than 180 days after en-  
7 actment of this Act, the Administrator shall conduct a  
8 study of surface surveillance systems that are operational  
9 as of the date of enactment of this Act.

10 (b) CONTENTS.—In carrying out the study required  
11 under subsection (a), the Administrator shall—

12 (1) demonstrate that any change to the configu-  
13 ration of such systems or decommissioning of a sen-  
14 sor from such systems provides an equivalent level of  
15 safety as the current system;

16 (2) determine how a technology refresh of leg-  
17 acy sensor equipment can reduce operational and  
18 maintenance costs compared to current costs and ex-  
19 tend the useful life and affordability of such sys-  
20 tems; and,

21 (3) consider how to enhance such systems  
22 through new capabilities and software tools that im-  
23 prove the safety of terminal airspace and the airport  
24 surface.

1 (c) CONSULTATION.—In carrying out the study under  
2 subsection (a), the Administrator shall consult with rep-  
3 resentatives of—

4 (1) National Transportation Safety Board;

5 (2) aviation safety experts with specific knowl-  
6 edge of surface surveillance technology, including  
7 multilateration and ADS-B; and,

8 (3) representatives with expertise in surface  
9 safety of the exclusive bargaining representative of  
10 the air traffic controllers certified under section  
11 7111 of title 5, United States Code; and

12 (4) representatives of the certified bargaining  
13 representative of airway transportation systems spe-  
14 cialists for the Federal Aviation Administration.

15 (d) REPORT.—Upon completion of the review initi-  
16 ated under 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 describing the findings of such review and shall  
21 make all data related to the safety analysis and conclu-  
22 sions developed under subsection (b) available to the pub-  
23 lic on the website of the Administration in a downloadable  
24 format.

1 (e) IMPLEMENTATION.—Upon submission of the re-  
2 port required by subsection (d), the Administrator may  
3 implement changes to surface surveillance systems based  
4 on the outcome of the review in subsection (b).

5 **SEC. 877. CERTIFICATION AND REPORT BY INSPECTOR**  
6 **GENERAL RELATING TO RADAR IMPACTS**  
7 **AND OFFSHORE WIND DEVELOPMENT AP-**  
8 **PROVAL PROCESS.**

9 (a) CERTIFICATION.—Not later than 90 days after  
10 the date of the enactment of this Act, the President (or  
11 a designee) shall certify in writing that—

12 (1) offshore wind projects in the North Atlantic  
13 and Mid-Atlantic Planning Areas will not weaken,  
14 degrade, interfere with, or nullify the performance  
15 and capabilities of radar relied upon by commercial  
16 aviation, military aviation, space launch vehicles, or  
17 other commercial space launch activities; and

18 (2) the development of offshore wind projects in  
19 the North Atlantic and Mid-Atlantic Planning Areas  
20 will not degrade the capabilities of the Federal Avia-  
21 tion Administration to monitor United States air-  
22 space, or hinder commercial, private, or military  
23 aviation activities.

24 (b) AUDIT AND REPORT BY INSPECTOR GENERAL.—

1           (1) AUDIT AND REPORT.—The Inspector Gen-  
2           eral of the Department of Transportation shall audit  
3           and report to Congress on the effects of offshore  
4           wind industrialization related to radar, impacts to  
5           commercial air and military traffic, and the suffi-  
6           ciency of the review and approval process for off-  
7           shore wind projects in the North Atlantic and Mid-  
8           Atlantic Planning Areas. Such report shall also in-  
9           clude the following:

10                   (A) An investigation of the sufficiency of  
11                   the process for approving offshore wind  
12                   projects, and these projects impact on radar, in-  
13                   cluding the consultation process between the  
14                   Bureau of Ocean Energy Management, the  
15                   Federal Aviation Administration, and the Mili-  
16                   tary Aviation and Installation Assurance Siting  
17                   Clearinghouse, and whether concerns voiced by  
18                   the Federal Aviation Administration, the  
19                   United States Armed Forces were sufficiently  
20                   considered in the approval process.

21                   (B) A specific study on the impact of such  
22                   projects on shore based radar capabilities.

23                   (C) A determination whether offshore wind  
24                   projects will weaken, compromise, or interfere  
25                   with, or nullify the usage of radar utilized by

1 the Federal Aviation Administration, the  
2 United States Armed Forces, and the National  
3 Aeronautics and Space Administration, as well  
4 as commercial space launch activities.

5 (D) An audit of the approval applications  
6 by the Military Aviation and Installation Assur-  
7 ance Siting Clearinghouse regarding concerns  
8 voiced over the impact to radar and ability to  
9 identify airborne threats, freedom to navigate  
10 United States airspace, and ability to train  
11 within United States airspace.

12 (E) A determination whether any offshore  
13 wind projects will impact, alter, or disrupt com-  
14 mercial, private, or military aviation flight  
15 paths.

16 (F) A determination whether any offshore  
17 wind projects will impact, compromise, inhibit,  
18 or nullify the usage of radar and sonar tech-  
19 nologies utilized by the armed forces and any  
20 agencies carrying out space launch programs.

21 (G) A determination whether any offshore  
22 wind projects will impact, compromise, or in-  
23 hibit the ability of the United States Coast  
24 Guard to conduct maritime safety and life-  
25 saving operations.

1           (H) An assessment of how offshore wind  
2 energy projects impact low-level military air-  
3 space off the Atlantic Coast.

4           (I) A determination whether the mitigation  
5 strategies laid out in the 2016 Report on the  
6 Impact of Wind Energy Developments on Mili-  
7 tary Installations are sufficient, achievable and,  
8 realistic.

9           (2) SURVEY REQUIRED.—

10           (A) IN GENERAL.—The Inspector General  
11 of the Department of Transportation shall con-  
12 duct a survey of individuals directly responsible  
13 for installations and units effected by offshore  
14 wind development projects, including those cur-  
15 rently underway and those proposed, with re-  
16 spect to—

17                   (i) mission critical capabilities related  
18 to radar interference, sonar interference,  
19 lifesaving operations, and training mis-  
20 sions; and

21                   (ii) the sufficiency of local military in-  
22 stallation commander input in the approval  
23 process.

24           (B) REPORT.—The Inspector General of  
25 the Department of Transportation shall submit

1 to Congress a report containing the results of  
2 the survey required by subparagraph (A) not  
3 later than 180 days after the date of the enact-  
4 ment of this Act.

5 (c) CLASSIFIED ANNEX.—The reports required under  
6 subsection(b)(1) and (b)(2)(B) shall be submitted in un-  
7 classified form, but may include a classified annex.

8 **TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD**  
9 **AMENDMENTS ACT OF 2023**

11 **SEC. 901. SHORT TITLE.**

12 This title may be cited as the “National Transportation Safety Board Amendments Act of 2023”.

14 **SEC. 902. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 1118(a) of title 49, United States Code, is  
16 amended to read as follows:

17 “(a) IN GENERAL.—There are authorized to be ap-  
18 propriated for the purposes of this chapter \$142,000,000  
19 for fiscal year 2024, \$145,000,000 for fiscal year 2025,  
20 \$150,000,000 for fiscal year 2026, \$155,000,000 for fis-  
21 cal year 2027, and \$161,000,000 for fiscal year 2028.  
22 Such sums shall remain available until expended.”.

1 **SEC. 903. CLARIFICATION OF TREATMENT OF TERRI-**  
2 **TORIES.**

3 Section 1101 of title 49, United States Code, is  
4 amended to read as follows:

5 **“§ 1101. Definitions**

6 “(a) IN GENERAL.—In this chapter:

7 “(1) ACCIDENT.—The term ‘accident’ includes  
8 damage to or destruction of vehicles in surface or air  
9 transportation or pipelines, regardless of whether the  
10 initiating event is accidental or otherwise.

11 “(2) STATE.—The term ‘State’ means a State  
12 of the United States, the District of Columbia, Puer-  
13 to Rico, the Virgin Islands, American Samoa, the  
14 Northern Mariana Islands, and Guam.

15 “(b) APPLICABILITY OF OTHER DEFINITIONS.—Sec-  
16 tion 2101(23) of title 46 and section 40102(a) shall apply  
17 to this chapter.”.

18 **SEC. 904. ADDITIONAL WORKFORCE TRAINING.**

19 (a) TRAINING ON EMERGING TRANSPORTATION  
20 TECHNOLOGIES.—Section 1113(b)(1) of title 49, United  
21 States Code, is amended—

22 (1) in subparagraph (I) by striking “; and” and  
23 inserting a semicolon;

24 (2) in subparagraph (J) by striking the period  
25 and inserting “; and”; and

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

1           “(K) notwithstanding section 3301 of title 41,  
2           acquire training on emerging transportation tech-  
3           nologies.”.

4           (b)    ADDITIONAL    TRAINING    NEEDS.—Section  
5   1115(d) of title 49, United States Code, is amended by  
6   inserting “and in those subjects furthering the personnel  
7   and workforce development needs set forth in the strategic  
8   workforce plan of the Board as required under section  
9   1113(h)” after “of accident investigation”.

10   **SEC. 905. ACQUIRING MISSION-ESSENTIAL KNOWLEDGE**  
11                                   **AND SKILLS.**

12           Section 1113(b) of title 49, United States Code, is  
13   amended by adding at the end the following:

14           “(3) DIRECT HIRE AUTHORITY.—

15                   “(A) IN GENERAL.—Notwithstanding section  
16           3304 and sections 3309 through 3318 of title 5, the  
17           Chairman may, on a determination that there is a  
18           severe shortage of candidates or a critical hiring  
19           need for particular positions, recruit and directly ap-  
20           point into the competitive service highly qualified  
21           personnel with specialized knowledge important to  
22           the function of the Board.

23                   “(B) LIMITATION.—The authority granted  
24           under subparagraph (A) shall terminate on the date

1 that is 5 years after the date of the enactment of  
2 this paragraph.

3 “(C) EXCEPTION.—The authority granted  
4 under subparagraph (A) shall not apply to positions  
5 in the excepted service or the Senior Executive Serv-  
6 ice.

7 “(D) REQUIREMENTS.—In exercising the au-  
8 thority granted under subparagraph (A), the Board  
9 shall ensure that any action taken by the Board—

10 “(i) is consistent with the merit principles  
11 of section 2301 of title 5; and

12 “(ii) complies with the public notice re-  
13 quirements of section 3327 of title 5.”.

14 **SEC. 906. OVERTIME ANNUAL REPORT TERMINATION.**

15 Section 1113(g)(5) of title 49, United States Code,  
16 is repealed.

17 **SEC. 907. STRATEGIC WORKFORCE PLAN.**

18 Section 1113 of title 49, United States Code, is  
19 amended by adding at the end the following:

20 “(h) STRATEGIC WORKFORCE PLAN.—

21 “(1) IN GENERAL.—The Board shall develop a  
22 strategic workforce plan that addresses the imme-  
23 diate and long-term workforce needs of the Board  
24 with respect to carrying out the authorities and du-  
25 ties of the Board under this chapter.

1           “(2) ALIGNING THE WORKFORCE TO STRATEGIC  
2 GOALS.—In developing the strategic workforce plan  
3 under paragraph (1), the Board shall take into con-  
4 sideration—

5           “(A) the current state and capabilities of  
6 the Board, including a high-level review of mis-  
7 sion requirements, structure, workforce, and  
8 performance of the Board;

9           “(B) the significant workforce trends,  
10 needs, issues, and challenges with respect to the  
11 Board and the transportation industry;

12           “(C) the workforce policies, strategies, per-  
13 formance measures, and interventions to miti-  
14 gate succession risks that guide the workforce  
15 investment decisions of the Board;

16           “(D) a workforce planning strategy that  
17 identifies workforce needs, including the knowl-  
18 edge, skills, and abilities needed to recruit and  
19 retain skilled employees at the Board;

20           “(E) a workforce management strategy  
21 that is aligned with the mission, goals, and or-  
22 ganizational objectives of the Board;

23           “(F) an implementation system for work-  
24 force goals focused on addressing continuity of

1 leadership and knowledge sharing across the  
2 Board;

3 “(G) an implementation system that ad-  
4 dresses workforce competency gaps, particularly  
5 in mission-critical occupations; and

6 “(H) a system for analyzing and evalu-  
7 ating the performance of the Board’s workforce  
8 management policies, programs, and activities.

9 “(3) PLANNING PERIOD.—The strategic work-  
10 force plan developed under paragraph (1) shall ad-  
11 dress a 5-year forecast period, but may include plan-  
12 ning for longer periods based on information about  
13 trends in the transportation sector.

14 “(4) PLAN UPDATES.—The Board shall update  
15 the strategic workforce plan developed under para-  
16 graph (1) not less than once every 5 years.

17 “(5) RELATIONSHIP TO STRATEGIC PLAN.—The  
18 strategic workforce plan developed under paragraph  
19 (1) may be developed separately from, or incor-  
20 porated into, the strategic plan required under sec-  
21 tion 306 of title 5.

22 “(6) AVAILABILITY.—The strategic workforce  
23 plan under paragraph (1) and the strategic plan re-  
24 quired under section 306 of title 5 shall be—

1           “(A) submitted to the Committee on  
2           Transportation and Infrastructure of the House  
3           of Representatives and the Committee on Com-  
4           merce, Science, and Transportation of the Sen-  
5           ate; and

6           “(B) made available to the public on a  
7           website of the Board.”.

8 **SEC. 908. TRAVEL BUDGETS.**

9           (a) IN GENERAL.—Section 1113 of title 49, United  
10          States Code, is further amended by adding at the end the  
11          following:

12          “(i) NONACCIDENT RELATED TRAVEL BUDGET.—

13                 “(1) IN GENERAL.—The Board shall establish  
14                 annual fiscal year budgets for non accident-related  
15                 travel expenditures for each Board member.

16                 “(2) NOTIFICATION.—The Board shall notify  
17                 the Committee on Transportation and Infrastructure  
18                 of the House of Representatives and the Committee  
19                 on Commerce, Science, and Transportation of the  
20                 Senate of any non accident-related travel budget  
21                 overrun for any Board member not later than 30  
22                 days of such overrun becoming known to the  
23                 Board.”.

1 (b) CONFORMING AMENDMENT.—Section 9 of the  
2 National Transportation Safety Board Amendments Act  
3 of 2000 (49 U.S.C. 1113 note) is repealed.

4 **SEC. 909. RETENTION OF RECORDS.**

5 Section 1113 of title 49, United States Code, is fur-  
6 ther amended by adding at the end the following:

7 “(j) RETENTION OF RECORDS.—Notwithstanding  
8 chapters 21, 29, 31, and 33 of title 44, the Board may  
9 retain investigative records for such periods as determined  
10 by the Board.”.

11 **SEC. 910. NONDISCLOSURE OF INTERVIEW RECORDINGS.**

12 (a) IN GENERAL.—Section 1114 of title 49, United  
13 States Code, is amended—

14 (1) in subsection (b)—

15 (A) in the subsection heading by striking  
16 “TRADE SECRETS” and inserting “CERTAIN  
17 CONFIDENTIAL INFORMATION”; and

18 (B) in paragraph (1)—

19 (i) by striking “The Board” and in-  
20 serting “IN GENERAL.—The Board”; and

21 (ii) by striking “information related to  
22 a trade secret referred to in section 1905  
23 of title 18” and inserting “confidential in-  
24 formation described in section 1905 of title  
25 18, including trade secrets,”; and

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

2           “(h) INTERVIEW RECORDINGS.—

3           “(1) IN GENERAL.—The Board may not pub-  
4           licly disclose any part of any audio or video record-  
5           ing of an interview of participants in, or witnesses  
6           to, an accident or incident investigated by the  
7           Board.

8           “(2) SAVINGS PROVISION.—Paragraph (1) shall  
9           not be construed to apply to transcripts or sum-  
10          maries of such interviews.”.

11          (b) AVIATION ENFORCEMENT.—Section 1151 of title  
12 49, United States Code, is amended by adding at the end  
13 the following:

14          “(d) NOTIFICATION TO CONGRESS.—If the Board or  
15 Attorney General carry out such civil actions described in  
16 subsection (a) or (b) of this section against an airman em-  
17 ployed at the time of the accident or incident by an air  
18 carrier operating under part 121 of title 14, Code of Fed-  
19 eral Regulations, the Board shall immediately notify 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 of such  
23 civil actions, including—

24           “(1) the labor union representing the airman  
25           involved, if applicable;

1           “(2) the air carrier at which the airman is em-  
2           ployed;

3           “(3) the docket information of the incident or  
4           accident in which the airman was involved;

5           “(4) the date of such civil actions taken by the  
6           Board or Attorney General; and

7           “(5) a description of why such civil actions were  
8           taken by the Board or Attorney General.

9           “(e) SUBSEQUENT NOTIFICATION TO CONGRESS.—  
10          Not later than 15 days after the notification described in  
11          subsection (d), the Board shall submit a report to or brief  
12          the Committee on Transportation and Infrastructure of  
13          the House of Representatives and the Committee on Com-  
14          merce, Science, and Transportation of the Senate describ-  
15          ing the status of compliance with the civil actions taken.”.

16          **SEC. 911. CLOSED UNACCEPTABLE RECOMMENDATIONS.**

17          Section 1116(c) of title 49, United States Code, is  
18          amended—

19                 (1) by redesignating paragraphs (3) through  
20                 (6) as paragraphs (4) through (7), respectively; and

21                 (2) by inserting after paragraph (2) the fol-  
22                 lowing:

23                         “(3) a list of each recommendation made by the  
24                         Board to the Secretary of Transportation or the  
25                         Commandant of the Coast Guard that was closed in

1 an unacceptable status in the preceding 12  
2 months;”.

3 **SEC. 912. ESTABLISHMENT OF OFFICE OF OVERSIGHT, AC-**  
4 **COUNTABILITY, AND QUALITY ASSURANCE.**

5 (a) IN GENERAL.—Subchapter II of chapter 11 of  
6 title 49, United States Code, is amended by adding at the  
7 end the following:

8 **“§ 1120. Office of Oversight, Accountability, and Qual-**  
9 **ity Assurance**

10 “(a) ESTABLISHMENT.—Not later than 1 year after  
11 the date of enactment of this section, the Board shall es-  
12 tablish in the National Transportation Safety Board an  
13 Office of Oversight, Accountability, and Quality Assurance  
14 to provide oversight of the duties and responsibilities of  
15 the Board.

16 “(b) DIRECTOR.—

17 “(1) APPOINTMENT.—The head of the Office of  
18 Oversight, Accountability, and Quality Assurance  
19 shall be the Director, who shall be appointed by the  
20 Chairman of the Board and shall be approved by the  
21 Board.

22 “(2) QUALIFICATIONS.—The Director shall  
23 have demonstrated ability in investigations.

24 “(3) TERM.—The Director shall be appointed  
25 for a term of 5 years.

1           “(4) VACANCIES.—Any individual approved to  
2 fill a vacancy in the position of the Director occur-  
3 ring before the expiration of the term for which the  
4 predecessor of the individual was approved shall be  
5 approved for the remainder of the term or for a new  
6 term.

7           “(c) DUTIES.—The Director shall—

8           “(1) establish and ensure policies that promote  
9 integrity, efficiency, and effectiveness;

10           “(2) prevent and detect waste, fraud, and abuse  
11 in programs and operations;

12           “(3) provide policy direction related to the con-  
13 duct, supervision, and coordination of audits and in-  
14 vestigations relating to the activities of the Board;

15           “(4) identify trends and systemic issues within  
16 the agency and create strategies and recommenda-  
17 tions to address such issues;

18           “(5) conduct impartial information gathering  
19 about complaints or concerns, and ensure the Board  
20 is meeting any quality and timeliness standards; and

21           “(6) not conduct any of the duties under this  
22 subsection in a manner that interferes with an ongo-  
23 ing safety investigation of the Board.

24           “(d) REPORTING CRIMINAL VIOLATIONS TO DEPART-  
25 MENT OF JUSTICE.—If the Director has reasonable

1 grounds to believe that there has been a violation of Fed-  
2 eral criminal law, the Director shall refer the matter to  
3 the Department of Justice.

4 “(e) SAVINGS CLAUSE.—Nothing in this section shall  
5 be construed to interfere or give the Office jurisdiction  
6 over any active investigation by the Board or the content  
7 of products approved by a vote of the Board.

8 “(f) ANNUAL REPORT.—

9 “(1) IN GENERAL.—The Director shall submit  
10 to the Board, the Committee on Transportation and  
11 Infrastructure of the House of Representatives and  
12 the Committee on Commerce, Science, and Trans-  
13 portation of the Senate an annual report on the ac-  
14 tivities, investigations, findings, and recommenda-  
15 tions of the Director.

16 “(2) SUNSET.—This subsection shall cease to  
17 have effect on October 1, 2028.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-  
19 ter 11 of title 49, United States Code, is amended by add-  
20 ing after the item relating to section 1119 the following:

“1120. Office of Oversight, Accountability, and Quality Assurance.”.

21 (c) PEER REVIEW.—Not earlier than 3 years after  
22 the date of enactment of this Act and not later than 5  
23 years after the date of enactment of this Act, the Director  
24 of the Office of Oversight, Accountability, and Quality As-  
25 surance of the National Transportation Safety Board shall

1 enter into the necessary arrangements with an inspector  
2 general, or similar Federal entity, to perform a peer review  
3 of the Office.

4 **SEC. 913. MISCELLANEOUS INVESTIGATIVE AUTHORITIES.**

5 (a) HIGHWAY INVESTIGATIONS.—Section  
6 1131(a)(1)(B) of title 49, United States Code, is amended  
7 by striking “selects in cooperation with a State” and in-  
8 serting “selects, concurrent with any State investigation”.

9 (b) RAIL INVESTIGATIONS.—Section 1131(a)(1)(C)  
10 of title 49, United States Code, is amended by striking  
11 “accident in which there is a fatality or substantial prop-  
12 erty damage, or that involves a passenger train” and in-  
13 serting “accident, including a railroad grade crossing or  
14 trespasser accident that the Board selects, or in which  
15 there is otherwise a fatality or substantial property dam-  
16 age, or that involves a passenger train”.

17 **SEC. 914. PUBLIC AVAILABILITY OF ACCIDENT REPORTS.**

18 Section 1131(e) of title 49, United States Code, is  
19 amended by striking “public at reasonable cost.” and in-  
20 serting the following: “public

21 (1) in printed form at reasonable cost; and

22 (2) in electronic form at no cost in a publicly  
23 accessible database on a website of the Board.”.

1 **SEC. 915. ENSURING ACCOUNTABILITY FOR TIMELINESS OF**  
2 **REPORTS.**

3 Section 1131 of title 49, United States Code, is  
4 amended by adding at the end the following:

5 “(f) **TIMELINESS OF REPORTS.**—If any accident re-  
6 port under subsection (e) is not completed within 2 years  
7 from the date of the accident, the Board 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 identifying such accident report and the reasons for which  
12 such report has not been completed. The Board shall re-  
13 port progress toward completion of the accident report to  
14 each such Committees every 90 days thereafter, until such  
15 time as the accident report is completed.”.

16 **SEC. 916. ENSURING ACCESS TO DATA.**

17 Section 1134 of title 49, United States Code, is  
18 amended by adding at the end the following:

19 “(g) **RECORDERS AND DATA.**—In investigating an  
20 accident under this chapter, the Board may—

21 “(1) obtain any recorder or recorded informa-  
22 tion pertinent to the accident;

23 “(2) require a manufacturer or the vendors,  
24 suppliers, or affiliates of such manufacturer, to pro-  
25 vide to the Board, without delay, information the  
26 Board determines necessary to enable the Board to

1 read and interpret any recording device or recorded  
2 information pertinent to the accident; and

3 “(3) require a manufacturer or the vendors,  
4 suppliers, or affiliates of such manufacturer, to pro-  
5 vide to the Board, without delay, data and other in-  
6 tellectual property the Board determines necessary  
7 to enable the Board to perform independent physics-  
8 based simulations and analyses of the accident situa-  
9 tion.”.

10 **SEC. 917. PUBLIC AVAILABILITY OF SAFETY RECOMMENDA-**  
11 **TIONS.**

12 Section 1135(e) of title 49, United States Code, is  
13 amended by striking “public at reasonable cost.” and in-  
14 serting the following: “public—

15 “(1) in printed form at reasonable cost; and

16 “(2) in electronic form in a publicly accessible  
17 database on a website of the Board at no cost.”.

18 **SEC. 918. IMPROVING DELIVERY OF FAMILY ASSISTANCE.**

19 (a) AIRCRAFT ACCIDENTS.—Section 1136 of title 49,  
20 United States Code, is amended—

21 (1) in the heading by striking “**to families of**  
22 **passengers involved in aircraft acci-**  
23 **dents**” and inserting “**to passengers involved**  
24 **in aircraft accidents and families of such**  
25 **passengers**”;

1 (2) in subsection (a)—

2 (A) by inserting “within United States air-  
3 space or airspace delegated to the United  
4 States” after “aircraft accident”;

5 (B) by striking “National Transportation  
6 Safety Board shall” and inserting “Board  
7 shall”; and

8 (C) in paragraph (2)—

9 (i) by striking “emotional care and  
10 support” and inserting “emotional, psycho-  
11 logical, and spiritual care and support  
12 services”; and

13 (ii) by striking “the families of pas-  
14 sengers involved in the accident” and in-  
15 serting “passengers involved in the acci-  
16 dent and the families of such passengers”;

17 (3) in subsection (c)—

18 (A) in the matter preceding paragraph (1),  
19 by striking “the families of passengers involved  
20 in the accident” and inserting “passengers in-  
21 volved in the accident and the families of such  
22 passengers”;

23 (B) in paragraph (1) by striking “mental  
24 health and counseling services” and inserting

1 “emotional, psychological, and spiritual care  
2 and support services”;

3 (C) in paragraph (3)—

4 (i) by striking “the families who have  
5 traveled to the location of the accident”  
6 and inserting “passengers involved in the  
7 accident and the families of such pas-  
8 sengers who have traveled to the location  
9 of the accident”; and

10 (ii) by inserting “passengers and” be-  
11 fore “affected families”; and

12 (D) in paragraph (4), by inserting “pas-  
13 sengers and” before “families”;

14 (4) by amending subsection (d) to read as fol-  
15 lows:

16 “(d) PASSENGER LISTS.—

17 “(1) REQUESTS FOR PASSENGER LISTS BY THE  
18 DIRECTOR OF FAMILY SERVICES.—

19 “(A) REQUESTS BY DIRECTOR OF FAMILY  
20 SUPPORT SERVICES.—It shall be the responsi-  
21 bility of the director of family support services  
22 designated for an accident under subsection  
23 (a)(1) to request, as soon as practicable, from  
24 the air carrier or foreign air carrier involved in  
25 the accident a passenger list, which is based on

1 the best available information at the time of the  
2 request.

3 “(B) USE OF INFORMATION.—The director  
4 of family support services may not release to  
5 any person information on a list obtained under  
6 subparagraph (A), except that the director may,  
7 to the extent the director considers appropriate,  
8 provide information on the list about a pas-  
9 senger to—

10 “(i) the family of the passenger; or

11 “(ii) a local, State, or Federal agency  
12 responsible for determining the where-  
13 abouts or welfare of a passenger.

14 “(2) REQUESTS FOR PASSENGER LISTS BY DES-  
15 IGNATED ORGANIZATION.—

16 “(A) REQUESTS BY DESIGNATED ORGANI-  
17 ZATION.—The organization designated for an  
18 accident under subsection (a)(2) may request  
19 from the air carrier or foreign air carrier in-  
20 volved in the accident a passenger list.

21 “(B) USE OF INFORMATION.—The des-  
22 ignated organization may not release to any  
23 person information on a passenger list but may  
24 provide information on the list about a pas-

1           senger to the family of the passenger to the ex-  
2           tent the organization considers appropriate.”;

3           (5) in subsection (g)(1) by striking “the fami-  
4           lies of passengers involved in the accident” and in-  
5           serting “passengers involved in the accident and the  
6           families of such passengers”;

7           (6) in subsection (g)(3)—

8           (A) in the paragraph heading by striking  
9           “PREVENT MENTAL HEALTH AND COUNSELING”  
10          and inserting “PREVENT CERTAIN CARE AND  
11          SUPPORT”;

12          (B) by striking “providing mental health  
13          and counseling services” and inserting “pro-  
14          viding emotional, psychological, and spiritual  
15          care and support”; and

16          (C) by inserting “passengers and” before  
17          “families”;

18          (7) in subsection (h)—

19          (A) by striking “National Transportation  
20          Safety”; and

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

22          “(3) PASSENGER LIST.—The term ‘passenger  
23          list’ means a list based on the best available infor-  
24          mation at the time of a request, of the name of each

1 passenger aboard the aircraft involved in the acci-  
2 dent.”; and

3 (8) in subsection (i) by striking “the families of  
4 passengers involved in an aircraft accident” and in-  
5 serting “passengers involved in the aircraft accident  
6 and the families of such passengers”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-  
8 ter 11 of title 49, United States Code, is further amended  
9 by striking the item relating to section 1136 and inserting  
10 the following:

“1136. Assistance to passengers involved in aircraft accidents and families of  
such passengers.”.

11 (c) RAIL ACCIDENTS.—Section 1139 of title 49,  
12 United States Code, is amended—

13 (1) in the heading by striking “**to families of**  
14 **passengers involved in rail passenger ac-**  
15 **cidents**” and inserting “**to passengers in-**  
16 **olved in rail passenger accidents and**  
17 **families of such passengers**”;

18 (2) in subsection (a) by striking “National  
19 Transportation Safety Board shall” and inserting  
20 “Board shall”;

21 (3) in subsection (a)(2)—

22 (A) by striking “emotional care and sup-  
23 port” and inserting “emotional, psychological  
24 and spiritual care and support services”; and

1 (B) by striking “the families of passengers  
2 involved in the accident” and inserting “pas-  
3 sengers involved in the accident and the fami-  
4 lies of such passengers”;

5 (4) in subsection (c)—

6 (A) in the matter preceding paragraph (1)  
7 by striking “the families of passengers involved  
8 in the accident” and inserting “passengers in-  
9 volved in the accident and the families of such  
10 passengers”;

11 (B) in paragraph (1) by striking “mental  
12 health and counseling services” and inserting  
13 “emotional, psychological, and spiritual care  
14 and support services”;

15 (C) in paragraph (3)—

16 (i) by striking “the families who have  
17 traveled to the location of the accident”  
18 and inserting “passengers involved in the  
19 accident and the families of such pas-  
20 sengers who have traveled to the location  
21 of the accident”; and

22 (ii) by inserting “passengers and” be-  
23 fore “affected families”; and

24 (D) in paragraph (4), by inserting “pas-  
25 sengers and” before “families”;

1           (5) by amending subsection (d) to read as fol-  
2           lows:

3           “(d) PASSENGER LISTS.—

4           “(1) REQUESTS FOR PASSENGER LISTS BY THE  
5           DIRECTOR OF FAMILY SERVICES.—

6           “(A) REQUESTS BY DIRECTOR OF FAMILY  
7           SUPPORT SERVICES.—It shall be the responsi-  
8           bility of the director of family support services  
9           designated for an accident under subsection  
10          (a)(1) to request, as soon as practicable, from  
11          the rail passenger carrier involved in the acci-  
12          dent a passenger list, which is based on the best  
13          available information at the time of the request.

14          “(B) USE OF INFORMATION.—The director  
15          of family support services may not release to  
16          any person information on a list obtained under  
17          subparagraph (A), except that the director may,  
18          to the extent the director considers appropriate,  
19          provide information on the list about a pas-  
20          senger to—

21                  “(i) the family of the passenger; or

22                  “(ii) a local, State, or Federal agency  
23                  responsible for determining the where-  
24                  abouts or welfare of a passenger.

1           “(2) REQUESTS FOR PASSENGER LISTS BY DES-  
2           IGNATED ORGANIZATION.—

3           “(A) REQUESTS BY DESIGNATED ORGANI-  
4           ZATION.—The organization designated for an  
5           accident under subsection (a)(2) may request  
6           from the rail passenger carrier involved in the  
7           accident a passenger list.

8           “(B) USE OF INFORMATION.—The des-  
9           ignated organization may not release to any  
10          person information on a passenger list but may  
11          provide information on the list about a pas-  
12          senger to the family of the passenger to the ex-  
13          tent the organization considers appropriate.”;

14          (6) in subsection (g)(1), by striking “the fami-  
15          lies of passengers involved in the accident” and in-  
16          serting “passengers involved in the accident and the  
17          families of such passengers”;

18          (7) in subsection (g)(3)—

19                 (A) in the paragraph heading, by striking  
20                 “PREVENT MENTAL HEALTH AND COUNSELING”  
21                 and inserting “PREVENT CERTAIN CARE AND  
22                 SUPPORT”;

23                 (B) by striking “providing mental health  
24                 and counseling services” and inserting “pro-

1 viding emotional, psychological, and spiritual  
2 care and support”; and

3 (C) by inserting “passengers and” before  
4 “families”; and

5 (8) in subsection (h)—

6 (A) by striking “National Transportation  
7 Safety”; and

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

9 “(4) PASSENGER LIST.—The term ‘passenger  
10 list’ means a list based on the best available infor-  
11 mation at the time of the request, of the name of  
12 each passenger aboard the rail passenger carrier’s  
13 train involved in the accident. A rail passenger car-  
14 rier shall use reasonable efforts, with respect to its  
15 unreserved trains, and passengers not holding res-  
16 ervations on its other trains, to ascertain the names  
17 of passengers aboard a train involved in an acci-  
18 dent.”.

19 (d) PLANS TO ADDRESS NEEDS OF FAMILIES OF  
20 PASSENGERS INVOLVED IN RAIL PASSENGER ACCI-  
21 DENTS.—Section 24316(a) of title 49, United States  
22 Code, is amended by striking “a major” and inserting  
23 “any”.

24 (e) CLERICAL AMENDMENT.—The analysis for chap-  
25 ter 11 of title 49, United States Code, is further amended

1 by striking the item relating to section 1139 and inserting  
2 the following:

“1139. Assistance to passengers involved in rail passenger accidents and families  
of such passengers.”.

3 **SEC. 919. UPDATING CIVIL PENALTY AUTHORITY.**

4 Section 1155 of title 49, United States Code, is  
5 amended—

6 (1) in the heading, by striking “**Aviation**  
7 **penalties**” and inserting “**Penalties**”; and

8 (2) in subsection (a), by striking “or section  
9 1136(g) (related to an aircraft accident)” and in-  
10 serting “section 1136(g), or 1139(g)”.

11 **SEC. 920. ELECTRONIC AVAILABILITY OF PUBLIC DOCKET**  
12 **RECORDS.**

13 (a) **IN GENERAL.**—Not later than 24 months after  
14 the date of enactment of this Act, the National Transpor-  
15 tation Safety Board shall make all records included in the  
16 public docket of an accident or incident investigation con-  
17 ducted by the Board (or the public docket of a study, re-  
18 port, or other product issued by the Board) electronically  
19 available in a publicly accessible database on a website of  
20 the Board, regardless of the date on which such public  
21 docket or record was created.

22 (b) **DATABASE.**—In carrying out subsection (a), the  
23 Board may utilize the multimodal accident database man-  
24 agement system established pursuant to section 1108 of

1 the FAA Reauthorization Act of 2018 (49 U.S.C. 1119  
2 note) or such other publicly available database as the  
3 Board determines appropriate.

4 (c) BRIEFINGS.—The Board shall provide the Com-  
5 mittee on Transportation and Infrastructure of the House  
6 of Representatives and the Committee on Commerce,  
7 Science, and Transportation of the Senate an annual  
8 briefing on the implementation of this section until re-  
9 quirements of subsection (a) are fulfilled. Such briefings  
10 shall include—

11 (1) the number of public dockets that have been  
12 made electronically available pursuant to this sec-  
13 tion; and

14 (2) the number of public dockets that were un-  
15 able to be made electronically available, including all  
16 reasons for such inability.

17 (d) DEFINITIONS.—In this section, the terms “public  
18 docket” and “record” have the same meanings given such  
19 terms in section 801.3 of title 49, Code of Federal Regula-  
20 tions, as in effect on the date of enactment of this Act.

21 **SEC. 921. DRUG-FREE WORKPLACE.**

22 Not later than 12 months after the date of enactment  
23 of this Act, the National Transportation Safety Board  
24 shall implement a drug testing program applicable to  
25 Board employees, including employees in safety or security

1 sensitive positions, in accordance with Executive Order  
2 No. 12564 (51 Fed. Reg. 32889).

3 **SEC. 922. ACCESSIBILITY IN WORKPLACE.**

4 (a) IN GENERAL.—Not later than 12 months after  
5 the date of enactment of this Act, the National Transpor-  
6 tation Safety Board shall conduct an assessment of the  
7 headquarters and regional offices of the Board to deter-  
8 mine barriers to accessibility to facilities.

9 (b) CONTENTS.—In conducting the assessment under  
10 subsection (a), the Board shall consider—

11 (1) compliance with—

12 (A) the Architectural Barriers Act of 1968  
13 (42 U.S.C. 4151 et seq.) and the corresponding  
14 accessibility guidelines established under part  
15 1191 of title 36, Code of Federal Regulations;  
16 and

17 (B) the Americans with Disabilities Act of  
18 1990 (42 U.S.C. 12101 et seq.); and

19 (2) the best accessibility practices that exceed  
20 the requirements and recommendations of the Acts  
21 and guidelines described in paragraph (1).

22 **SEC. 923. MOST WANTED LIST.**

23 (a) TERMINATION OF PUBLICATION.—Not later than  
24 90 days after the date of enactment of this Act, the Chair-  
25 man of the National Transportation Safety Board shall

1 terminate publication of the Most Wanted List and any  
2 activities associated with production of any future Most  
3 Wanted List.

4 (b) RULES OF CONSTRUCTION.—Nothing in this sec-  
5 tion shall be construed to prohibit the Board from—

6 (1) conducting advocacy activities unrelated to  
7 the Most Wanted List that the Board had the au-  
8 thority to conduct prior to the date of enactment of  
9 this Act; and

10 (2) maintaining materials related to previously  
11 issued Most Wanted Lists.

12 (c) MOST WANTED LIST DEFINED.—In this section,  
13 the term “Most Wanted List” has the meaning given such  
14 term in section 1102 of the FAA Reauthorization Act of  
15 2018 (49 U.S.C. 1101 note).

16 **SEC. 924. TECHNICAL CORRECTIONS.**

17 (a) EVALUATION AND AUDIT OF NATIONAL TRANS-  
18 PORTATION SAFETY BOARD.—Section 1138(a) of title 49,  
19 United States Code, is amended by striking “expenditures  
20 of the National Transportation Safety” and inserting “ex-  
21 penditures of the”.

22 (b) ORGANIZATION AND ADMINISTRATIVE.—The  
23 analysis for chapter 11 of title 49, United States Code,  
24 is further amended—

1           (1) by striking the items relating to sections  
2           117 and 1117; and

3           (2) by inserting after the item relating to sec-  
4           tion 1116 the following:

“1117. Methodology.”.

5           (c) SURFACE TRANSPORTATION BOARD.—The anal-  
6           ysis for subtitle II of title 49, United States Code, is  
7           amended by inserting after the item relating to chapter  
8           11 the following:

“13. Surface Transportation Board.”.

9           **SEC. 925. AIR SAFETY INVESTIGATORS.**

10          (a) REMOVAL OF FAA MEDICAL CERTIFICATE RE-  
11          QUIREMENT.—Not later than 60 days after the date of  
12          enactment of this Act, the Director of the Office of Per-  
13          sonnel Management, in consultation with the Adminis-  
14          trator of the Federal Aviation Administration and the  
15          Chairman of the National Transportation Safety Board,  
16          shall take such actions as may be necessary to revise the  
17          eligibility requirements for the Air Safety Investigating  
18          Series 1815 occupational series (and any similar occupa-  
19          tional series relating to transportation accident inves-  
20          tigating) to remove any requirement that an individual  
21          hold a current medical certificate issued by Administrator.

22          (b) UPDATES TO OTHER REQUIREMENTS.—

23                (1) IN GENERAL.—Not later than 2 years after  
24                the date of enactment of this Act, the Director, in

1 coordination with the with the Administrator and  
2 Chairman, shall take such actions as may be nec-  
3 essary to update and revise experiential, educational,  
4 and other eligibility requirements for the Air Safety  
5 Investigating Series 1815 occupational series (and  
6 any similar occupational series relating to transpor-  
7 tation accident investigating).

8 (2) CONSIDERATIONS.—In updating the re-  
9 quirements under paragraph (1), the Director shall  
10 consider—

11 (A) the direct relationship between any re-  
12 quirement and the duties expected to be per-  
13 formed by the position;

14 (B) changes in the skills and tools nec-  
15 essary to perform transportation accident inves-  
16 tigation; and

17 (C) such other considerations as the Direc-  
18 tor, Administrator, or Chairman determines ap-  
19 propriate.

20 **TITLE X—FREEDOM TO FLY ACT**  
21 **OF 2023**

22 **SEC. 1001. SHORT TITLE.**

23 This title may be cited as the “Freedom to Fly Act  
24 of 2023”.

1 **SEC. 1002. PROHIBITION ON IMPLEMENTATION OF VAC-**  
2 **CINATION MANDATE.**

3 The Administrator may not implement or enforce any  
4 requirement that employees of air carriers be vaccinated  
5 against COVID–19.

6 **SEC. 1003. PROHIBITION ON VACCINATION REQUIREMENTS**  
7 **FOR FAA CONTRACTORS.**

8 The Administrator may not require any contractor to  
9 mandate that employees of such contractor obtain a  
10 COVID–19 vaccine or enforce any condition regarding  
11 COVID–19 vaccination status of employees of a con-  
12 tractor.

13 **SEC. 1004. PROHIBITION ON VACCINE MANDATE FOR FAA**  
14 **EMPLOYEES.**

15 The Administrator may not implement or enforce any  
16 requirement that employees of the Administration be vac-  
17 cinated against COVID–19.

18 **SEC. 1005. PROHIBITION ON VACCINE MANDATE FOR PAS-**  
19 **SENGERS OF AIR CARRIERS.**

20 The Administrator may not implement or enforce any  
21 requirement that passengers of air carriers be vaccinated  
22 against COVID–19.

23 **SEC. 1006. PROHIBITION ON IMPLEMENTATION OF A MASK**  
24 **MANDATE.**

25 The Administrator may not implement or enforce any  
26 requirement that employee of air carriers wear a mask.

1 **SEC. 1007. PROHIBITION ON MASK MANDATES FOR FAA**  
2 **CONTRACTORS.**

3 The Administrator may not require any contractor to  
4 mandate that employees of such contractor wear a mask.

5 **SEC. 1008. PROHIBITION ON MASK MANDATE FOR FAA EM-**  
6 **PLOYEES.**

7 The Administrator may not implement or enforce any  
8 requirement that employees of the Administration wear a  
9 mask.

10 **SEC. 1009. PROHIBITION ON MASK MANDATE FOR PAS-**  
11 **SENGERS OF AIR CARRIERS.**

12 The Administrator may not implement or enforce any  
13 requirement that passengers of air carriers wear a mask.

14 **SEC. 1010. DEFINITIONS.**

15 In this title:

16 (1) ADMINISTRATOR.—The term “Administra-  
17 tion” means the Administrator of the Federal Avia-  
18 tion Administration.

19 (2) AIR CARRIER.—The term “air carrier” has  
20 the meaning given such term in section 40102 of  
21 title 49, United States Code.

22 **TITLE XI—FAA RESEARCH AND**  
23 **DEVELOPMENT**

24 **SEC. 1101. SHORT TITLE.**

25 This title may be cited as the “FAA Research and  
26 Development Act of 2023”.

1 **SEC. 1102. DEFINITIONS.**

2 In this title:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Federal  
5 Aviation Administration.

6 (2) APPROPRIATE COMMITTEES OF CON-  
7 GRESS.—The term “appropriate committees of Con-  
8 gress” means the Committee on Science, Space, and  
9 Technology of the House of Representatives and the  
10 Committee on Commerce, Science, and Transpor-  
11 tation of the Senate.

12 (3) FAA.—The term “FAA” means the Fed-  
13 eral Aviation Administration.

14 (4) NASA.—The term “NASA” means the Na-  
15 tional Aeronautics and Space Administration.

16 (5) SECRETARY.—The term “Secretary” means  
17 the Secretary of Transportation.

18 **Subtitle A—Authorization of**  
19 **Appropriations**

20 **SEC. 1111. AUTHORIZATION OF APPROPRIATIONS.**

21 Subsection (a) of section 48102 of title 49, United  
22 States Code, is amended—

23 (1) in paragraph (14), by striking “and”;

24 (2) in paragraph (15) by striking the period at  
25 the end and inserting a semicolon; and

1 (3) by adding at the end the following new  
2 paragraphs:

3 “(16) \$255,130,000; for fiscal year 2024;

4 “(17) \$261,000,000 for fiscal year 2025;

5 “(18) \$267,000,000 for fiscal year 2026;

6 “(19) \$273,000,000 for fiscal year 2027; and

7 “(20) \$279,000,000 for fiscal year 2028.”.

8 **Subtitle B—FAA Research and**  
9 **Development Organization**

10 **SEC. 1121. REPORT ON IMPLEMENTATION; FUNDING FOR**  
11 **SAFETY RESEARCH AND DEVELOPMENT.**

12 Not later than one year after the date of the enact-  
13 ment of this title, the Comptroller General of the United  
14 States shall submit to the appropriate committees of Con-  
15 gress a report on the allocation of funding pursuant to  
16 section 48102 of title 49, United States Code, to the Sec-  
17 retary of Transportation to conduct civil aviation research  
18 and development and to assess the implementation of sec-  
19 tion 48102(b)(2) of such title.

20 **Subtitle C—FAA Research and**  
21 **Development Activities**

22 **SEC. 1131. AVIATION FUEL RESEARCH, DEVELOPMENT, AND**  
23 **USAGE.**

24 (a) ROADMAP.—Not later than nine months after the  
25 date of the enactment of this title, the Secretary of Trans-

1 portation shall coordinate with the Administrator of  
2 NASA, the Secretary of Energy, and the Administrator  
3 of the Environmental Protection Agency, and consult rel-  
4 evant stakeholders, including those in industry and aca-  
5 demia, to prepare and submit to the appropriate commit-  
6 tees of Congress a coordinated research and development  
7 roadmap to safely eliminate the use of leaded aviation fuel  
8 in existing and future certified piston-engine aircraft.  
9 Such roadmap shall—

10           (1) identify activities to accelerate the develop-  
11           ment, testing, and certification of safe and lead-free  
12           fuel for use in general aviation aircraft, including  
13           requisite airport refueling infrastructure; and

14           (2) consider the feasibility of widespread use of  
15           such safe and lead-free aviation fuel by not later  
16           than 2028.

17           (b) PARTNERSHIP WITH PRIVATE INDUSTRY.—The  
18 Administrator shall coordinate with industry and pilot op-  
19 erators regarding research programs for mass production  
20 and distribution of unleaded aviation gasoline for market  
21 viability engine safety, and define criteria to explore incen-  
22 tive programs to reduce lead emissions for communities  
23 in need.

1 **SEC. 1132. CONTINUOUS LOWER ENERGY, EMISSION, AND**  
2 **NOISE (CLEEN).**

3 The Administrator shall consider expanding the  
4 CLEEN program under section 47511 of title 49, United  
5 States Code, and broadening eligibility for the CLEEN  
6 program to new entrants to the aviation system.

7 **SEC. 1133. STRATEGY ON HYDROGEN AVIATION RESEARCH**  
8 **AND DEVELOPMENT.**

9 (a) IN GENERAL.—The Administrator, in consulta-  
10 tion with the Administrator of NASA and the heads of  
11 other relevant Federal agencies, shall lead the develop-  
12 ment of a research and development strategy on the safe  
13 use of hydrogen as part of a sustainable future for avia-  
14 tion. Such strategy shall consider the following:

15 (1) The feasibility, opportunities, challenges,  
16 and pathways toward the potential and safe uses of  
17 hydrogen in aviation.

18 (2) The use of hydrogen in addition to research  
19 and development efforts, including electrification,  
20 operational efficiencies and other alternatives to tra-  
21 ditional aviation fuel.

22 (b) TRANSMITTAL.—Not later than one year after the  
23 date of the enactment of the Act, the Administrator shall  
24 transmit to the appropriate committees of Congress the  
25 research and development strategy required under sub-  
26 section (a).

1           (c) RESEARCH AND DEVELOPMENT.—Based on the  
2 results of the research and development strategy under  
3 subsection (a), the Administrator, in coordination with the  
4 Administrator of NASA, may conduct research and devel-  
5 opment activities into the following:

6           (1) The qualification of hydrogen aviation fuel.

7           (2) The safe transition to such fuel for aircraft.

8           (3) The advancement of certification efforts for  
9 such fuel.

10           (4) Risk mitigation measures for the use of  
11 such fuel in aircraft systems, including propulsion  
12 and storage systems.

13 **SEC. 1134. REPORT ON FUTURE ELECTRIC GRID RESIL-**  
14 **IENCY.**

15           Not later than two years after the date of the enact-  
16 ment of this title, the Administrator, in coordination with  
17 the Secretary of Energy, shall submit to the appropriate  
18 committees of Congress, and make publicly available on  
19 a website of the Administration, a report on the model  
20 use of the electrical grid to support future electric ad-  
21 vanced air mobility, including cost, challenges, and oppor-  
22 tunities for clean generation of electricity relating to such  
23 support.

1 **SEC. 1135. AIR TRAFFIC SURVEILLANCE OVER OCEANS AND**  
2 **OTHER REMOTE LOCATIONS.**

3 (a) AIR TRAFFIC SURVEILLANCE OVER OCEANS.—  
4 Subject to the availability of appropriations for such pur-  
5 pose, the Administrator, in consultation with the Adminis-  
6 trator of NASA and the heads of other relevant Federal  
7 agencies, shall carry out research, development, dem-  
8 onstration, and testing on civilian air traffic surveillance  
9 over oceans and other remote locations.

10 (b) REQUIREMENTS.—In carrying out the research,  
11 development, demonstration, and testing under subsection  
12 (a), the Administrator shall—

13 (1) consider the need for international inter-  
14 operability of technologies, data, operations, and air  
15 traffic control systems;

16 (2) examine the status of using air traffic sur-  
17 veillance technologies, including space-based Auto-  
18 matic Dependent Surveillance-Broadcast, to facili-  
19 tate the implementation of minimal separation  
20 standards over United States-controlled oceanic air-  
21 space;

22 (3) identify mitigating approaches to reducing  
23 any operational challenges, associated costs, or work-  
24 load impacts; and

25 (4) use testing, data collection, evaluation, and  
26 analysis on the use of air traffic surveillance tech-

1 nologies, including space-based Automatic Depend-  
2 ent Surveillance-Broadcast, to support the activities  
3 described in paragraphs (1) through (3).

4 (c) PILOT PROGRAM.—The Administrator may carry  
5 out a pilot program to test and evaluate air traffic surveil-  
6 lance equipment over United States-controlled oceanic air-  
7 space and other remote locations.

8 (d) REPORT.—Not later than one year after the date  
9 of the enactment of this title, the Administrator shall sub-  
10 mit to the appropriate committees of Congress a report  
11 on the activities carried out under this section.

12 **SEC. 1136. UTILIZATION OF SPACE-BASED ASSETS TO IM-**  
13 **PROVE AIR TRAFFIC CONTROL AND AVIA-**  
14 **TION SAFETY.**

15 (a) IN GENERAL.—Subject to the availability of ap-  
16 propriations for such purpose, the Administrator, in co-  
17 ordination with the Administrator of NASA, and in con-  
18 sultation with industry stakeholders, shall carry out re-  
19 search, development, and testing of the use of air traffic  
20 Space-Based Automatic Dependent Surveillance-Broad-  
21 cast (ADS-B) data.

22 (b) RESEARCH ACTIVITIES.—In carrying out the re-  
23 search, development, and testing under subsection (a) the  
24 Administrator shall focus on the following:

1           (1) Monitoring and automatically reporting air  
2 turbulence events.

3           (2) Providing space-based multilateration sur-  
4 veillance.

5           (3) Identifying global positioning system (GPS)  
6 and global navigation satellite system (GNSS) dis-  
7 ruptions affecting air traffic services and assessing  
8 the impact of such events on the safety of air traffic  
9 and the National Airspace System.

10           (4) Evaluating the feasibility of implementing  
11 and using aviation safety technologies and systems  
12 using space-based Automatic Dependent Surveil-  
13 lance-Broadcast data.

14           (c) REPORT.—Not later than 180 days after the date  
15 of the enactment of this title, the Administrator shall pro-  
16 vide to the appropriate committees of Congress a report  
17 on the research and development under subsection (a) and  
18 the activities researched pursuant to subsection (b).

19 **SEC. 1137. AVIATION WEATHER TECHNOLOGY REVIEW.**

20           (a) REVIEW.—The Administrator, in consultation  
21 with the Administrator of the National Oceanic and At-  
22 mospheric Administration, shall conduct a review of cur-  
23 rent and planned research, modeling, and technology capa-  
24 bilities that have the potential to more accurately detect  
25 and predict weather impacts to aviation, including for un-

1 manned aircraft systems and advanced air mobility oper-  
2 ations, inform how advanced predictive models can en-  
3 hance aviation operations, and increase national airspace  
4 system safety and efficiency.

5 (b) REPORT.—Not later than one year after the date  
6 of the enactment of this title, the Administrator shall sub-  
7 mit to the appropriate committees of Congress a report  
8 containing the results of the review conducted under sub-  
9 section (a).

10 **SEC. 1138. AIR TRAFFIC SURFACE OPERATIONS SAFETY.**

11 (a) RESEARCH.—Subject to the availability of appro-  
12 priations for such purpose, the Administrator, in consulta-  
13 tion with the Administrator of NASA and the heads of  
14 other appropriate Federal agencies, shall continue to carry  
15 out research on technologies and operations to enhance air  
16 traffic surface operations safety.

17 (b) REQUIREMENTS.—The research program under  
18 subsection (a) shall examine the following:

19 (1) The safety of current air traffic control op-  
20 erations related to air traffic surface operations.

21 (2) Emerging in-cockpit technologies to enhance  
22 ground situational awareness.

23 (3) Emerging technologies to enhance air traffic  
24 control situational awareness.



1           “(5) develop sustainability and resiliency guide-  
2           lines to improve long-term pavement performance  
3           and reduce carbon emissions.”.

4 **SEC. 1140. TECHNOLOGY REVIEW OF ARTIFICIAL INTEL-**  
5           **LIGENCE AND MACHINE LEARNING TECH-**  
6           **NOLOGIES.**

7           (a) REVIEW.—The Administrator shall conduct a re-  
8           view of current and planned artificial intelligence and ma-  
9           chine learning technologies to improve airport efficiency  
10          and safety.

11          (b) SUMMARIES.—The review conducted under sub-  
12          section (a) shall include examination of the application of  
13          artificial intelligence and machine learning technologies to  
14          the following:

15               (1) Jet bridges.

16               (2) Airport service vehicles on airport move-  
17          ment areas.

18               (3) Aircraft taxi.

19               (4) Any other areas the Administrator deter-  
20          mines necessary to help improve airport efficiency  
21          and safety.

22          (c) REPORT.—Not later than one year after the date  
23          of the enactment of this title, the Administrator shall sub-  
24          mit to the appropriate committees of Congress a report  
25          containing the results of the review conducted under sub-

1 section (a). The report shall also include an examination  
2 of China's domestic application of artificial intelligence  
3 and machine learning technologies identified under sub-  
4 section (b).

5 **SEC. 1141. RESEARCH PLAN FOR COMMERCIAL SUPER-**  
6 **SONIC RESEARCH.**

7 Not later than one year after the date of the enact-  
8 ment of this title, the Administrator, in consultation with  
9 the Administrator of NASA and industry, shall submit to  
10 the appropriate committees of Congress a comprehensive  
11 research plan to build on existing research and develop-  
12 ment activities and identify any further research and de-  
13 velopment needed to inform the development of Federal  
14 and international policies, regulations, standards, and rec-  
15 ommended practices relating to the certification and safe  
16 and efficient operation of civil supersonic aircraft and su-  
17 peronic overland flight.

18 **SEC. 1142. ELECTROMAGNETIC SPECTRUM RESEARCH AND**  
19 **DEVELOPMENT.**

20 (a) IN GENERAL.—The Administrator shall conduct  
21 research, engineering, and development related to the ef-  
22 fective and efficient use and management of radio fre-  
23 quency spectrum in the civil aviation domain, including for  
24 aircraft, unmanned aircraft systems, and advanced air

1 mobility. Such research, engineering, and development  
2 shall, at a minimum, address the following:

3 (1) How reallocation or repurposing of radio  
4 frequency spectrum adjacent to spectrum allocated  
5 for communication, navigation, and surveillance may  
6 impact the safety of civil aviation.

7 (2) The effectiveness of measures to identify  
8 risks, protect, and mitigate against spectrum inter-  
9 ference in frequency bands used in civil and commer-  
10 cial aviation operations to ensure public safety.

11 (b) REPORT.—Not later than one year after the date  
12 of the enactment of this title, the Administrator shall sub-  
13 mit to the appropriate committees of Congress a report  
14 containing the results of the research, engineering, and de-  
15 velopment conducted under subsection (a).

16 **SEC. 1143. AVIATION STRUCTURES, MATERIALS, AND AD-**  
17 **VANCED MANUFACTURING RESEARCH AND**  
18 **DEVELOPMENT.**

19 (a) IN GENERAL.—Using the amounts available  
20 under section 48102(a) of title 49, United States Code,  
21 the Administrator, in coordination with the Director of the  
22 National Institute of Standards and Technology, shall  
23 carry out a research and development program for advanc-  
24 ing aviation structures, materials, and manufacturing for  
25 the safe use in and on aircraft.

1 (b) INCLUSION.—The program under subsection (a)  
2 shall, to the extent practicable, include research and devel-  
3 opment relating to the following:

4 (1) Metallic and non-metallic based additive  
5 materials and processes, composites, and other ad-  
6 vanced materials.

7 (2) Process development for the development of  
8 design and manufacturing standards for aviation  
9 structures, materials, and additive manufacturing.

10 (3) Improving certification efficiency of aviation  
11 structures, materials, and additively manufactured  
12 aviation products and components.

13 (4) Evaluating long-term material and struc-  
14 tural behavior and associated maintenance, including  
15 support for fatigue life determination, structural  
16 changes related to fatigue, thermal, corrosive envi-  
17 ronments, and expected maintenance of such mate-  
18 rials, including recommended repair techniques.

19 (5) Partnering with commercial entities to ma-  
20 ture and certify, as appropriate, the following capa-  
21 bilities for use in aircraft manufacturing:

22 (A) Additive manufacturing, including  
23 large-scale additive manufacturing.

24 (B) Aviation structures.

1 (C) Advanced materials capabilities, in-  
2 cluding the development and qualification of  
3 new material chemistries.

4 (6) Inspection and quality assurance tech-  
5 nologies for use with complex geometries enabled by  
6 advanced manufacturing methods.

7 (c) REPORT.—Not later than 180 days after the date  
8 of the enactment of this title, the Administrator shall pro-  
9 vide to the appropriate committees of Congress a report  
10 on the findings of the research under subsection (a).

11 **SEC. 1144. RESEARCH PLAN ON THE REMOTE TOWER PRO-**  
12 **GRAM.**

13 (a) IN GENERAL.—Not later than 180 days after the  
14 date of the enactment of this title, the Administrator shall  
15 submit to the appropriate committees of Congress a com-  
16 prehensive plan for research, development, testing, and  
17 evaluation needed to mature remote tower technology and  
18 provide a strategic roadmap to support standards develop-  
19 ment, validation, and operational certification of such  
20 technology.

21 (b) CONSIDERATIONS.—As part of the plan required  
22 under subsection (a), the Administrator should consider  
23 the use of remote tower technologies for advanced air mo-  
24 bility operations.

1 **SEC. 1145. AIR TRAFFIC CONTROL TRAINING.**

2 (a) RESEARCH.—Subject to the availability of appro-  
3 priations for such purpose, the Administrator shall carry  
4 out a research program to evaluate opportunities to mod-  
5 ernize, enhance, and streamline training time to become  
6 a Certified Professional Controller.

7 (b) REQUIREMENTS.—The research under subsection  
8 (a) shall—

9 (1) assess the use of advanced technologies,  
10 such as artificial intelligence, machine learning,  
11 adaptive computer-based simulation, virtual reality,  
12 or augmented reality, to enhance controller knowl-  
13 edge retention, improve performance, and improve  
14 the effectiveness of training time;

15 (2) develop a timeline to deploy proven ad-  
16 vanced technologies and associated processes for ac-  
17 creditation in training programs and training facili-  
18 ties within the national airspace system; and

19 (3) include collaboration with labor organiza-  
20 tions and other stakeholders.

21 (c) REPORT.—Not later than one year after the date  
22 of the enactment of this title, the Administrator shall sub-  
23 mit to the appropriate committees of Congress a report  
24 on the findings of the research under subsection (a).

1 **SEC. 1146. REPORT ON AVIATION CYBERSECURITY DIREC-**  
2 **TIVES.**

3 Not later than 180 days after the date of enactment  
4 of this title, the Administrator shall submit to the appro-  
5 priate committees of Congress a report on the status of  
6 the FAA's implementation of section 2111 of the FAA Ex-  
7 tension, Safety, and Security Act of 2016 (Public Law  
8 114–190; 49 U.S.C. 44903 note; relating to the develop-  
9 ment of a comprehensive and strategic aviation cybersecu-  
10 rity framework and establishment of a research and devel-  
11 opment plan to mitigate cybersecurity risks in the Na-  
12 tional Airspace System). The report, at minimum, shall  
13 include the following:

14 (1) A description of the FAA's progress in de-  
15 veloping, implementing, and updating such frame-  
16 work.

17 (2) A description of prioritized research and de-  
18 velopment activities for the most needed improve-  
19 ments, with target dates, to safeguard the National  
20 Airspace System.

21 (3) An explanation for any delays or challenges  
22 in so implementing such section.

23 **SEC. 1147. RULE OF CONSTRUCTION REGARDING COLLABO-**  
24 **RATIONS.**

25 Nothing in this title may be construed as modifying  
26 or limiting existing collaborations, or limiting potential en-

1 gagement on future collaborations, between the Adminis-  
2 trator, stakeholders, and labor organizations, including  
3 the exclusive bargaining representative of air traffic con-  
4 trollers certified under section 7111 of title 5, United  
5 States Code, pertaining to Federal Aviation Administra-  
6 tion research, development, demonstration, and testing ac-  
7 tivities.

8 **SEC. 1148. TURBULENCE RESEARCH AND DEVELOPMENT.**

9 (a) IN GENERAL.—Subject to the availability of ap-  
10 propriations for such purpose, the Administrator, in col-  
11 laboration with the Administrator of the National Oceanic  
12 and Atmospheric Administration, and in consultation with  
13 the Administrator of NASA, shall carry out applied re-  
14 search and development to—

15 (1) enhance the monitoring and understanding  
16 of severe turbulence, including clear-air turbulence;  
17 and

18 (2) inform the development of measures to miti-  
19 gate safety impacts on crew and the flying public  
20 that may result from severe turbulence.

21 (b) RESEARCH AND DEVELOPMENT ACTIVITIES.—In  
22 conducting the research and development on severe turbu-  
23 lence in accordance with subsection (a), the Administrator  
24 shall—

1           (1) establish processes and procedures for com-  
2           prehensive and systematic data collection through  
3           both instrumentation and pilot reporting, of severe  
4           turbulence, including clear-air turbulence;

5           (2) establish measures for storing and man-  
6           aging such data collection;

7           (3) support measures for monitoring and char-  
8           acterizing incidents of severe turbulence;

9           (4) consider relevant existing research and de-  
10          velopment from other entities, including Federal de-  
11          partments and agencies, academia, and the private  
12          sector; and

13          (5) carry out research and development—

14                (A) to understand the impacts of climate  
15                change and other factors on the nature of tur-  
16                bulence, including severe turbulence and clear-  
17                air turbulence;

18                (B) to enhance turbulence forecasts for  
19                flight planning and execution, seasonal pre-  
20                dictions for schedule and route-planning, and  
21                long-term projections of severe turbulence, in-  
22                cluding clear-air turbulence; and

23                (C) on other subject matters areas related  
24                to severe turbulence, as determined by the Ad-  
25                ministrator; and

1           (6) support the effective transition of the re-  
2           sults of research and development to operations,  
3           where appropriate.

4           (c) NO DUPLICATION.—The Administrator shall en-  
5           sure that research and development activities under this  
6           section do not duplicate other Federal programs relating  
7           to turbulence.

8           (d) TURBULENCE DATA.—

9           (1) COMMERCIAL PROVIDERS.—In conducting  
10          research and development activities under subsection  
11          (b), the Administrator may enter into agreements  
12          with commercial providers for the following:

13                 (A) The purchase of turbulence data.

14                 (B) The placement on aircraft of instru-  
15                 ments relevant to understanding and moni-  
16                 toring turbulence.

17          (2) DATA ACCESS.—The Administrator shall  
18          make the data collected pursuant to subsection (b)  
19          widely available and accessible to the scientific re-  
20          search, user, and stakeholder communities, including  
21          the Administrator of the National Oceanic and At-  
22          mospheric Administration, to the greatest extent  
23          practicable and in accordance with Federal Aviation  
24          Administration data management policies.

1 (e) REPORT ON TURBULENCE RESEARCH.—Not later  
2 than 15 months after the date of the enactment of this  
3 title, the Administrator, in collaboration with the Adminis-  
4 trator of the National Oceanic and Atmospheric Adminis-  
5 tration, shall submit to the appropriate committees of  
6 Congress a report that—

7 (1) details the activities conducted under this  
8 section, including how the research and development  
9 activities under subsection (b) have contributed to  
10 the goals specified in subsection (a);

11 (2) assesses the current state of scientific un-  
12 derstanding of the causes, occurrence rates, and past  
13 and projected future trends in occurrence rates of  
14 severe turbulence, including clear-air turbulence;

15 (3) describes the processes and procedures for  
16 collecting, storing, and managing, data in pursuant  
17 to subsection (b);

18 (4) assesses—

19 (A) the use of commercial providers pursu-  
20 ant to subsection (d)(1); and

21 (B) the need for any future Federal Gov-  
22 ernment collection or procurement of data and  
23 instruments related to turbulence, including an  
24 assessment of costs;

1 (5) describes how such data will be made avail-  
2 able to the scientific research, user, and stakeholder  
3 communities; and

4 (6) identifies future research and development  
5 needed to inform the development of measures to  
6 predict and mitigate the safety impacts that may re-  
7 sult from severe turbulence, including clear-air tur-  
8 bulence.

9 **SEC. 1149. RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.**  
10

11 (a) IN GENERAL.—The Administrator shall carry out  
12 research, development, testing, evaluation, and demonstra-  
13 tion programs for low-carbon alternative aviation fuels,  
14 which may include next-generation feedstocks, biofuels,  
15 and bioderived chemicals.

16 (b) COLLABORATION.—The Administrator shall col-  
17 laborate with Federal agencies, industry stakeholders, re-  
18 search institutions, and other relevant stakeholders, to ac-  
19 celerate the research, development, testing, evaluation,  
20 and demonstrations programs described in subsection (a)  
21 and facilitate United States sustainability and competi-  
22 tiveness in aviation.

23 **SEC. 1150. LIMITATION.**

24 None of the funds authorized in this title may be used  
25 to conduct research, develop, design, plan, promulgate, im-

1 plement, or execute a policy, program, order, or contract  
2 of any kind with the Chinese Communist Party or any  
3 Chinese-owned entity unless such activities are specifically  
4 authorized by a law enacted after the date of enactment  
5 of this title.

6 **SEC. 1151. CENTER OF EXCELLENCE FOR ALTERNATIVE**  
7 **JET FUELS AND ENVIRONMENT (ASCENT).**

8 The Center of Excellence for Alternative Jet Fuels  
9 and Environment (ASCENT) shall subject to the avail-  
10 ability of appropriations for such purpose and consistent  
11 with the research and development strategy in section  
12 1133, conduct research on hydrogen to increase aviation  
13 decarbonization. Such research shall be in addition to any  
14 other research authorized to be carried out by the Center,  
15 including other research relating to hydrogen.

16 **SEC. 1152. STUDY ON AERONAUTICAL STANDARDS.**

17 (a) **STUDY REQUIRED.**—The Administrator of the  
18 National Aeronautics and Space Administration, in con-  
19 sultation with the Secretary of Defense, the Administrator  
20 of the Federal Aviation Administration, and the Adminis-  
21 trator of the National Oceanic and Atmospheric Adminis-  
22 tration, shall conduct a study on the modernization of  
23 aeronautical standards.

1 (b) DESIGNATION.—The study conducted under sub-  
2 section (a) shall be known as the “Modernization of Aero-  
3 nautical Standards and Aircraft Performance Study”.

4 (c) ELEMENTS.—The study conducted under sub-  
5 section (a) shall include the following:

6 (1) An assessment of differences between cur-  
7 rent atmospheric conditions and baseline atmos-  
8 pheric conditions, including both mean and extreme  
9 values.

10 (2) An analysis of the impacts to operation,  
11 maintenance, and sustainment costs of covered com-  
12 mercial aircraft due to the differences identified  
13 under paragraph (1).

14 (3) An estimation of the number of weight re-  
15 striction hours for covered commercial aircraft at  
16 covered commercial airports under baseline, current,  
17 and projected atmospheric conditions.

18 (4) An assessment of required infrastructure in-  
19 vestment at covered commercial airports such that  
20 the number of weight restriction hours under pro-  
21 jected atmospheric conditions is equivalent to the  
22 number of weight restriction hours with current in-  
23 frastructure and route structure under baseline and  
24 current atmospheric conditions.

1           (5) Recommendations for atmospheric and cli-  
2           matic design requirements for future commercial air-  
3           craft to account for projected atmospheric condi-  
4           tions.

5           (6) An analysis of impacts to operation, mainte-  
6           nance, and sustainment costs and aircraft perform-  
7           ance of military aircraft due to the differences iden-  
8           tified under paragraph (1).

9           (7) Atmospheric and climatic design require-  
10          ments for military aircraft, or other equipment,  
11          which should be updated to account for current and  
12          projected atmospheric conditions.

13          (8) Recommended updates or supplements to  
14          atmospheric standards due to current atmospheric  
15          conditions.

16          (9) Criteria under which future updates or sup-  
17          plements to atmospheric standards should be made.

18          (d) TRANSMITTAL.—The Administrator of the Na-  
19          tional Aeronautics and Space Administration shall trans-  
20          mit the results of the study to the Committee on Science,  
21          Space, and Technology and the Committee on Transpor-  
22          tation and Infrastructure of the House of Representatives,  
23          the Committee on Commerce, Science, and Transportation  
24          of the Senate, and the congressional defense committees

1 not later than 18 months after the date of the enactment  
2 of this Act.

3 (e) DEFINITIONS.—In this section:

4 (1) AIRCRAFT PERFORMANCE.—The term “air-  
5 craft performance” includes the following:

6 (A) Range.

7 (B) Payload capacity.

8 (C) Runway length requirement.

9 (D) Climb rate.

10 (E) Turn rate.

11 (F) Operating altitude.

12 (G) Acceleration.

13 (2) ATMOSPHERIC STANDARDS.—The term “at-  
14 mospheric standards” means the following:

15 (A) The United States Standard Atmos-  
16 phere of 1976.

17 (B) MIL–HDBK–310, Climatic Informa-  
18 tion to Determine Design and Test Require-  
19 ments for Military Systems and Equipment.

20 (C) Any other standard as determined by  
21 the Administrator of the National Aeronautics  
22 and Space Administration.

23 (3) BASELINE ATMOSPHERIC CONDITIONS.—  
24 The term “baseline atmospheric conditions” means

1 the atmospheric conditions referred to in the most  
2 recent release of an atmospheric standard.

3 (4) COVERED COMMERCIAL AIRPORTS.—The  
4 term “covered commercial airports” means the fol-  
5 lowing:

6 (A) The 30 commercial service airports (as  
7 such term is defined in section 47102(7) of title  
8 49, United States Code) with the most pas-  
9 senger boardings in the most recent calendar  
10 year ending before the date of the enactment of  
11 this Act.

12 (B) The five public airports (as such term  
13 is defined in section 47102(21) of title 49,  
14 United States Code) not described in clause (i)  
15 with the highest all-cargo landed weight in the  
16 most recent calendar year ending before the  
17 date of the enactment of this Act.

18 (5) COVERED COMMERCIAL AIRCRAFT.—The  
19 term “covered commercial aircraft” means the ten  
20 aircraft types still in production with the highest  
21 number of operations at covered commercial airports  
22 in the most recent calendar year ending before the  
23 date of the enactment of this Act.

24 (6) COMMERCIAL AIRCRAFT.—The term “com-  
25 mercial aircraft” means an air carrier operating

1 under part 121 of title 14, Code of Federal Regula-  
2 tions.

3 (7) CONGRESSIONAL DEFENSE COMMITTEES.—  
4 The term “congressional defense committees” has  
5 the meaning given that term in section 101(a)(16)  
6 of title 10, United States Code.

7 (8) CURRENT ATMOSPHERIC CONDITIONS.—The  
8 term “current atmospheric conditions” means the  
9 atmospheric conditions observed in the five most re-  
10 cent calendar years ending before the date of the en-  
11 actment of this Act.

12 (9) PROJECTED ATMOSPHERIC CONDITIONS.—  
13 The term “projected atmospheric conditions” means  
14 the mean atmospheric conditions projected by the  
15 International Panel on Climate Change under the  
16 Sixth Assessment Report in scenarios—

17 (A) SSP1–1.9;

18 (B) SSP1–2.6;

19 (C) SSP2–4.5;

20 (D) SSP3–7.0; and

21 (E) SSP5–8.5.

22 (10) MILITARY AIRCRAFT.—The term “military  
23 aircraft” means an aircraft that—

24 (A) is currently being developed, procured,  
25 or operated by the Department of Defense; and

1 (B) is a bomber, fighter, attack helicopter,  
2 transport helicopter, strategic transport, tac-  
3 tical transport, or surveillance aircraft.

4 (11) PASSENGER BOARDINGS.—The term “pas-  
5 senger boardings” has the meaning given such term  
6 in section 47102(15) of title 49, United States Code.

7 (12) WEIGHT RESTRICTION HOUR.—The term  
8 “weight restriction hour” means an hour when the  
9 maximum temperature for that hour matches or ex-  
10 ceeds the weight-restriction temperature threshold  
11 for a specific aircraft.

## 12 **TITLE XII—AVIATION REVENUE** 13 **PROVISIONS**

### 14 **SEC. 1201. AIRPORT AND AIRWAY TRUST FUND EXPENDI-** 15 **TURE AUTHORITY.**

16 (a) IN GENERAL.—Section 9502(d)(1) of the Inter-  
17 nal Revenue Code of 1986 is amended—

18 (1) in the matter preceding subparagraph (A)  
19 by striking “October 1, 2023” and inserting “Octo-  
20 ber 1, 2028”; and

21 (2) in subparagraph (A) by striking the semi-  
22 colon at the end and inserting “or the Securing  
23 Growth and Robust Leadership in American Avia-  
24 tion Act;”.

1 (b) CONFORMING AMENDMENT.—Section 9502(e)(2)  
2 of such Code is amended by striking “October 1, 2023”  
3 and inserting “October 1, 2028”.

4 **SEC. 1202. EXTENSION OF TAXES FUNDING AIRPORT AND**  
5 **AIRWAY TRUST FUND.**

6 (a) FUEL TAXES.—Section 4081(d)(2)(B) of the In-  
7 ternal Revenue Code of 1986 is amended by striking “Sep-  
8 tember 30, 2023” and inserting “September 30, 2028”.

9 (b) TICKET TAXES.—

10 (1) PERSONS.—Section 4261(k)(1)(A)(ii) of  
11 such Code is amended by striking “September 30,  
12 2023” and inserting “September 30, 2028”.

13 (2) PROPERTY.—Section 4271(d)(1)(A)(ii) of  
14 such Code is amended by striking “September 30,  
15 2023” and inserting “September 30, 2028”.

16 (c) FRACTIONAL OWNERSHIP PROGRAMS.—

17 (1) FUEL TAX.—Section 4043(d) of such Code  
18 is amended by striking “September 30, 2023” and  
19 inserting “September 30, 2028”.

20 (2) TREATMENT AS NONCOMMERCIAL AVIA-  
21 TION.—Section 4083(b) of such Code is amended by  
22 striking “October 1, 2023” and inserting “October  
23 1, 2028”.

24 (3) EXEMPTION FROM TICKET TAX.—Section  
25 4261(j) of such Code is amended by striking “Sep-





Calendar No. 211

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session  
**H. R. 3935**

**AN ACT**

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

SEPTEMBER 21, 2023

Read the second time and placed on the calendar